

Dying with Dignity Tasmania (Inc)

POBox1022

Sandy Bay

Tasmania 7006

your right to choose

www.dwdtas.org.au

March 2009

DwDTas Workshop in July with Dr Rodney Syme

See page 6

DwDTas Committee

Mike Harris (President)

Trish Kershaw (Treasurer)

Kay Scurr (Secretary)

Beatrice Bentley

Roy Goldfinch (recently resigned due to poor health)

Marian van den Byllaardt

Alan Cameron

Helen Cutts

Barbara Porter

DwDTas BBQ

About 30 people from both DwDTas and Exit International came this year's barbecue making it the best yet. It was held as usual at the Waterworks Reserve in Hobart and undaunted by the unseasonably cold weather several people travelled quite long distances to attend. It's you the members that make events like this work so many thanks to all who came and helped make this one a success.

DwDTas urgently needs your help with two forthcoming projects:

1. Administrative help

The first is for a little administrative help in assessing the views of your local Tasmanian politicians. After extensive discussions final touches to the Legislative Charter we discussed at our AGM last year is now in place and can be downloaded from www.dwdtas.org.au. The next step is to find where our supporters live and run it past Tasmanian MPs, but to maximise our chances of getting a reply it is better that the letter requesting their support is sent by a member living in their constituency and this is where we need your help.

We are looking for a volunteer from each Tasmanian constituency to send a pre-prepared email simply asking if their MPs support the objectives of our charter. If they do not respond, there are two (again pre-prepared) follow up emails to send. Results will be displayed on our website which will provide an ongoing and updated source of political opinion.

For more details, please leave a message on the www.dwdtas.org.au contact form.

2. The Salamanca Market DwDTas display

This is the second project where we need your help. Saturday 18th April is the date when like last year we will be presenting our display panels and distributing leaflets at the market. Also like last year we are looking for volunteers to help out, each for just one hour during the morning.

If you can spare an hour, during the morning please call 62950384 or leave a message on the web site.

ANNUAL GENERAL MEETING FRIDAY 3 July 2009

Date	3 July 2009
Time	1.00 pm
Venue	Glenorchy Library, 4 Terry Street Glenorchy

The AGM will be followed by refreshments and then a talk by Dr Rodney Syme commencing at 2 pm. All members together with members of the public are invited to attend this talk.

AUSTRALIAN NEWS

Let people choose to die: Clergy

A BAPTIST minister is leading fellow Christians in a campaign to legalise voluntary euthanasia in South Australia. The Reverend Trevor Bensch, a hospital chaplain, said his call was compassionate and “thoroughly consistent with the teachings of Jesus. People talk about the sanctity of life, which sounds very nice, but that term was never used in the Bible.”

Mr Bensch stressed he was not speaking for the Baptist Church, but said many Christians across a range of denominations supported legalising voluntary euthanasia. He and fellow Baptist, Ian Wood, have formed *Christians supporting Choice for Voluntary Euthanasia*. A website is being developed but currently they can be contacted at ChristiansforVE@westnet.com.au or by writing to Ian Wood, 429 Anzac Road, Port Pirie

Senator Bob Brown’s Restoring Territory Rights (Voluntary Euthanasia Legislation) Bill

The Senate Committee has published its Report on this Bill. Efforts are now being made to get the Bill back onto the parliamentary agenda.

Support these efforts to have the Bill put back before parliament by writing in support to Senator Brown at GPO Box 404, Hobart, Tasmania 7001. His electorate office is at Level 1, Murray Street Pier, Murray Street, Hobart Tas 7000.

National Human Rights Consultation

Submissions on human rights, in particular at the end of life in the face of profound suffering, can be made to the National Human Rights Consultation Secretariat, Attorney-General’s Department Central Office, Robert Garran Offices, National Circuit, Barton ACT 2600 .

Closing date: 29 May 2009.

The committee will deliver its report to the Government by 31 August 2009.

You can call 1800 086 134 (freecall, available 4.00pm)

Email: humanrightsconsultation@ag.gov.au

You can obtain more information about this by viewing the website:

<https://www.humanrightsconsultation.gov.au>

Sandra Kanck MP retires

Australian Democrats MP Sandra Kanck, who has held the party's final seat in any Australian parliament since the last federal election has retired. During her parliamentary career she was a courageous advocate for the legalization of voluntary euthanasia including introducing draft legislation to the South Australian parliament. She will continue her work in this area in her retirement.

IQ2 Debate We Should Legalise Euthanasia

The debate was won by the affirmative 75% to 25% (5% undecided).

The speakers were:

Affirmative: Prof. Peter Baume, Sen. Bob Brown and Dr. Philip Nitschke

Negative: Dr. Maria Cigolini, Tony Abbott and Father Frank Brennan

The debate can be watched at www.vesnsw.org.au

OVERSEAS

Final Exit Network (FEN) arrests (USA)

Four members of Final Exit Network (FEN), an alleged “assisted suicide ring”, were charged on 25 February with helping John Celmer end his life. Those arrested included Thomas E. Goodwin (retiring President). Goodwin’s first day in court is scheduled for 6 March. The arrests came after a sting operation in which an undercover agent posed as a member of the group. Celmer had had major surgery for cancer; his physician claims he was cancer-free at the time of his death but was “concerned about his public appearance” because the surgeries disfigured him.

Jerry Dincin, President of FEN, has asserted the innocence of the four and states that FEN does not ‘assist’ suicide in any way, nor do we encourage individuals to hasten their death.

The four were charged with assisted suicide, tampering with evidence and a violation of Georgia’s RICO (Racketeer Influenced and Corrupt Organizations) Act. Officials said these were the first arrests they knew of for assisting a suicide in Georgia.

The investigations into the Final Exit Network are continuing in Georgia and elsewhere. Authorities were said to be executing search warrants at 14 sites in Arizona, Georgia, Florida, Maryland, Michigan, Ohio, Missouri, Colorado, and Montana as part of this investigation.

Derek Humphry, the co-founder of the group and author of “Final Exit”, expressed shock over the raids. “We shall keep going — we will fight this case. This [Georgia] is a test case. We didn’t look for this. They handed us a case. The public is enormously interested.” ERGO has also expressed shock.

The American press is filled with many often contradictory reports. There are a number of news reports circulating in support of Final Exit, critical of it or claiming particular fact situations. Celmer is reported as having had cancer for 15 years; as being cancer free etc.

For Final Exit the arrests may have brought publicity for the cause but personal distress for those arrested and others and possibly the collapse of the organization as its assets have apparently been frozen.

Washington: Regulations for Death With Dignity Act

Washington has completed its preparations for the its *Death with Dignity Act*, formally laying out rules for how the law will be carried out and monitored. The law, which takes effect on 5 March, makes it legal for physicians to write lethal prescriptions for certain terminally ill patients who want to hasten their deaths.

Under the law, terminally ill patients who are determined competent by physicians and who are expected to die within six months can ask for a lethal dose of medication from their doctor. Doctors can't administer the drug to the patients; they have to take it themselves.

Participation by physicians and pharmacists is voluntary. According to the new rules, doctors who agree to supply the drugs must file these forms within 30 days of writing the prescription:

- The patient's completed written request form.
- A "compliance form" documenting, among other qualification requirements, that the patient is terminal, is acting voluntarily, is capable of making decisions, and has been informed of options.
- A consulting physician's form.
- A psychological consultant's form.

Pharmacists also have a form to fill out, and after the death, the attending physician must fill out a five-page form documenting the situation in detail. The Health Department will collect data and issue an annual statistical report. Information it collects won't be accessible as a public record.

Death with Dignity Officially Legal in Montana (USA)

A District Court decision has made Montana the third US State to allow the practice of legally assisted suicide by the self-administration of lethal drugs provided by a physician.

Since this case sets a precedent, what is legally permissible for Baxter (the patient seeking this help) is automatically legal for all. The ruling seems to mean that assisted suicides can move ahead without patients or doctors fearing prosecution on charges of murder or attempted murder.

However, this decision might be overturned by the Supreme Court as an appeal has been lodged. It is not legislation; Oregon and Washington have legislation. Further, even if that appeal is unsuccessful, a later court faced with a similar issue may prefer to distinguish, and thus not follow, the Baxter case. In other words, the patients and practitioners in Montana are still left in considerable doubt.

Further, the Montana government has indicated it does not intend to legalise physician-assisted suicides despite draft legislation being ready for consideration.

Musician's sister charged in assisted suicide case (USA)

In California, June Hartley has been charged with assisting her brother, Lodi blues musician James Hartely, to die. James had been severely disabled by a series of strokes. He was suffocated by helium. The media reports indicated such prosecutions are very rare.

Assisted suicide is legal only in Oregon, Washington and Montana (see item on Montana). In those states, terminally ill patients can choose to have someone help to end their lives, but only under very specific circumstances. In California, several attempts at passing similar laws have failed. As of this year, however, a law is on the books requiring doctors and nurses who diagnose a patient with a terminal illness to provide patients, upon request, with information and counseling regarding legal "end of life" options.

Got a contribution for the Newsletter – great! Email or post submissions welcomed.

Email: mike@pangolin.co.nz

Post: DwTas, P O Box 1022, Sandy Bay, Tas 7006

GP survey reveals two-fifths of GPs would like to see assisted suicide legalised (UK)

A UK survey indicates that almost 40% of GPs wish to see euthanasia legalised and would be prepared to help a terminally ill patient end their life. The paper's *GP Attitudes* survey of 460 GPs across the UK has identified a groundswell of support for euthanasia, and could intensify pressure on the BMA to reconsider its stance against assisted suicide. Additionally, 38 per cent of GPs said that they would be prepared actually to help a patient end their life if the law was changed to allow them.

The results coincide with calls for a national debate on euthanasia, sparked by a sharp rise in the number of patients travelling to Switzerland for assisted suicides. However, the BMA have indicated that it will maintain its current negative stance on the issue of assisted suicide.

British court rejects request for clarification on assisted suicide law (UK)

Debbie Purdy, an MS sufferer, wanted to know if her husband would be prosecuted if he helped her travel to die in a country where it is legal. Under British law, aiding and abetting suicide is a criminal offence punishable by up to 14 years in prison. The court held there was ample material available for a decision to be made. However, it did indicate that a prison sentence would be inappropriate punishment for the crime. The court, "exercising its own sentencing responsibilities, would order that the offender should be discharged, and might well question publicly the decision to prosecute".

Luxembourg euthanasia legislation close to law

The Luxembourg parliament has voted to legalise euthanasia, becoming the third country in the European Union to do so. While the euthanasia bill has not yet passed the second reading, it is anticipated that it will come into effect this summer, unless a radical shift of opinion in parliament occurs.

Italy seeks clarity on euthanasia (Italy)

Italy's politicians have said they will create new right-to-die laws, as the country absorbs the death of a woman, Eluana Englaro, whose case became a *cause celebre*. Polls showed that Italians are divided on the issue of euthanasia.

India and South Korea (Asia)

A South Korean appeal court on Tuesday upheld a landmark ruling authorising the country's first legal mercy killing. The Seoul High Court allowed the termination of life-sustaining treatment for a 76-year-old woman who has been brain-dead for a year, although it cannot yet be carried out pending an appeal by the hospital caring for her.

Meanwhile in New Delhi, the Supreme Court will examine whether persons suffering from terminal diseases and likely to go into a permanent vegetative state have the right to die with dignity, subjecting themselves to voluntary euthanasia.

WORKSHOP INFORMATION – NEXT PAGE.....

WORKSHOP WITH DR RODNEY SYME

A July Workshop is being planned to coincide with Dr Rodney Syme’s July visit to Tasmania to speak at the AGM.

Dr Syme provides regular Workshops for those wishing to gain a deeper insight into end-of-life issues and the state of the current law. Participants are encouraged to ask questions at any time during the workshop. A set of documents on end-of-life issues are provided to each participant together with instructions as to how best to complete, witness, register and store them. Workshops generally run for about two hours.

Workshops run best with smaller numbers and, as we expect many will wish to attend, we ask that you let us know by:

- sending an email to *mike@pangolin.co.nz* or
- by posting the slip below to the address given.

Attendance will be on a “first-come first-served” basis.
There will be a small charge to offset expenses.

Dr Syme has been a surgeon for 45 years and an advocate for physician-assisted dying for many of those years. He has had extensive experience with cancer patients and with people with severe spinal injuries. He has counseled many people facing terminal illness. His activities as President of Dying with Dignity Victoria, as author of numerous articles and his book, “*A Good Death*”, and as an unflagging protagonist for those desiring death with dignity have made him a leading spokesperson in this area. He was recently elected to the Board of the World Federation of Right to Die Societies.

Expression of interest – Attendance at Workshop

I am interesting in attending the Workshop to be given by Dr Rodney Syme in July 2009.

NAME
(please print)

CONTACT PHONE

CONTACT EMAIL (if available)

Please tear off and mail to DWDTas(Inc), PO Box 1022, Sandy Bay 7006