

## VOLUNTARY ASSISTED DYING BILL 2021

*Legislative Assembly Second Reading Debate – copied from Hansard 12 November 2021*

**Mr ANDREW CONSTANCE (Bega) (15:24):** You test the heart of your nation and State on the basis of the way in which you treat in a compassionate way those who are most vulnerable and those who are suffering. In many ways, the legislation before the Parliament is not about death. It is actually about living and how we, as a compassionate society—particularly in a progressive State like New South Wales—ensure we are able to support those at a time of need, terrible trauma and suffering and ensure that they are in control of their body and their life. I have heard a lot of discussion in recent times about the rights of an individual not to have a COVID vaccine on the basis of "your body, your choice".

When you look at voluntary assisted dying and you apply it in the context of what a person might be facing when they have been diagnosed with a terminal illness or a neurodegenerative illness, what sort of choice and control do they have in terms of their wellbeing and their body? I do see a situation arise where, fundamentally at heart, it is that principle. We are all God's creatures. We have all been given this blessed opportunity in life to experience this wonderful world. Nobody in this House can walk in the shoes of someone who has been diagnosed with a terminal illness. When I look back on my time as disability services Minister, it is with enormous regard and fondness for that sector—especially knowing that for those who were suffering, particularly from a neurodegenerative illness, all too often the wonders of medicine cannot necessarily provide the pain relief we would all want to see.

The debate is not about palliative care; it is not about advanced care directives. They remain in place. It is about our ability when someone is diagnosed with a terminal illness and facing death to ensure that they can have their loved ones with them holding their hand in a conscious state, knowing that they are together in love and support and are not going to potentially suffer what is around the corner in terms of an horrendous death. As an Anglican, I put my hand on my heart and say that this is one of the most compassionate conscience votes I have seen in the past 20 years in this place. As someone who is religious, albeit quietly, this goes to the very heart of what my beliefs and faith are all about.

I wish this was Government legislation, but I acknowledge Alex Greenwich and others including all the co-sponsors—Greg Piper, whom I have been a great mate with over the years—because I have seen Government bills around the countryside but ultimately in New South Wales we have done it this way. That might result in a far better outcome in terms of the ability to have a conscience vote. If you look at this legislation and see how it is modelled on the various government bills around the countryside, it makes absolute sense.

Like everyone who has told stories today, I have a mate who said in his dying days, "Why is the Government punishing me?" There is no doubt that when you have suffered for years at the hands of an illness that is ultimately going to take your life, the ability to choose the way in which you finally go to sleep is very important. The emphasis on the Government punishing that soul brought home to me the need for something to happen. The protections in the bill are about ensuring that all lives are treated with absolute dignity. We need to release those angels who are issuing morphine in very difficult circumstances, turning up the dose so that people can go to sleep.

Ultimately, the bill gives better protections but it also enables those who are terminally ill to find their pathway forward. Regarding the degree of suicide in the cohort of the terminally ill, for our emergency services personnel and those in the profession who know what can happen, there is no doubt that nobody in this country should be dying alone of suicide because they are terminally ill—not one soul. An aunt of another great friend of mine took her own life but left a suicide note to her family that indicated she had died of shame. She apologised for taking her life while staring down an horrendous form of cancer. That goes to the heart of what this should be all about. The safeguards in the bill are there. The alignment of all the stakeholders and the community is very telling.

In the next couple of months there will be a by-election in Bega. I conducted a survey and, of the 805 respondents, 97 per cent were in support of the bill. I think that says it all. The community believe in the

direction of the support that the bill provides. It is incumbent on members of Parliament to make sure that safeguards are in place, which is what this legislation clearly does. Of the bills that have been debated previously in the Parliament, this is the most conservative of the lot. I support the bill. We have to reflect on our humanity through this process and bring closure to the debate on what has been a longstanding issue. Both Houses should pass the bill this year. There is the opportunity for the Legislative Council to continue to sit and get this bill through. Do not let people suffer any longer, particularly those who have a diagnosis of a terminal illness who need the bill to become law to continue a quality of life while they are still here.