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Bills - Second Reading Debate

12 November 2021

VOLUNTARY ASSISTED DYING BILL 2021

Ms SONIA HORNER (Wallsend) (12:43):

The Voluntary Assisted Dying Bill 2021 is supported by 90 per cent of the Wallsend electorate and so I am supporting them. I am proud to be one of the many MPs co-sponsoring this important, overdue and vital bill. We members of Parliament make legislative decisions that have an enduring impact upon the lives of people in our communities, thus our role as listeners and reflectors of community sentiment is vital. I thank the member for Sydney for the incredible amount of time and effort he has put into shaping this overdue bill. I thank Dying with Dignity New South Wales, all the rest of the volunteers and the Go Gentle Australia mob for all of their hard work too. The bill gives terminally ill patients the choice to end their severe pain, suffering and incapacity on their own terms. Those are the operative words: choice about leaving on a person's own terms.

Outdated New South Wales laws put patients and health practitioners at risk. Some doctors have acknowledged that people are being assisted to die right now. But this practice is hidden, unregulated and potentially unsafe. With no law to help them and racked with excruciating pain, the terminally ill may feel that the only way to end their pain is by using violent methods to take their own lives, alone. The best palliative care does not relieve pain and suffering for many—the 5 per cent of terminally ill patients for whom no amount of opioids will stop the excruciating pain that the member for North Shore referred to in her contribution to this debate. Making matters worse, friends and family are powerless to help them. They witness the horror of their loved one not gently fading away but, rather, dying overwhelmed by pain. I say to members that we are talking about dignity here.

The bill offers a safe framework for patients whose death is imminent and whose pain and suffering has become unbearable to end that suffering at a time of their choosing. It follows the same eligibility, process and safeguards as bills passed in all other States of Australia. New South Wales is the laggard of twenty-first century reforms. The bill has a number of important safeguards against coercion, addressing the concerns that a small number of constituents have raised with me. I will discuss the Victorian model. The most recent report from Victorian Health shows that since that State's Act commenced in June 2019 some 581 people have been assessed for eligibility to access voluntary assisted dying. Some 465 permit applications have been made, 405 permits have been issued and 224 people have died from taking the prescribed medications.

The report provides details about who is accessing voluntary assisted dying. Applicants were aged between 20 and 100 years and the average age was 71. Some 47 per cent of applicants were female. Some 87 per cent were living in their own home at the time of the application. Some 67 per cent administered the medication themselves. Some 77 per cent had a malignancy diagnosis, such as lung, breast or gastrointestinal cancer. Finally, 23 per cent had a non-malignant diagnosis, with 62 per cent of those having a neurodegenerative disease. We all know someone who has been in this impossible, agonising position. I spoke with Stanley, a Lambton constituent. Diagnosed with brain cancer in November 2014, it has now progressed to terminal status. He told me:

I've always known my life was time limited. Two to five years was the original prognosis, but when the cancer spread to multiple locations, inoperable and deep in my brain, it was likely "weeks to months".

I've been lucky, I keep on ticking. However, despite my luck, I know at some point my luck will stop.

If I'm "lucky" I'll have a massive stroke and die instantly.

If not, I face the possibility of becoming bed-bound but still knowing and understanding everything going on around me, but helpless to do anything or care for myself. Knowing what I want to say but unable to say it.

Right now, I've already started this path of pain and immobility.

Speaking of pain—most pains are pretty easy to treat more or less, you just fill your body full of opioids. However, brain nerve pain is tricky. You can't do that because you might cause a seizure and kill the patient. So you can find times when you are very limited in pain relief options.

This all comes back to the voluntary assisted dying question. I prefer to think about the question in a different way.

If you are in horrific suffering, be it pain or otherwise AND the best of science has done everything they can, surely then voluntary assisted dying must be an option for those that choose it?

I know it's not for everyone, I understand that. Whether it be religion, ethics, or just a very strong "will to live", some people will be against voluntary assisted dying and I can understand that, and feel for them.

But when the time comes and I am in pain, suffering, immobile, no quality of life and, importantly, only getting worse—what are the benefits in prolonging my suffering?

I know that this bill will not help me as it will not be in place in time for when I leave this world, but I want my thoughts, my hopes for voluntary assisted dying reform on the record.

I want this issue to be more than just a passing thought. I have been an advocate for some time.

Voluntary assisted dying is a liberal choice for the dying, for whom death is inevitable and imminent and who deserve the right to exercise the autonomy that is at the heart of what it means to be human: the exercise of free will. Can we be part of a compassionate community, affording freedom of choice to people at their end of life, and respecting their choice for a peaceful death? Yes, please. This bill strikes the right balance and offers the appropriate safeguards. It is time. I commend the bill to the House.