




Speech By
Dale Last

MEMBER FOR BURDEKIN

Record of Proceedings, 15 September 2021

VOLUNTARY ASSISTED DYING BILL

 **Mr LAST** (Burdekin—LNP) (12.53 pm): I rise to speak to the Voluntary Assisted Dying Bill 2021, a bill that I have given a lot of thought to and one that is deeply personal to me. Since this bill was first tabled, I have taken the opportunity to seek feedback from my constituents because, on issues of life and death, they deserve to have their opinions not only listened to but genuinely heard. From day one I told my constituents, the media and others that I would vote according to the will of my electorate and, as their voice in this parliament, I will do just that.

I would like to acknowledge those who conducted themselves with respect—respect for those whose opinion may differ from their own, respect for those who shared personal stories and experiences that in many cases led to their decision to support or oppose this legislation.

While I will honour my commitment to vote according to the will of my electorate, I want to put on the record my support for the amendments moved by the member for Toowoomba South because they are practical and they do strengthen the provisions contained within this bill.

Many in this place and in the public realm have spoken of the need for respect and I believe that this is the basis, along with appropriate legal protections, for the member for Toowoomba South's amendments. Regardless of where we stand on voluntary assisted dying, I am sure we all agree that human life is precious. Every person approaching the end of life should be provided with high quality care and treatment, including palliative care, to minimise the person's suffering and maximise the person's quality of life.

The majority of my electorate would be classed as rural which presents its own problems in terms of access to medical practitioners and, of course, palliative care. There are huge holes in the provision of health care in our rural communities and this bill, if passed, will present a number of issues and problems for those residents and healthcare workers living and working in those areas.

Previous speakers have referred to those last few minutes with someone dear to them or the memories formed with a loved one. If we truly believe that life is precious, we must ensure that voluntary assisted dying is about ensuring the highest quality end of life possible. It must not be about commercial gain or subjected to advertising. It must be about the rights of the individual and their decision-making capacity in relation to voluntary assisted dying.

I have seen my fair share of death over 25 years as a police officer, and one of the primary reasons I am supporting this legislation today is because of the number of deaths I have attended where Queenslanders have taken their own life. In many of these cases the victims took their own life because they had run out of options. There was no support, counselling services or medical treatment available and, as a consequence, many of these people died in the most tragic and horrific of circumstances. I am talking about people taking strychnine, of using firearms, or throwing themselves in front of a train or a motor vehicle. Sure, a lot of these victims were not suffering from a terminal illness, but a lot of them were. If you think about the impact on loved ones, on emergency service personnel and those people who may have witnessed the event, you can appreciate the difference that having that choice of voluntary assisted dying could have made.

As many other speakers have said, voluntary assisted dying is not about convenience or saving money; it is about reducing pain and discomfort as much as possible and about retaining dignity. It is for that reason that I highlight the member for Toowoomba South's amendments to ensure that, to be eligible, a person must be suffering a condition that is incurable. Not only does this address the risk of voluntary assisted dying being seen as convenient but also means that, as medical advances come to the fore, the legislation will keep pace.

The medical advancements I spoke of have, over the years, led to dramatic improvements in the treatment for many conditions, including mental health. However, it is a sad fact that even today people suffer in silence and that some do not get the treatment they need for a variety of reasons.

To ensure that voluntary assisted dying is in fact voluntary, we must ensure that people applying for this service are not affected by mental illness to the point that choosing to die is an easier option. In effect, that would be state-sanctioned suicide. By passing the member for Toowoomba South's amendments, we would ensure not only a proper assessment of the person's health from a mental health perspective but also the person has the appropriate level of decision-making capacity.

Regardless of how we vote on this legislation, I am sure we can all agree that palliative care is and will always be an essential service for thousands of Queenslanders. Whilst I note the government's announcement of further funding for palliative care services, we must ensure that this funding achieves what it sets out to do. When it comes to providing comfort in a palliative care environment, we cannot just talk about funding. We have heard loud and clear during the course of this debate of the shortfalls in palliative care funding, and I want to add my voice to the calls for increased funding and support in this space. I do not have a single palliative care bed in my electorate, and that highlights just how disparate palliative care is in this state. Palliative care should not only exist in the cities or metropolitan areas, and just because you live in the bush it should not mean you miss out on accessing palliative care.

I would highlight to members the importance of religious beliefs for many Queenslanders. There has been a lot of discussion during the course of this debate about that. If we are to talk about voluntary assisted dying, we need to emphasise the importance of the term 'voluntary' for those who wish to access it and for those who choose not to provide it. I think it is important that we acknowledge that for some faiths an assisted death is not acceptable. If we are to talk about respect, I feel that we must enable faith based medical providers to apply their beliefs when deciding whether assisted dying is to be offered. Whether or not this legislation is passed, the issue of faith is an important one.

Many of my constituents have raised concerns when it comes to ensuring the voluntary element, especially for people living with a disability. If passed, the role of the Voluntary Assisted Dying Review Board becomes crucial in ensuring the voluntary element is implemented correctly. I call on the Deputy Premier to give assurances that not only will the board be provided with the legislative and other powers that it requires but also that the board will be properly resourced to ensure it can fulfil this vital role.

The feedback from my electorate on whether to support this legislation was overwhelming. I want to put on the record my thanks to each and every constituent who replied, regardless of their opinion. For some, this issue was highly emotive, whereas for others it was less important. Most important of all, though, was the fact that the electorate has spoken.

Based on 81 per cent support from the electorate, I will be supporting this legislation and the amendments to be moved by the member for Toowoomba South. Those amendments address concerns raised by my constituents and it is important to note that these concerns were also raised by some who support the legislation, not just those who oppose it.

We must ensure that this legislation, if passed, is implemented properly. We must ensure that the spirit of the legislation becomes the practice. Safeguards must be put in place and oversight must be actively undertaken. This can be achieved with the member for Toowoomba South's amendments which will: provide stringent eligibility requirements to ensure voluntary assisted dying remains solely focused on the patient; ensure informed consent and strengthening decision-making capacity requirements to ensure adherence to the true meaning of voluntary; provide additional protections to ensure those who are under coercion or whose decision-making capacity is impaired are respected and protected; provide protections for those who conscientiously object to voluntary assisted dying no matter on what grounds; and ensure that research, reporting, monitoring, investigation and compliance play a part in ensuring that Queensland's voluntary assisted dying laws are the best possible.

One particular concern I have with this legislation is the lack of safeguards or protocols relating to those people who live alone. Should a person meet all the eligibility criteria and decide to proceed with taking their life, I ask: what steps are in place to conduct follow-up checks if that person decides to end their life at home? I do not need to remind the members in this chamber of what could possibly happen and the fallout from someone taking their life at home alone without anyone else knowing about it.

It is easy to talk about respect. It is harder to show respect and even harder to ensure respect is shown. If we are to ensure the best legislation for Queenslanders and respect for all Queenslanders, I encourage all members, regardless of whether or not they support this legislation, to support the amendments to be moved by the member Toowoomba South. We owe it to all Queenslanders to get it right.

Sitting suspended from 1.02 pm to 2.00 pm.