



Speech by

KEN TURNER

MEMBER FOR THURINGOWA

Hansard 28 April 1999

TRANSPLANTATION AND ANATOMY AMENDMENT BILL

Mr TURNER (Thuringowa—IND) (9.10 p.m.), in reply: Since delivering my maiden speech in this House I have sent to people, on request, in excess of 1,000 copies of the speech. I was overwhelmed by the response. It was encouraging to realise that my maiden speech inspired so many people to care.

In that speech I asked whether members of this House would also care about people with a disability. I promised to be the voice of those people in this House in the months and years to come. These people are desperately screaming for help which is either not forthcoming or is coming so slowly that in the case of organ donors it will be too late for so many.

We do not have capital punishment in Australia, but at this very moment we have about 3,000 Australians sitting on death row— 3,000 innocent people waiting to die. These people have been condemned to death for no other reason than being inflicted with body organ and tissue failure. Due to the lack of donor organs patients remain on waiting lists for up to five years. Twenty per cent of these patients will die before a donor organ becomes available. Can honourable members imagine how these people must feel— counting down the limited hours of their lives whilst waiting for another to die so that they can live? Can honourable members imagine the guilt, trauma and despair of such an existence? Yet this is the life to which they are presently condemned until we change the laws affecting organ donations.

Every day, Australians, from the very young to the very old, die whilst waiting for a donor organ. We, the members of this Parliament, are in the position to stop this futile waste of life. At present, to tick the organ donor box on a driver's licence is not enough. Permission by the next of kin is required for the removal of body organs and tissue for transplant. I understand that about 85% of those asked consent to the removal of their loved ones' organs, but I suggest that perhaps those people may have preferred not to have had to make that decision. This decision making adds extra stress to an already traumatic time when the deceased had already made that decision.

The subject of organ donations has been the topic of conversation many times with my family. My five children have all ticked their drivers' licences to be organ donors. All have said sincerely and honestly that they wish every part of their bodies to be used for transplant in the event of their deaths. I have promised them faithfully that, should such a tragedy occur, I would carry out their wishes. These decisions were made at a rational time without the pressures of being grief stricken. How can bereaved relatives be expected to make such an important decision about organ donation at that most traumatic time in their lives? Why are they even asked to make that decision if the decision has already been made by the donor before death?

During a Today Tonight program addressing the topic of organ donations, Robyn Gillies, a Townsville mother who has been waiting five years for a kidney transplant, and I were interviewed. Also interviewed on that program was a lady who had consented to the donation of her son's organs after his unfortunate death. She did not regret her decision in any way, but she was obviously very distressed and stated that she would have preferred not to have been put in the position of being asked for her consent, which only added extra trauma to her grief at that time, and since.

Several weeks ago, I received a telephone call at my office from another very distressed woman who had lost her son in a car accident. She was asked for consent to donate her son's organs and, in her distraught state, she declined. For the two years since the death of her son she has regretted her decision and often thinks about the life that she may have saved at that time. She is now receiving

counselling—two years too late. These people should not have been asked to make this decision at such a time. To be asked that question at that time is asking too much.

When I considered presenting the organ donor Bill to Parliament, I thought that making a driver's licence a legal document would assist in many ways. It covered a very wide section of the community. It has photo identification, making it easy to identify the person. The licence would quickly reveal whether or not the person was a consenting donor. It could be easily linked to a donor organ database. The Queensland Transport Department could also produce a legal document, with provision for a photograph, for people who do not have a driver's licence.

It sometimes takes a considerable amount of time for the next of kin to be contacted. Whether or not their permission was required for the donation of organs, they would definitely need counselling at that time. With organ donations there are three fundamental aspects to examine: the desperate plight of those who need a transplant; the overall need to improve the rate of donors; and the need to ensure a satisfactory outcome for the relatives of the donor.

Australia has the lowest rate of organ donations in the Western World. At present, Queensland has no set guidelines for the acquisition of organ donations. It is of the utmost importance that Queensland introduces a model which is designed to increase the number of organ donors. We need to reassure Queenslanders that the acquisition of organs is carried out with all the dignity and respect awarded to the donor after death as in life.

In 1996, the South Australian Government established the South Australia Organ Donation Agency to coordinate the process of organ donation and provision in that State. Within the first 12 months of its establishment the agency had increased the rate of donors to 22 donors per million people. That is twice the Australian average. Only around 1% of people die in circumstances which will allow for transplantation. In South Australia, medical coordinators are able to influence the timing and manner of the request for organ donations so that very few of the 1% of potential donors are missed.

Mrs Edmond: That's what we are aiming to do here. It is the same system.

Mr TURNER: I realise that. Considering that Australia leads the world with its research and technique in the transplant field—with many thousands of lives being saved in the past and the quality of life being improved for many thousands more—it is ironic that we have such a low organ donation rate. We need a database acceptable to hospitals, doctors, organ donation coordinators, police and ambulance to coordinate the process of organ donation and provision in a respectful manner. We also need to provide funding to increase the number of intensivists and counsellors in our hospital system who are trained to deal specifically with the bereaved relatives of donor patients.

Whether we adopt the method used successfully in South Australia or we create our own model to address this problem is irrelevant. We need to ensure that none of the potential donor organs are unused. How could we, in all consciousness, ignore this issue and let more people die? We cannot. We must pass a Bill and implement the strategies as quickly as possible. To ignore this issue would be to sentence prospective donor recipients to death. We are politicians, not judge and jury. We do not have the right to pass sentence on innocent people.

We have listened intently to the facts and figures, the dos and don'ts and the cans and can'ts of this issue and it is heartening to see light at the end of the tunnel. It is sad to reflect that, since I tabled this Bill in November, five precious life-saving months have gone by. However, I am encouraged by the fact that all members of this House agree that our present method of organ acquisition and donation is inefficient. If my presenting this Bill to Parliament has been the catalyst for the implementation of a comprehensive and successful new donor system our time has not been wasted. We can put in place a system that will address this important issue and we can all proudly say, "We did that."

I thank all members for their kind words and for speaking so enthusiastically about this Bill. It has been a very humbling experience for me to listen to the responses that everyone has made regarding the putting aside of political differences and working together to address this important issue.

I acknowledge the amendment to this Bill moved by the honourable member for Maroochydore, Miss Fiona Simpson, and I welcome the support for this amendment given by the Minister for Health, the Honourable Wendy Edmond. By commending this amendment to the House, I put my full trust in all members of this 49th Parliament to put their concerted efforts into finding a suitable working system that eliminates the problems currently experienced in the donation and acquisition of body organs and tissues.

Let us build a model that will be an inspiration to the rest of the world. I thank the Government for its commitment in supporting the amendment and for its commitment to ensure that a comprehensive organ donation model will be put into place in Queensland. I look forward to 1 August when the Legal Constitutional and Administrative Review Committee reports back to the House. Again, I sincerely thank all members for their support.