

VOLUNTARY ASSISTED DYING BILL 2021

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

Mr JAMES GRIFFIN (Manly) (14:45): Clearly the gravity of the Voluntary Assisted Dying Bill 2021 is not lost on any member in this place. I acknowledge the considerable comments and analysis in detail of the bill by my colleagues and so will not repeat them. However, I offer this perspective: Time is the most precious commodity that we have. It is free to all and can be bought by none. We can work as hard as we like, but it will not give us more time. We can choose to make the most of our days and live a life of meaning, one of love—but again, it will not give us more time. All of us, no matter our station in life, are equal in the knowledge that there is nothing we can do to reverse or pause the clock that has started counting down our time. To change the law of this State to allow for someone to be presented with a legal mechanism to potentially cut short their time on this earth is a decision of immense magnitude and one that deserves careful consideration. When the commodity of time is the most precious thing you have, we all must truly wonder what type of unbearable pain or anguish someone must be going through to call short their time on this earth.

I thank the many members of my community who have contacted me to share their view on this important legislation—both those for and against. It is worth respectfully acknowledging that there are some valid concerns about the details of the legislation. At a high level, I do share some of those concerns. What I fear the most is that the scope of this bill could be broadened over time. But we must remember that this legislation seeks to do one thing and one thing only, and that is provide dignity and relief of insufferable pain for someone who has determined that in the knowledge their end is inescapable, and does not wish to be in insufferable pain any longer; not someone who has a fleeting feeling of despair. Additionally, as my colleague the member for Ku-ring-gai outlined, there would appear to be some valid concerns regarding consulting doctors and the notification process of close family members or carers. I trust these will be dealt with expeditiously.

There has been much discussion on the role of palliative care. I offer this observation to other members in this place who may not have had the opportunity to have visited a palliative care centre or a hospice and perhaps wonder what they are like. I have the enormous privilege of representing an electorate that is home to the only children's hospice in New South Wales and one of only three in the nation. That figure demonstrates the problem and the challenge in and of itself. Bear Cottage, as it is known, provides support, respite and end-of-life care for children with life-limiting conditions and their families. It serves young people up until around the age of 18. I have come to know the team at Bear Cottage, and some of the families and children very well over the past couple of years. In the lead-up to my first visit to Bear Cottage some five years ago I was anxious, uncomfortable and unsure of what I was about to encounter. Being a place for young people—some only infants—to receive end-of-life care, I thought this place would be one of tragedy and indignity, and yet it is quite the opposite. It is filled with laughter. It is filled with smiles. It is filled with hope, optimism, gratefulness and love.

For the families and their children who have life-limiting conditions, some who have only a short time to live and some who are alive for many more years, it is a place to celebrate. It is a place to learn from and be replicated across New South Wales. The palliative care provided at Bear Cottage is a demonstration of the outstanding medical care and love from the staff and volunteers that can be provided as one nears the end of their life. It demonstrates that yes, palliative care does work. This morning I was heartened to hear the Premier's candid and frank assessment of the Government's efforts to fund palliative care as admirable but that more can and will be done. I am equally proud of the fact that Australia's first hospice for young adults is being built as we speak a stone's throw from Bear Cottage.

One would naturally think if palliative care works so well, then why the need for voluntary assisted dying. Why would you provide an option like that in the face of wonderful palliative care options? Yes, palliative care does work, and the success of Bear Cottage gives one every reason to say that voluntary assisted dying is not needed. But we cannot stop people taking action into their own hands when they are faced with insufferable pain and a degenerative life-limiting illness. The stories recounted by members today have clearly demonstrated that. In addition, I am aware that in some circumstances the following is already occurring to circumvent the fact that we have no legislation in place: medical practitioners either discontinue or do not

start a medical procedure at the patient's request, which leads to a shortened life; or the practitioner relieves a patient's distress by administering increasingly strong medication with the aim to alleviate suffering, with the known side effect being a shortening of a patient's life. Continuing not to legislate in this space simply allows the aforementioned practices to continue with no oversight, no governance and is not acceptable to either supporters or opponents of voluntary assisted dying.

This moment, precipitated by this legislation, provides us with an opportunity to shine a bright light and then lead the way as a State on how we treat our most vulnerable. We do this by going even further in our delivery of world-class palliative care. In parallel with this legislation we can provide a means by which people can control their own destiny and their final moments are not robbed by unbearable anguish and pain. They decide whether they would like to do this—not a board, not a doctor, no-one but themselves as the captain of their own fate. I was elected to represent my community to the best of my ability. For those reasons, I support the bill.