

## VOLUNTARY ASSISTED DYING BILL 2021

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

**Ms JENNY LEONG (Newtown) (14:35):** I speak on the important Voluntary Assisted Dying Bill 2021 as one of the many co-sponsors of the bill and as a long-time supporter and advocate for voluntary assisted dying. I also offer my support and confirm The Greens' support as a party to this reform. I am very pleased to be a member of a party that has a clear policy position to support the right for people to die with dignity. This is, indeed, a very personal choice. As we have heard from many in the Chamber and as we will continue to hear, these are very personal reasons and very personal choices. That personal choice, that feeling of looking to your own conscience as to whether or not you wish to choose to die, needs to sit with the person who is terminally ill.

I appreciate that in this place members exercise a conscience vote, but I always feel very uncomfortable about that idea. On one hand, we recognise the inherently personal nature of the decision but, on the other hand, members come into this place and believe that their conscience should determine whether or not a person is able to make that choice. I fundamentally disagree with the concept of conscience votes for the people in this Chamber because we should make decisions based on the idea that we are passing this reform to allow the conscience of the person who is terminally ill to make that choice. But here we are, and the reality is that on these reforms and on other reforms in this space, conscience votes are the way that we potentially get reforms through. It is very clear and it is very good to see, on the other hand, for our democracy members from all sides of this Chamber expressing their views and engaging directly with these issues themselves rather than necessarily following a briefing paper that has been provided to them and a direction of how they need to vote.

In the four years since a voluntary assisted dying bill was last debated in the upper House when one single member, unfortunately and disappointingly—tragically, even—thwarted its passage, all the other States have passed bills to legalise the right to die in peace and with dignity. During this period, in New South Wales many thousands of people have died in great pain and distress when that should not have been the case. I acknowledge the work of my Greens colleagues, Mehreen Faruqi and Cate Faerhmann, who have done a lot of work over many years advocating for this reform. I acknowledge the work of Alex Greenwich and Greg Piper, who are steering the way for this important reform now in 2021. They are just two of many co-sponsors to this bill and, as we have heard so far in this debate, of many supporters of this bill in this Chamber.

I acknowledge the outstanding work done by community members, peak bodies and many in the community, as well as politicians, including my State and Federal Greens colleagues, past and current, who have campaigned and advocated for this legislation long before it was on the top of everybody's agenda. In particular, I acknowledge the work of Dying with Dignity NSW, which has worked since 1983 to achieve what we hope will soon pass into law in New South Wales. I also acknowledge Go Gentle Australia, which has advocated nationally since 2016, and provided comprehensive resources and information on voluntary assisted dying. Additionally, I acknowledge the 29 Voluntary Assisted Dying Alliance member organisations, which include key national healthcare and professional bodies. I personally thank Christians Supporting Choice for Voluntary Assisted Dying, the Council on the Ageing, and Doctors for Assisted Dying Choice for writing to me directly to express their support for the bill.

There is overwhelming support for this reform in the community. In the electorate of Newtown, over 80 per cent of people supported voluntary assisted dying legislation. I know how strongly people feel about this because I have been contacted by hundreds of locals in the electorate of Newtown who have shared their views on this bill, with the overwhelming majority voicing their support, and sharing very personal individual stories of seeing their loved ones suffer, often horrifically, in the last stages of their lives.

I have been given permission to share a few of those stories on the record today to demonstrate why it is such a personal choice for people to make and why that choice needs to sit with those who are terminally ill and to be made by those who are terminally ill—something this bill would provide. Julie from Newtown watched her

brother suffer for seven years of slow decline with cancer and a week-long, agonising end-of-life scenario that she describes as inhumane, undignified and torturous. She wrote:

How awful to have a man so larger than life, wonderful, compassionate, loving—a father, son and brother—be reduced to such horror when at the end of his life he should have been able to have control over the way in which he took his last breath.

Val from Enmore wrote:

My darling mother died in my arms a few weeks ago. She was in her 70s. She had progressive supranuclear palsy, for which there is no treatment. She died in Stanmore of dehydration and starvation when she finally couldn't swallow any longer. For months she was cramping and contracted and in great pain, curled up like a foetus. She faded away to a skeletal state, unable to see or move. Her eyes were yellow and pleading. She begged for a drink every hour of every day but knew it was of no use. She had full capacity up until her last breath when blood trickled out of her mouth. For the last two weeks of immense suffering I asked the nurse in charge and the GP to give her intravenous morphine at a dose incompatible with life. My mother nodded her wish for this every time I asked. She was a big believer in euthanasia. The professionals wanted to let her slip away, but it was against the law.

Michael, a doctor from Surry Hills, wrote to me:

I believe that a person should be able to die with dignity when facing a potentially painful, undignified death. I was at the bedside of both of my parents, who died of cancer. I genuinely would have ended their suffering weeks earlier had such been allowed. Frankly, on a number of occasions my father asked me to "end it" for him. My mother just kept saying "I want it to be over, just let me go to sleep and not wake up". Of course, I was powerless to help either of them in their last wishes. The last months of their lives were an unending journey of waiting to die interspersed with pain, unpleasant medical procedures, and sometimes, less than humane treatment. Where terminal illness is concerned, an individual should have the right to select the time of his/her/their death. Given genetic probability, I too will face a similar future as my parents' unless action is taken; taken by individuals such as you. I urge you to support a person's right to choose.

I cannot add more to the powerful stories of these individuals who have shared their very personal tragedies with me and allowed me to put them on the record today. I could not say anything to members who would make it clearer as to why we need this reform. We know this legislation is long overdue and more must be done. We know there must be no more delays. It is time to allow people in New South Wales to be able to die with dignity.

I will address comments made by the member for Mount Druitt in his contribution to the debate. I think they were very unfortunate in the context of this debate. The member made the broad statement that Indigenous people do not support voluntary assisted dying. I do not know how any member in this place, or indeed any person, can make a statement attempting to define what the entirety of the First Nations community in New South Wales do or do not support or think about any legislation, or indeed any view. It is important in these debates to not make broad statements that seek to put on the record as fact something that is clearly false. It is impossible for the member for Mount Druitt to know whether or not all First Nations people in New South Wales do or do not support voluntary assisted dying laws. I also address the concerns raised by the member for Myall Lakes in his contribution. I think all members could witness the difficulty for him of talking about personal situations and I acknowledge that he has raised serious concerns about this bill.

To delay the passing of voluntary assisted dying laws any longer will mean that many, many people will suffer. I appreciate that it might mean we have some really heavy lifting to do in this place to consider amendments that ensure this bill satisfies as many people as we can—and is as good as it can be—for it to work for the people of New South Wales. But we know that these things have been tried before and we know the effort it takes to get to a point where members are debating a bill like this. I urge those members who may think this bill needs to be changed in some way to earn their support to work constructively with all of us so we can find ways to strengthen it. I worry there will not be another time for us to do this and that, in the gap where we are unable to act, more and more people will suffer in pain as a result of them being unable to choose to die with dignity.