

DYING with DIGNITY

Tasmania (Inc)

our right to choose

June 2008

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www.dwdtas.org.au

CHANGING OPINIONS IN EUROPE

Australia's isolation can be seen to our disadvantage when we look at the changing attitudes towards voluntary euthanasia in Europe. **Luxembourg** has recently joined the ranks with **Switzerland, Holland and Belgium** in all being enlightened countries whose new laws enable its people to die, within reason, at a time of their choosing. What a huge comfort, mentally, this must be for the elderly who live there. The media in other European countries seem to feature continuous publicity, keeping this issue alive, thus adding to the discomfort of unfeeling and unsympathetic governments.

In Germany, (a country with borders with all the above mentioned countries), Dr Roger Kusch, head of a suicide assistance society in Germany, has unveiled a suicide machine, similar to the one invented by Dr Nitschke more than ten years ago. People with a death wish can rent this machine. This seems a huge step forward in a country whose reluctance to discuss voluntary euthanasia has understandably been a long time coming because of the previous Nazi programs in its history.

In France a 25year old woman with a degenerative disease writes to the President begging him to help her, and this is the second similar case in a few months to have been much publicised there.

In Italy the subject is in the news. Voluntary euthanasia is illegal, but the law now upholds the right to refuse care.

Sweden now allows passive euthanasia. Doctors can halt life-extending treatment on request, and in **Spain** we are told that the governments says 'no', and public opinion says 'yes'.

The UK has separate laws in England, Scotland and Wales, but since 1993 there has been a principal of the removal of life saving care not being illegal. In 2007 the House of Lords voluntary euthanasia bill was rejected.

All these countries have the advantage of being in close proximity to Switzerland where Dignitas continues its valuable work in allowing those from other countries to travel there to die, providing they meet the necessary conditions.

FROM the Dutch NVVU magazine, (*translation - Els Clarke*), Rod Jonquiere speaks of his experience as a GP, a university lecturer and as a director of NVVU for the past 8 years. NVVU has more than 100,000 members. He refers to other Dutch voluntary euthanasia organisations and he says the general feeling is that whilst there is the right to die in Holland legally, there is now discussion with some putting forward the point of view that a peaceful pill, the Drion pill, would be more satisfactory. This would give the person concerned the right to decide for themselves, thus easing the burden on doctors. Dr Jonquiere speaks of a terminally ill man who has been to

Spain to 'buy the necessary things' and now the man is saying how relieved he is feeling, saying this is because he may want to 'leave' before his doctor agrees to help him.

The founder of the Dutch NVVE 35 years ago, Klazien Alberda, writes of her continuous work and the progress which has been made. Many people can now make an appointment with their GP and this doctor will follow their instructions. She speaks of the decision to change the organisations name to NVVU, which was made shortly after voluntary euthanasia became legal in Holland, the decision was made in order to encompass all end of life choices, including palliative sedation, the denial of further treatment and the ending of food and liquids.

Since the right to die laws were passed the Dutch NVVU, cases have been reported of people 'knocking on the door' asking for help, and there is still occasional adverse publicity from those who find the new laws hard to accept.

UK. *The Guardian*, UK 7.10.08

Some 92 people are recorded as having made their journey from UK to Switzerland to end their lives even though there has been continued concern for those accompanying them on their return. UK law regards assisting a suicide as a serious crime liable to up to 14 years in prison as punishment but no one has been prosecuted so far.

Debbie Reynolds who has multiple sclerosis intends to challenge the Director of public prosecutions in the high court in London soon, to force him to disclose his prosecution policy in such cases. She does this in order to protect her husband who will be accompanying her to Switzerland when she is ready to die. If there is any uncertainty she says that she will have to travel earlier than she would prefer, whilst she is still capable of making the journey alone.

More than 40 Britons have supplied written confessions of having accompanied a loved one to die at Dignitas in support of her case, generating much publicity showing their vulnerability to prosecution on their return.

INDIA 97 life sentenced prisoners who have completed 14 years in prison have written to the President saying they would prefer euthanasia to more life imprisonment.

IN AUSTRALIA

THE JOHN ELLIOT MEDAL

Angelika Elliot has most generously set out to honour the memory of her late husband, John, with a bequest to Sydney University. Accompanied by his wife and Dr Philip Nitschke, Dr Elliot died in Switzerland in January, 2007 at a time when he was seriously ill and he was ready to die.

In what will be the University's second most valuable award for an annual essay prize, the John Elliot Medal will be awarded for the best essay that tackles the important issues of freedom and choices at the end of life.

Dr Nitschke commented that he is pleased to note that students in all disciplines of the university are eligible to compete for this prize.

THE GENEROSITY OF A PREVIOUS LORD MAYOR

Earlier this year a well-known Brisbane ex-Lord Mayor, Dr. Clem Jones, made his feelings known in his Will with a bequest of the wonderful sum of \$5 million dollars for the furtherance of euthanasia. This is a truly heartening and most welcome gesture appreciated by all of us who support this cause. Marshall Perron has collated submissions from all states and these were submitted to the Executors of the estate in May.

ENDURING GUARDIANSHIPS

The Enduring Guardianship has been legal in Tasmania for more than ten years. I was surprised when I came to renew mine recently to see the date on the old one was exactly ten years ago. In this time we have not had any reports from members of difficulties with medical people not carrying out the wishes of the person concerned. Naturally, should any problems be experienced at any time regarding the respecting of the wishes of the person concerned, the Guardianship Board would want to know about this immediately. Should you experience any difficulties out of business hours please try our DwD phone numbers and we'll do our best to help.

ADVANCED CARE PLANNING

A Statement of Wishes document and an Advanced Care Planning leaflet are now being offered in an increasing number of nursing homes in Tasmania to people who are new admissions to these Homes.

The Statement of Wishes when completed declares that this person considers themselves to be of sound mind and that they have understood the document at the time when they sign it. It covers specific details of how they wish to be treated regarding life prolonging treatments and resuscitation. It is similar in many ways to the updated Dying with Dignity wishes supplied to members on request when they complete their Enduring Guardianship.

The leaflet and Statement of Wishes come from General Practice South and copies may be obtained from them or on <W:\FORMS\NURSING\assessment\statement of wishes1.doc>
This is a local link which might work on your computer but certainly won't on most others.

EXIT WORKSHOPS IN HOBART AND LAUNCESTON HELD IN APRIL.

The new format of Exit Workshops is obviously proving very popular if the one held in the Glenorchy Library in Hobart is typical. The room was overflowing with people all eager to listen to Dr Philip Nitschke. The first part was a more formal session, followed by a coffee break, and then a slightly smaller group of Exit members only, stayed on for further detailed discussion. Information and problems generally that were brought up by members could be spoken about freely.

I know that we all came away from this Workshop heartened and encouraged that our wishes can prevail. I am sure that everyone who attended these meetings would like to join with me in thanking Philip and Fiona Stewart for making all this possible, especially to Philip who has maintained his energy and has done outstanding work to help the voluntary euthanasia cause over so many years.

DwD QUESTIONNAIRE

Many thanks to those who filled in these forms and returned them to us, we appreciate these, and of course, what you tell us is always helpful.

WHEN WILL THE SILLY SEASON END.....?

Recently in Sydney, a much publicized trial drew to a close. When countless thousands of dollars are spent on the prosecution and defence of two women, one of them with a terminal illness, whose only crime was to assist somebody they knew who was unfortunately suffering with alzheimers disease to die, many of us shake our heads with sadness, frustration and disgust.

NSW High Court jury yesterday, 19.6.08, found Shirley Justins and her friend Caren Jennings guilty. Shirley Justins was found guilty of a lesser charge of manslaughter and Carol Jennings of being an accessory before the fact of manslaughter. Five weeks of evidence, including evidence from Dr Nitschke, and more than three days of jury deliberations were spent on reaching these verdicts. Carol Jennings has a terminal disease. Mercifully, both these women were released on bail, with a four months waiting period until next October for sentencing. Will Carol Jennings still be alive then? Her crime was to provide the Nembutal which came from Mexico.

To be fair, as the laws stand now, if a suspicious death is reported, the Police have no alternative but to follow up a set process. The Crown Prosecutor really has no alternative but to make the decision to prosecute and prepare a case, and we have to rely on the good sense and compassion of the judiciary at the end of the line. Importantly, this was a case where the person concerned had dementia and he had not given any written statement regarding his wishes. This is a worry, as we remember this good sense in recent years in Tasmania in the cases firstly of Stuart Godfrey and more recently of Kathy Pryor. Both these people were on trial for showing compassion to family members. Both were found guilty, their sentences were totally suspended and they were placed on good behaviour bonds. So they both walked free, but not before Kathy Pryor had to spend more than two week at Risdon Gaol during the time between being found guilty and the sentencing.

When all states in Australia will provide similar stories and many, many places in the world report similar situations how long is it to be before sanity is restored in the matter? Importantly, this is the time for us to make a stand, pointing out that those who do not agree with voluntary euthanasia will have no changes in their lives when new good laws are here. Opponents may carry on as usual.

*Book Review A Good Death: An Argument for Voluntary Euthanasia by Dr Rodney Symes.
Melbourne University Publishing. \$32.95*

Practicing in Victoria, Rodney Symes has been outspoken campaigner for voluntary euthanasia for many years. He asks how the peak body Palliative Care Australia can acknowledge that "Complete relief of suffering is not always possible, even with optimal palliative care", yet they oppose assistance in dying?

In A Good Death Syme's philosophy of care comes from his experience of many years of work as an Urologist and he speaks of the ethical dilemmas facing medical practitioners. His theme in the book is his efforts to clarify the boundaries of lawful, compassionate sedation and he speaks of his actions in reporting them to the Victorian Coroner.

The Senility Prayer

*Grant me the senility to forget the people
I never liked anyway,
The good fortune to run into the ones I do,
And the eyesight to tell the difference.*

DwD ANNUAL GENERAL MEETING

Glenorchy Public Library
Friday, 4 July 2008 2pm
Guest Speaker: Elaine Arch Rowe

