




Speech By
Laura Gerber

MEMBER FOR CURRUMBIN

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VOLUNTARY ASSISTED DYING BILL

 **Mrs GERBER** (Currumbin—LNP) (4.53 pm): This is the most emotional and complex issue I have considered in this parliament since I was honoured to be elected as the member for Currumbin last year. The range of views as expressed to me on voluntary assisted dying have often been grounded in very heartfelt and lived experience and the passion with which these views are held is so divergent that it is impossible to bring people completely together on this issue. Nevertheless, it is incumbent on all of us as legislators to assess and consider every legislative clause, intent, oversight and safeguard in this bill. It is our duty to review the proposed bill before us and determine whether it best reflects the views of the Queenslanders we are elected to represent. This responsibility has weighed heavily on me.

The discussion around voluntary assisted dying has been an extremely difficult one for me. As a healthy young person I have not faced a situation where I have needed to consider my end of life, nor have I had to care for someone in this situation. People I love have and are doing so as I speak, but I have not personally had this experience. Yet right now in this House I find myself in the position where I must vote to decide what is right for a person to do, quite literally, with their life in that exact situation.

Personally, my core beliefs stem from the right of an individual to make a decision in their own interest, free from the influence and obstruction of the state. The rights of the individual and freedom of choice are core values of mine. I also believe we all have obligations to humanity and right now this obligation demands a comprehensive understanding of how this legislation will operate in practice and the ramifications and consequences for all Queenslanders.

I understand that voluntary assisted dying is not just about the person making the decision; though they are, of course, at the forefront. There are many other parties involved, including the patient's family, friends, as well as the doctors and medical professionals who are on the frontline with the patient. This creates an incredibly delicate situation of trying to balance the rights and moral viewpoints of multiple parties with vastly varying experiences.

I was concerned that because I do not have a subjective experience through which to view voluntary assisted dying I might miss something so I relied heavily on extensive consultation with my community as well as key industry stakeholders to help me make my decision. I also believe that because I do not come from an emotive standpoint that I have been able to look at this bill objectively. Of course, that is not to say that others with a subjective experience have not done this, but merely to point out that I have spent a considerable amount of time not just on the concept of voluntary assisted dying but on whether this bill itself is good law. That is why I have spent months talking to and hearing from hundreds of my constituents on this bill. I have raised these proposed laws at every opportunity. I have sent a survey to every household in the electorate. I have collated the results from my survey and mobile offices and telephone canvassing to understand my community's views on this bill.

My consultation, of course, extended to my local LNP party members. They are a passionate group of Currumbin constituents who allow me the privilege to be the member for Currumbin. These are locals who voluntarily want to be part of our political process and are from all walks of life, including students, retirees, professionals and stay-at-home parents. I discussed this bill with them at a dedicated

meeting at great length and I sought each of their views. Exactly half of my branch supported this bill and half did not. At the end of our meeting one of the members said to me, 'Laura, I really don't know what you are going to do, but whatever you do you have our support.' It is so important to me to have the support of my branch as well as my community and I thank my LNP branch for putting their trust in me and in my judgement.

I also want to extend thanks to everyone who has been in touch with me and who has engaged in this discussion with me. Many of the conversations I have had with people have not been easy. I am humbled by the candour my constituents have displayed, sharing their own personal journeys and stories on both sides of the debate; from constituents who watched loved ones pass in pain to those currently grappling with a terminal illness to local medical practitioners concerned about the implications of this bill as it stands. I want each person who contacted me to know that I will represent them as best I can when I cast my conscience vote, but I cannot say this without acknowledging that it will be impossible for me to bring everyone together on this issue because the results of my consultation demonstrate that my community is very much divided on this issue.

It was important to me to consult on the specific details proposed in this bill, not just the concept of voluntary assisted dying, because I am not voting on an abstract idea, I am voting on the details in this bill. My community had four main concerns with the bill in its current form. Firstly, the majority of my constituents who took the time to talk with me said healthcare facilities should have the right not to provide voluntary assisted dying services if they have a conscientious objection. My community wanted this choice as part of the bill. When the Premier flagged in the media last week that an amendment addressing this might be forthcoming, I was hopeful that the community's concerns on this issue might yet be addressed. However, this bill as it stands now substantially fails to address the issue.

Secondly, the majority of my constituents said that the time frame within which voluntary assisted dying can be accessed should be amended to align with laws in other states and to align with access to palliative care funding. Palliative Care Queensland and the Australian Medical Association of Queensland point out that, while this bill stipulates patients should have access to voluntary assisted dying at 12 months, specialist palliative care is only available to those with a prognosis of three months to live. It simply did not sit well with my community that someone would be provided with access to death before they are even eligible for palliative care funding.

Thirdly, a significant majority of constituents who contacted me said that only the patient should be able to initiate discussions with a health practitioner about wanting to access voluntary assisted dying. My community were particularly passionate about this. Healthcare workers, whether they be doctors, nurses or carers, provide trusted counsel and are in a position of trust over patients. There were genuine concerns that, should those trusted individuals include voluntary assisted dying as a treatment option, the most vulnerable could be at risk. It would be tragic if the unintended consequences of this bill were to create a duty to die and that at a person's most vulnerable hour they were not protected.

Finally, but perhaps the most compelling result of my data survey, 97 per cent of respondents wanted to see palliative care improved. The bill before us does not address the fundamental underfunding of palliative care across Queensland and this, in my view, is a gross lapse in judgement. Access to high-quality palliative care is of the utmost importance and the lack of access to palliative care is even more pronounced in regional Queensland. I believe in individual choice, but I question whether there is a real choice for all Queenslanders when the option of palliative care is not there for some. Regardless of the outcome of the vote tomorrow, it is my sincere and deepest wish that palliative care and access to palliative care services be improved for all Queenslanders.

I have listened to all viewpoints and I can see merit and flaws in both sides of the debate. I have been brought to tears by the extremely personal accounts that people have shared with me. There were people who wrote to me who support the bill as it stands and who will always support voluntary assisted dying. There were members of my LNP branch who held that view. There were constituents who wrote to me who do not support the bill because it breaches a fundamental tenet of humanity, that life is sacred and that for the state to legislate intentional killing is to erode that fundamental tenet. I thank each of you for engaging with me in this matter and for sharing your story and your view.

I have agonised over how I can exercise my vote for the betterment of my community. Because voluntary assisted dying is a matter that surpasses political philosophy, ideology and religious affiliation, we cannot legislate on personal emotional belief alone, especially on such a considerable and consequential matter. The issues I have raised in the House today are key parts of this bill that my community does not agree with. The amendments put forward by my colleague the member for Toowoomba South will achieve a better outcome for my community and all Queenslanders. The amendments aim to strengthen the protections for vulnerable Queenslanders, minimise the potential for elder abuse, preserve conscientious objection rights and enhance palliative care services across

Queensland. I believe in choice but in this situation, when we are looking at the legislation and how it has been framed, it is clear there are gross inadequacies. If the government were to support our amendments or even have moved their own amendments, my decision would be much easier.

My whole being hurts for people facing great pain and terminal illness. No-one should die in pain, alone or afraid and everyone deserves the right to die with dignity. I will use my vote to try to achieve a better outcome for voluntary assisted dying reform in Queensland and for my community.

Debate, on motion of Mrs Gerber, adjourned.