




Speech By  
**Deb Frecklington**

**MEMBER FOR NANANGO**

---

Record of Proceedings, 15 September 2021

**VOLUNTARY ASSISTED DYING BILL**

 **Mrs FRECKLINGTON** (Nanango—LNP) (7.04 pm): I rise to contribute to the Voluntary Assisted Dying Bill 2021. In the past 10 years on numerous occasions I have stood in this House and said what an absolute privilege it is to stand in this House—a privilege that is only afforded to a select few. We privileged few who are elected by our communities are put here in this place to make laws to make lives better and to enrich our society so our constituents can live a life of freedom, free from oppression and free from fear. My party, the LNP, base our principles on the freedom of the individual. This I will draw on today.

I have found this legislation the most difficult and complex decision that I have had to make in this place. The arguments for and against are compelling and worthy of consideration. Until today, I have not voiced my opinion on this bill as I wanted to know and understand the full extent of the legislation, including amendments. We heard last week that the Premier was going to introduce amendments to address the concerns put by stakeholders. I now understand that this is not the case. This is a shame as the resources available to the office of the Premier to prepare amendments eclipse the resources of any other MP in this House. Therefore, I thank the member for Toowoomba South for his amendments.

The reason I have not voiced my opinion is that, while I do not fundamentally oppose voluntary assisted dying, I have had concerns about aspects of this legislation which have required a great deal of deliberation. I also want to recognise that we live in a society where there are people of different beliefs, different backgrounds and different lifestyles. We are all free to believe in different things and this philosophy is important because we tolerate each other's beliefs even when they do not match our own. It is what makes our country such a great place in which to live. It is a diversity of which we are all proud.

When it comes to voluntary assisted dying, I accept that my personal view will differ from many. Unlike many in this House—and we have heard tragic stories, particularly of parents—I am fortunate that I have my two parents still alive, still healthy and still active. When I discussed this terribly hard decision that I have to make, my dad said to me, 'Don't forget you represent both sides of the compass. We need to get this right.'

The vote on this bill is a conscience vote; it is a personal vote—a vote that we must make on our own behalf, free from the undue influence of others. I have listened to the voices of my colleagues, those in the medical profession and those of many advocacy groups who represent people both for and against this legislation, and I thank them all for their consideration. I have listened to the voices of my family and friends. I have heard and shared tears of the harrowing stories of dying loved ones and people who are suffering at the end of their life. I would like to thank everyone who has contacted me by email, phone and in person to provide their feedback. I appreciate the time they took to share their personal stories and their strongly held beliefs.

The decision that we make in this House will instigate a major and historic change for all Queenslanders. We must get it right and review this legislation to ensure the legislation is fit for purpose. This issue is not black and white. If it were that easy to answer we would have done it a long time ago.

While we have all arrived at this time and place with the legislation before us, I believe, like all legislation, that there is always room for improvement. The amendments that will be brought forward by the member for Toowoomba South are considered amendments. The amendments seek to tighten the proposed laws by providing stringent eligibility requirements for those who want to access VAD, including to reduce the time that the disease or condition will cause death from 12 months to six months, except where the condition is neurodegenerative; strengthening decision-making capacity and the provision of informed consent, including through enhancing the quality and range of advice provided; providing additional protection for those under coercion or whose decision-making capacity is impaired; aligning the VAD provisions with other Australian and international jurisdictions; and, importantly, enhancing reporting, monitoring, investigation, compliance and research.

In my deliberations I have always been and will continue to be concerned about the pressure on the current Queensland health system with the implementation of this bill. It is obvious to any Queenslanders, particularly those who are facing the current health system or trying to access help right now, that this current system is almost broken. We have no or near no palliative care in many hospitals and no planning or training for this much needed service. This needs to be corrected.

I refer to the Queensland Audit Office report *Health 2020*, which outlines concerns around the health system. It was laid bare. It was reported that this government's 10-year strategy 'does not have a clear implementation roadmap of how its health service plans and enabling plans contribute to achieving the objectives in this strategy'. In fact, this year when our health system is at crisis point we do not even have a budget paper that points to palliative care—so why not fix the system we have, and the people who are suffering in the system that we have, without adding even more pressure?

Many of my constituents have conveyed stories of their loved ones dying in pain, free and in peace in a palliative care setting. This can be remarkable care when the focus is no longer on cure but rather on creating an environment that is comfortable and supportive—one that lets the person spend precious last moments with their family and friends without fear. However, sadly, that is not always the case. Funding must be increased and palliative care must be a priority, not just in rural and regional Queensland.

Chronic underfunding in areas like mine means many are unable to access palliative care until a few days before they pass away, if at all. Make no mistake: the lack of palliative care is not just in country areas. Dr Kym Boon, psychiatrist, submitted to the committee—

There is inadequate, underfunded and inequitable palliative care. I work in the biggest hospital in Queensland and we do not have dedicated palliative care beds.

An AMA survey of some 1,250 doctors revealed 98 per cent of doctors believed that they should be able to offer palliative care options before VAD, yet under this legislation Queenslanders will have access to VAD nine months before they can access that much needed palliative care.

We need to be clear with our community. What we say matters. This bill does not provide an avenue for VAD for patients with Alzheimer's or dementia, nor should it. I further acknowledge the real concerns of our hospitals and aged-care facilities that fundamentally oppose voluntary assisted dying. Rightfully, they have asked us to respect their experience, insights and values. I do not want this legislation to force institutions to abandon their ethos and duty of care. The amendments address this issue and also address the broadening scope of persons who may exercise a conscientious objection to VAD. These amendments will strengthen this bill.

I agree with the convincing argument of the Leader of the Opposition that this bill probably unintentionally but unavoidably puts a lesser value on the life of the poor, the remote and the sick. As written, it neglects to consider those less fortunate than others.

I have heard it said in this debate that it cannot be a theological argument or matter. I respectfully disagree. I have never let my personal beliefs cloud an objective review of law. In this case, it is a conscience vote—one that can only be made using our conscience. My conscience directs me to consider my morals and the ethics that I live by, and that is life is life. I was not put in this chamber to take away anyone's life or to unfairly prejudice one element of society against another.

Like all in this chamber, I want everyone to die with dignity, in peace and surrounded by love, but those who are vulnerable or coerced deserve adequate protections and safeguards. My dad is right: I do represent both sides of the compass. We need to get this right and until we do I oppose this bill.