

VOLUNTARY ASSISTED DYING BILL 2021

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

Mr LEE EVANS (Heathcote) (14:01): I support the Voluntary Assisted Dying Bill. Why? This is one of the most important bills that has been presented to the House. The bill will allow members of our communities to elect to take up voluntary assisted dying. Will this procedure be for everyone? The answer is categorically no. Let there be no mistake that this is not a euthanasia bill where authorities can at a whim end someone's life. Decisions are entirely made by the patients in consultation with professional practitioners. The bill will be a humane end of life for those who choose it and who are suffering intolerable pain and mental anguish. This is a compassionate bill for those caught in a situation where their terminal disease or condition will end their lives within 12 months. Although palliative care is excellent in New South Wales and the Government has invested heavily in resourcing the sector, for some, the prospect of ending their lives either unconscious or racked with pain that cannot be relieved does not give them comfort.

The bill will give peace of mind to those who can apply for voluntary assisted dying. Evidence has shown that in jurisdictions where an assisted dying bill has been adopted, the applicants do not necessarily go through to the conclusion. This is for those who would like options for their end-of-life plan. The Assisted Dying Bill will give those people an insurance policy—a fallback position, if you like—that will not necessarily be taken up but will provide the comfort that if they need it, it is there. I understand and respect those who oppose the bill. My decision to co-sponsor and support the bill comes from a place of love for those facing their mortality face on, taking control of their limited lives, and making their future care plan in a clear and concise way by opting in and having the option if required and of their choosing.

Most parliamentarians across Australia understand that our communities are ready for voluntary assisted dying, which is evidenced in New South Wales being the only State in the country yet to join with all other States to pass a bill for the benefit of those in the community suffering intolerable pain due to their incurable conditions. As previously stated, the bill is for those who have a terminal illness with a prognosis of a projected life span of 12 months or less. I have heard many stories about those who want a bill passed, but alas in the time since the last assisted dying bill was defeated by one vote in the Legislative Council in 2017, many have left us in circumstances they were frankly terrified of enduring.

The member for Sydney has introduced a bill that is compassionate and well researched, with safeguards built in so there can be no accusations of inducement or bullying by others. It will be the decision of the patient whether to proceed or not. I congratulate the medical practitioners who support the Assisted Dying Bill 2021. More and more doctors and medical professionals are comfortable with the bill's intentions after reading it. The bill is made up of the best parts of similar bills that have been passed around Australia. The consideration of the safeguards contained within the Assisted Dying Bill makes me comfortable that the bill has landed in a well-measured and humane space. Again, I remind people that this will not be mandatory; it will be for those in our society who are faced with their own battles with health and the decision will be theirs. This bill will give them the comfort that if the medical care is not sufficiently making their lives bearable, they have a pathway. The amount of crosschecking, with the patient being asked, "Is this what you want and do you agree to it?" through the entire process happens practically every time a medico speaks to the patient.

To be eligible to access voluntary assisted dying in New South Wales a person must be an adult; an Australian citizen, permanent resident or living in Australia for at least three continuous years; living in New South Wales for 12 months or more, with provisions to exempt people in border communities; diagnosed with at least one terminal illness that will cause death within 12 months for a neurodegenerative condition or six months for other conditions; experiencing intolerable pain and suffering that cannot be relieved; has decision-making capacity; and is acting voluntarily and without pressure or duress. To be eligible to act as a coordinating or consulting practitioner a person must be a specialist; an overseas trained specialist; a GP with 10 years of experience; or have conducted training approved by the Secretary of Health. To be eligible to be an administering practitioner a person must be eligible to be a coordinating practitioner; a GP with five years of experience; a nurse practitioner; or a registered nurse with five years of experience.

This legislation is significant for the community of New South Wales. It is a large leap forward, but that is not a reason to recoil from our responsibilities to the people of New South Wales to do due diligence on this legislation, and I believe the safeguards contained in the bill cover those concerns. Let me be clear, this is for those who are facing their mortality head on and want a choice on how their lives will end. When I have conversations with people who are looking to take advantage of this legislation, all of them are terrified of what their end of life will look like. Some want a serene end to their lives not only for themselves but also for their loved ones. As a representative in this place, I have put myself in their shoes and that is why I support the Assisted Dying Bill 2021. I commend the bill to the House.