



Speech By
Hon. Craig Crawford

MEMBER FOR BARRON RIVER

Record of Proceedings, 15 September 2021

VOLUNTARY ASSISTED DYING BILL

 **Hon. CD CRAWFORD** (Barron River—ALP) (Minister for Seniors and Disability Services and Minister for Aboriginal and Torres Strait Islander Partnerships) (3.59 pm): I rise to speak in support of this bill. The purpose of this bill is to ensure that Queenslanders have a choice over the time and circumstances of their death. It provides an individual who is suffering and dying with the option of requesting medical assistance to end their lives, it provides a lawful process to exercise that option, and it establishes the necessary safeguards and legal protections to ensure that only eligible individuals can exercise this option. At its core, this bill is about choice.

I rise today not only as an elected member of this House but also as Minister for Seniors and Disability Services and Minister for Aboriginal and Torres Strait Islander Partnerships. While this bill will be very important to older people, it is important to note that this is not just a matter for seniors alone. For the three cohorts of the Queensland community I represent under this portfolio, this bill gives those who are seeking the option of voluntary assisted dying the choice to do that with dignity. It ensures that they are able to practise self-determination in that choice and that they have access to all of the information and supports necessary to enable that choice.

For seniors and people with disability in particular, the critical element of this bill is that it provides a clear legal framework which ensures that, in order to access this option, the person considering enacting VAD must have demonstrated decision-making capacity at all stages of the process. This is most important to alleviate the possible concerns of the disability and aged-care sector where there is diminished capacity or potential exposure to elder abuse. If a person at any of these three stages has lost their decision-making capacity, the process cannot go forward.

For Aboriginal and Torres Strait Islander Queenslanders this will be a sensitive issue. We know that First Nations peoples are more likely to die almost 10 years earlier than non-Indigenous Australians. Our efforts are focused on increasing life expectancy and preventing early death resulting from disease and terminal illness. Self-determination is also a right that is important to Aboriginal and Torres Strait Islander people, and determining the timing and circumstances of their death in cases of terminal illness is possibly the greatest example of an individual's self-determination in practice. This may include, for example, the ability to return to country to pass peacefully on their traditional or ancestral lands.

I note that VAD laws came into effect in the state of Western Australia on 1 July 2021. A Wongatha-Yamatji Aboriginal woman was one of the first people to end her life under Western Australia's new laws. This lady was a 63-year-old grandmother who lived with motor neuron disease for more than six years. She chose to end her life with medical assistance surrounded and supported by her family and community. Aboriginal and Torres Strait Islander representation has also been encouraged during the implementation process of the voluntary assisted dying scheme in Queensland.

The Bar Association of Queensland suggested that the term 'family member' be drafted in a way that would provide consistency with the cultural understanding of family within Aboriginal and Torres Strait Islander cultural groups. This recognises a person who, under traditional custom, is regarded as a parent of a child. Similarly, a family member is a person regarded by custom as parent, grandparent,

sibling, child or grandchild. In this context it will be important to ensure that an Aboriginal and Torres Strait Islander person as well as a disability advocate is represented on the proposed Voluntary Assisted Dying Review Board. This is to ensure the board takes into account the social, cultural and geographical characteristics of the Queensland community.

In my role as minister I have a responsibility to ensure that terminally ill seniors, people with disability and Aboriginal and Torres Strait Islander people who are suffering intolerable pain and dying can exercise their right to choose to die with dignity. This scheme is not a choice between life and death. It does not replace the need to provide properly resourced and supportive palliative care. It does, however, allow those who are dying to choose the time and circumstance of their passing. It is a matter of choice for all adult Queenslanders. It is a matter of choice for those diagnosed with an advanced and progressive illness that will cause them to suffer intolerable pain and death within 12 months.

I want to commend the committee and in particular my good friend the member for Thuringowa. There was a huge amount of work done by the committee under Aaron's leadership, members from all sides of this House and the committee secretariat. I certainly want to make mention, as other members of this House have, of our good friend Duncan Pegg and his words of leadership for us.

As an ex-paramedic, I can tell you that I have personally encountered hundreds of cases of patients suffering through the final stages of their lives with a terminal illness. Their stories are all unique, personal and both traumatic and inspiring. I often thought that if I was ever in their situation I would want options, to be able to have a say and to know the law gave me that say. It is out of respect for them and the many more who face a similar agonising end that I support this bill.