

VOLUNTARY ASSISTED DYING BILL 2021

Legislative Assembly Second Reading Debate – copied from Hansard 19 November 2021

Mr DAVID LAYZELL (Upper Hunter) (13:05): I make a contribution to debate on the Voluntary Assisted Dying Bill 2021. I state from the outset that I will not support voluntary assisted dying in New South Wales. However, it is a truly great thing that we can have strong debate on the issue in the manner that we have seen over the past month. I have listened intently to the wisdom brought forth from those who support and who oppose the bill. I thank every person in my electorate of Upper Hunter who has contacted me or my office to express their views. I have discussed the issue at length with many members of my community. I have received emails from people far and wide. I have listened to experts in the field and I have spoken with medical practitioners. I have listened to podcasts, read academic literature and kept an open mind as the leaflets came in from both sides.

It is obvious to me that the views are very varied across my electorate, and I can see merit in the reasoning that has been given to me from both sides. That is why I have struggled so deeply to make a decision on the bill. I thank the people who spent much time working on the bill for their conviction. I thank the co-sponsors, who crossed party lines to display an admirable level of cooperation. I believe in the strength of the team. On the field we trust the wingers to find the overlap, we trust the forwards to drive forward and we trust the halfback to set up the play. But today on this issue it is not about a team; it is about an individual vote. On this issue it is not about the advice of colleagues and friends; it is about seeking those answers within. It is about assessing the issue in our minds, our hearts and our souls.

I speak to the many people in my electorate who ask me to support differing views. Yes, I am your elected representative and, while it is not possible for me to follow everyone's advice, I owe you my judgement and my full deliberation. Most of all, I owe it to you to stay true to myself. So as I cast my vote, I do not stand as part of a team; I stand alone. I cannot in all faith support the bill. Many factors have come together in assessing such a complicated bill. I am not medically trained nor legally minded so, as a simple man, I have boiled my decision down to three key principles: the concept of suffering, the concept of burden and my belief in the future of our society. I start first with the issue of suffering. I have heard many stories from people who have seen great suffering, people who have described the suffering of loved ones as patients and the families who have supported them. This thinking resonates strongly with the public at large. We are human beings and naturally we do not like to see anyone suffer. We would do anything we can to avoid it.

I think about how I would feel to see my own parents, my family or my loved ones lying on a hospital bed in a state of pain. I know the last thing that I would want is to see them suffer. There is no doubt that the end of life can be ugly, emotional and painful in many ways. The question I have always asked, when we speak of suffering, is this: Is it about the patient, or is it about the people who have to watch? How much are we motivated by fear, and can this bill address the tragic feeling of loss experienced by those who have watched a loved one at the end of life? I came to this conclusion: No, I do not believe it can. Yet it is on this basis that many people have asked me to support this bill.

The second key principle on which I base my objection to the bill relates to a sense of burden. There is undoubtedly a sense of burden when people feel that they have been diagnosed with a terminal illness. There is a sense of fear that comes with knowing that a potentially painful end is near. Is this really a reason to support assisted suicide? I can imagine the sense of burden if I was the one in the hospital bed. The last thing I would want is to have my daughters watch me as I decline into the end of life, as I experience unnatural bodily functions and grimace in pain or embarrassment. I have asked myself, is this a good enough reason to assist with suicide? Even if it was, it has to be counterbalanced with the burden we place on doctors who are charged with the administration of this final act.

We are asking doctors, who carry a duty of care as their basic charter, to perform acts that deliberately kill another human being. Whether it is merciful or not, it is a heavy burden society would ask of them. The third principle on which I object to this bill is my view of a future society. The decision we make in this place is pivotal to determining the future of our society. What type of society do we want to see in the future? What type of palliative care do we want to see in the future? I fear that passing this bill will place pressure on a patient to choose assisted suicide in order to give their family peace and relieve them from potential suffering. I fear that

family members with spurious motives, such as inheritance or inconvenience, will place pressure on patients to choose an assisted suicide.

I respect the work that the co-sponsors have put into the bill. It is obvious to me that the restrictions that will be in place to try to prevent the misuse of the bill's provisions will be watered down over time. More vulnerable groups will be included in the bill over the years as we normalise this suicide process. That is not the society I wish to see in the future. My wish is for a society that continues to focus on the range of palliative care treatments available at the end of life—in particular, for those in regional New South Wales who want to spend their last days at home but who are bound by distance to the nearest hospital. At home and in regional hospitals, palliative care and support has to be an ongoing focus of our society.

We have a long way to go. That is why this bill poses an important decision. I understand that suffering is very real, and it is certainly not my wish to allow prolonged suffering. I remain very concerned about the burden people feel at the end of their life, the difficulty families face and the burden we place on our doctors. It is not a human right that someone is able to ask the healthcare system to assist with their suicide. No matter how strong the process is, we should never allow a government to legalise the killing of its citizens. For those reasons, I do not support the bill.