




Speech By
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MEMBER FOR BONNEY

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VOLUNTARY ASSISTED DYING BILL

 **Mr O'CONNOR** (Bonney—LNP) (8.16 pm): Today I rise to support giving terminally ill Queenslanders who are experiencing intolerable suffering the right to choose the timing and circumstances of their death. I think it is important to reiterate this detail from the start. We are debating giving a very specific group of people, with decision-making capacity who are medically determined to have 12 months or less to live with an advanced progressive condition that will lead to death and is causing intolerable suffering, the ability to access a highly regulated process to end their life with multiple assessments as they apply for access to it. I would also like to say it is a privilege to represent my community in one of the rare conscience votes this parliament has seen.

I will first run through how I have approached considering these laws. I will detail my own views, make some comments on key aspects of the bill and respond to some of the major concerns that have been raised. I have done everything I possibly could have to give every one of the almost 37,000 people on the electoral roll in my part of the Gold Coast the chance to share their views on this legislation with me. For the last few months I have been running an online survey and I also posted a paper version with the same questions to every single household. I wanted the feedback I was receiving to be as genuine and widespread as possible so I did not comment with my own views on these laws while the survey was running. The approach of saying, 'Here is how I am voting', before asking, 'but what do you think?' is not how I wanted to engage with my community. That is why I deliberately did not even include a for or against case in the summary. The survey simply included a summary of the proposed laws. I will table a copy for the benefit of the House, along with the results that we found.

Tabled paper: Newsletter from the member for Bonney, Mr Sam O'Connor, regarding a voluntary assisted dying survey and survey results [1383](#).

I received around 1,700 unique responses from my constituents, all from people who I confirmed were on the electoral roll to prevent any non-local feedback. I am sure all members will agree that is an extraordinary response rate because, sadly, surveys and mail-outs from politicians are not usually the highest priority for people. This shows the importance of this issue to so many in my community. Thank you to every single person who took the time to give me their thoughts. The online data shows that people spent an average of five minutes completing the survey. This shows that people understand what we are debating and that their views are informed. This is not just a yes/no, this is genuine feedback from engaged people who wanted their local MP to hear what they had to say. Of the 1,698 people from my part of the Gold Coast who filled out my survey, 1,550 are in favour of these proposed laws. That is a resounding 92 per cent of people who want me to vote for this legislation.

In terms of the details of the bill it was the same story. Around the same percentage believe the safeguards are adequate, agreed with the way conscientious objections are included for medical practitioners, the requirement to have decision-making capacity and the need to have a terminal diagnosis, although just over half thought the 12-month time frame was correct, but that is mostly because many thought it should be longer or not exist at all.

I also included a section where people could share their own experiences and I received some deeply personal responses. I am fortunate that I have not seen a relative of mine go through one of those horrific deaths so reading the stories gave me an important perspective and understanding. They are powerful stories shared between my constituents and their member of parliament so it is not my place to raise them in this House, but I want to again thank people for trusting me with the stories of what they have gone through. I also thank the many people and organisations that came to see me personally to share their stories and views. A few of those meetings stretched over an hour and they all included me furiously flicking through the Law Reform Commission's report to look into any of the specific issues raised.

Clearly my community is overwhelmingly in favour of legalising voluntary assisted dying, but I also sit in this parliament as a proud member of the Liberal National Party. I am in the LNP because I believe in the values of our party. I believe in promoting freedom at every opportunity. I believe in the rights and the autonomy of the individual. Most relevant to this debate, I believe in the worth and dignity of the individual. There are few more significant ways in which we can empower an individual than by giving them this choice. I support the right of an individual to have dignity at the end of their life.

My last consideration was whether these proposed laws provide the best possible system to regulate this and if they include adequate protections for vulnerable people. The reality is that people in these circumstances are already choosing to end their life, often in the most distressing ways. They already have the choice to reject life-prolonging treatments. Other Australian jurisdictions provide the best comparisons as, in the last couple of years alone, we have seen laws enacted in Victoria, South Australia, Western Australia and Tasmania.

I believe the protections against coercion in this bill are adequate. They include not just the strict eligibility criteria but also the multiple levels of assessment, the statutory oversight and the substantial penalties that are put in place. I have faith in our doctors to perform the required assessments thoroughly. I am also confident that they will make their diagnoses with the best possible medical evidence. Regardless, for me the requirement for the person to regard their suffering as intolerable overrides the case where someone may technically outlive their terminal condition. I also think it takes incredible bravery for someone to make this choice, because choosing to override our fundamental human desire to live is not something done on a whim.

In terms of conscientious objection, I support the requirement that doctors will have to refer a patient to another practitioner. If that provision is not enacted, it would just delay and frustrate a person who is already in a difficult situation and if they are unable to access the process they may find another way.

I have heard many people argue about what happens overseas, claiming that these laws will lead to such situations occurring in Queensland. All I will say is that any changes would require a future parliament to pass amendments. That is entirely a decision for our society going forward and it should not blur the decision we have to make around this particular proposal.

Palliative care has also come up a lot in our considerations. As Palliative Care Queensland states—

In Australia, an individual's choice to explore voluntary assisted dying should never be a choice based on a lack of access to palliative care.

I wholeheartedly agree with that statement. It is vital and it needs more funding, but palliative care alone cannot alleviate all pain. Also, palliative care should not be the only choice available to people who have been told they are medically determined to die within a year. I think the funding boost will go a long way towards providing access to many more Queenslanders.

While the concerns around palliative care are valid, are we really expecting the opponents of voluntary assisted dying to change their minds even if palliative care is funded to their desired level? We can do more than one thing at a time. We can support the introduction of these laws whilst also calling for more funding for palliative care. Members on all sides already do this on many other issues. We do not stop amending our youth justice laws because the government does not adequately fund support services or detention facilities. We did not delay legislating the single-use plastic ban despite resource recovery infrastructure to recycle or compost plastics needing more investment. Like anything else that comes before this parliament, multiple ways of addressing something can be advocated for at the same time. The truth is that, regardless of how well it is funded, palliative care or in fact any pain management will never bring an end to all suffering. The best evidence of that is the latest Victorian Voluntary Assisted Dying Review Board report of operations. It found that 82.2 per cent of people applying to end their life through voluntary assisted dying in Victoria were currently already accessing palliative care.

Finally on this topic, I sincerely thank the staff at Wesley Mission's Hopewell Centre in Arundel, which is the Gold Coast's only dedicated private palliative care facility, and all the staff in our local aged-care facilities and at the Gold Coast University and Gold Coast Private hospitals who provide exceptional care to people reaching the end of their life.

Lastly, I thank my friend Dr Dinesh Palipana, who comes at this from a truly unique perspective not only as a medical doctor but also as a researcher, a lawyer and someone who has faced death and lives as a quadriplegic. Dinesh brought something to my attention that I had not considered, that is, the impact that this legislation could have on our disabled community. He raised the concern that people with a disability could choose to not accept a treatment option, such as someone with a high-level spinal cord injury refusing a ventilator, and then could potentially become eligible to access this process. I do not believe that that alone is reason enough to reject this legislation but I think it is worth noting in this debate as something that the proposed review board should monitor in their reporting.

To wrap up, I know my decision to vote for this bill will disappoint some but in considering my conscience, my community and the laws themselves, I cannot stand in the way of choice. I support the bill.