

DYING with DIGNITY

Tasmania (Inc)

September 2007

Patron: Prof: C. Wendell-Smith OA.

ANNUAL GENERAL MEETING

At the AGM held at the Glenorchy Library on 13/7/07 there were no nominations for the positions of President, Secretary or Treasurer. The following were elected as committee members: -

Beatrice Bentley	Allan Cameron
Helen Cutts	Bill Godfrey
Mike Harris	Trish Kershaw
Barbara Porter	

Since this meeting we are pleased to announce that three members have offered to serve in the following capacities: -

State President	Mike Harris
Minute Secretary	Elizabeth Parsons
Hon. Auditor	Jim Anderson

We wish these members well and we thank them.

As there was no President's Report an alternative report that had been drawn up earlier by Trish Kershaw was circulated.

Report on the Activities of the DwD Committee to April 07

During the last committee meeting I felt the loss of several dedicated longstanding Committee members and their replacement by very new members has left a gap in the understanding of ongoing issues being addressed. This report is my attempt to address the resulting lack of knowledge.

Our **Constitution** states:

"1A The Objects and Purposes of the Association are:

- i) to advocate and actively promote legislation to enable individuals whose suffering has become unbearable and irremediable to be able to maintain their autonomy and dignity by having the right to choose to obtain the means to a painless and dignified death, whilst ensuring such legislation provides adequate safeguards to prevent abuse.
- ii) to carry out a continuing information and education programme in the community to create an

environment more favourable to achieving to this legislation.

to promote and support access to best quality palliative care for all Tasmanians in their own homes or in a caring and appropriate facility.

iii) To promote the preparation of Enduring Guardianships and their registration with the Guardianship Board".

Actions Taken

We list telephone numbers in all three state directories both as DwD and Voluntary Euthanasia. We are very fortunate that Helen Cutts and Sheila Howe continue to offer their services to receive calls from members of the public needing our assistance. They have a knowledge and experience of euthanasia issues from local to international scale. Sometimes these calls are of an urgent nature from people facing immediate end of life decisions.

Website: We had an informative site with links to many good sites in Australia. Unfortunately due to the change in name and change in service provider it is temporarily not operating. We have registered the domain name for DwD Tas Inc. We also have email addresses linked to the website.

Newsletter: This is the major resource for our members and considerable effort has gone into four or five editions each year.

Change of name/Constitution/Leaflet update: This has taken considerable time and detailed work that is ongoing.

Network of contacts with other VE organizations on a State, National and International level. We exchange newsletters, have financially assisted members to attend congresses and conferences. We support EXIT with financial donations and by providing publicity for discounted membership of EXIT and workshops.

In the past, we have held general meetings, film viewings, Salamanca and Sorell market stalls, joined the Glenorch community network information, written to local newspapers, given talks to organizations such as Probus, Rotary and the RSL.

Committee members and representatives attended for every day of the trial of Cathy Prior, both in Launceston and Hobart offering their support. We also attended the trial of Stuart Godfrey to observe and offer support.

Notice board: This is a long time ambition to have a portable display to outline our Society's aims and encourage new membership. It is planned to initially display it in State Libraries around the State, and we have written permission from the Chief Librarian to do so.

We have a long-standing relationship with the Guardianship Board promoting the use of Enduring Guardianships and we supply suitable wording for our members to use if they wish.

We have held meetings with Labor, Liberal and Green Parliamentarians. We have written to all State Parliamentarians on a regular basis on issues that have arisen. Norma Jamieson and Bob Brown currently have pro-euthanasia bills before parliament.

We made a submission to the Tasmanian Law Reform Institute in 2004. Jocelyn Head was supported to go to Canberra to provide representations at the Senate enquire into the Telecommunications Offences Act.

We have given media commentary on issues as they arise.

We have contact with medical groups concerned with the treatment of dying and seen a shift in attitude at the RHH from "resuscitate at all times" to an "ask the patient" protocol.

We maintain a register of 234 financial members and 30 ex officio members.

I have been a committee member for less than two years and so my knowledge is limited, I apologise for any substantial omissions!

Trish Kershaw.

OVERSEAS NEWS

Mexico Introduces Euthanasia Legislation

The bill, introduced by the Democratic Revolution Party would permit terminally ill patients to renounce every form of medical care to prolong life. If the patient is unable to make the choice, an immediate member of the family could decide on his behalf.

The bill stipulates that there will be juridical protection for doctors willing to permit death to occur by withholding basic necessities, such as food and water.

The bill will be forward to the legislature, where the Democratic Revolution Party holds a majority.

Zenit News 20.6.07

Nippon Medical School Drafts Euthanasia Guide

The ethics panel of Nippon Medical School in Tokyo has compiled interim guides for ending life support for hopelessly sick or injured patients under certain conditions, including patient consent, panel members said. The school based in Bunkyo Ward will begin using the guidelines at its four affiliated hospitals from April. The guidelines contain provisions allowing ethics boards at each hospital to determine whether removal of artificial respirators is warranted on a case-by-case basis.

In May, the Health, Labor and Welfare Ministry compiled the government's first guideline for end-of-life care emphasizing the importance of administering treatment based on patient intent.

It is rare for hospitals to draft their own guidelines on discontinuing life support.

Japan Times 26.8.07

The Right to Die Remains a Thorny Issue

A terminally ill patient should be given the right to die says Tang Siu-pun.

The man is not a human rights activist, nor a liberal politician expounding his prop-choice philosophy. He is a quadriplegic patient in Hong Kong who has asked former chief executive Tung Chee-hwa to grant him the right to die of his own accord.

That is the message a Hong Kong man has been trying to get across to the community and get through the corridors of power. His book on the same topic was a central attraction at the Hong Kong Book Fair late last month.

Tang Siu-pun, 38, was a very healthy and athletic young man until he broke his spinal cord in a failed backward somersault during a gymnastic rehearsal in 1991. Over the next 16 years he spent most of his time staring at the ceiling above his hospital bed.

Tang Sui-pun's appeal to Mr Tung in 2004 drew attention to his plight. When public support began to mount, he became less depressed, but he seems to persist with the idea of people having the right to die.

China Daily 10.8.07

First Czech Citizen Undergoes Euthanasia in Switzerland.

Prague- The Czech authorities have registered the first case of a Czech citizen who has undergone euthanasia in a Swiss clinic that helps incurable ill people die. This was

after a family reported their adult disabled son was missing.

It was reported that another four people from the Czech Republic are allegedly on the list of registered applicants. CeskeNoviny.cz. 2.8.07

Prisoner Backs ‘Euthanasia for Lifers’ Calls.

A prisoner serving life in a Welsh jail has called for the Government to consider allowing voluntary euthanasia for inmates serving long sentences.

The demand from the Swansea Jail prisoner comes a month after 300 Italian inmates signed a letter to the country’s president Giorgio Napolitano urging him to bring back the death penalty.

Now, Allien Dewi-David has written to the prisoners’ newspaper Inside Time asking for a law change to allow certain prisoners to be killed.

The letter reads, “I was listening on the radio to the story in Italy whereby 300 lifers had sent a petition to the Italian government seeking the introduction of the death penalty for certain lifer inmates.

As a long-serving lifer, this got me thinking about the UK and one of the arguments consistently put forward against the reintroduction of the death penalty is what if an innocent person is put to death?

However if we introduced what would amount to voluntary euthanasia for lifers, this would nullify that argument. Obviously there would need to be extensive psychiatric tests for anyone considering this option, but in principle I believe it’s one worth examining.”

Western Mail, icWales UK 7.7.07

Dr Michael Irwin (past President of VES UK)

writes that with several medical friends he is currently developing a **Secular Medical Forum** with a main objective to oppose religious influences in medicine that affect the manner in which medical practice is performed in UK. To view this site go to

www.secularmedicalforum.org.uk

VES Q’land newsletter 7.07

We are pleased to report that the well-known US voluntary euthanasia advocate Dr Jack Kevorkian was released in June after spending 8 years in jail.

Palliative Care No Panacea

A recent Canadian study has found that 25 per cent of terminal stage cancer sufferers suffer significantly despite

the best palliative care available, confirming results of earlier survey.

This flies in the face of PAD opponents claiming palliative care provides all necessary relief. Dying with Dignity Victoria newsletter. 8.07.

AUSTRALIAN NEWS

Nitschke to Run Against Euthanasia Foe

Right-to-die campaigner Philip Nitschke will again challenge Howard government frontbencher and long-time euthanasia opponent Kevin Andrews for his safe Victorian seat at the federal election.

Dr Nitschke stood against Mr Andrews, the federal immigration minister, for his role in overturning the world’s first voluntary euthanasia law, the Northern Territory’s Rights of the Terminally Ill Act, in 1996

The euthanasia advocate said he would establish a campaign office in east suburban Doncaster, the heart of the Menzies electorate, and would soon begin full-time campaigning. “Kevin Andrews would like the voters to forget all about the pivotal role he played in making sure that seriously ill and elderly Australians have no control of their end-of-life decisions,” he said in a statement.

“Ten years have passed since this politician used the parliament to disenfranchise Territorians and take away the rights of the terminally ill. The time has come to make him accountable for his actions.”

Menzies has been held by Mr Andrews since 1991 and by the Liberals since the seat was created in 1984. It includes the suburbs of Doncaster, Templestowe, Bulleen Warrandyte and Wonga Park.

Mr Andrews goes into this year’s election with a margin of 8.9 per cent.

Dr Nitschke said he won almost 10 per cent of the primary vote in 1998 and national attention drawn to his campaign attracted political donations of more than \$120,000.

Sydney Morning Herald 8.7.07

Doctor’s Admission a Test for ‘Opaque’ Suicide Laws

A Melbourne doctor has admitted that he gave terminally ill man Steve Guest medication that may have helped him die, leaving him open to prosecution for assisting suicide.

Vice-President of Dying with Dignity Victorian Rodney Syme, a long-time voluntary euthanasia advocate has revealed that he gave medication to Mr Guest, who had

cancer of the oesophagus and took his own life about two years ago.

“He was asking me for help and I believe that he had very severe suffering which could be relieved by giving him information and medication,” Dr Syme told The Age.

Dr Syme said his intent in giving Mr Guest medication was not to help him die but to “palliate” him, that is, relieve Mr Guest’s “psychological and existential suffering”.

Mr Guest’s plight became public when as “Steve from Point Lonsdale”, he told Jon Faine’s program on ABC radio in July 2005, “I’m dying an awful death of cancer. I want a pill in the cupboard that I can reach for take it, and end this nightmare that I’m living at the moment.”

In an article published in today’s Age Dr Sye writes that Mr Guest contacted him the day he was first on the radio. He had lost 35 Kilograms in nine months and was exhausted.

“In response to his request, I gave him information about barbiturates, of dose and their effects. I gave him medication – to have not done so would have been totally ineffective and amount to abandonment. Two weeks after I met him utterly spent, he ended his life with security and dignity.”

A police spokeswoman yesterday said there was still an active police investigation and an inquest brief was being prepared for the Coroner.

Dr Syme who intends to announce his potential role in Mr Guest’s death at a rally today, would not reveal what medication he gave Mr Guest and whether the dose was high enough to end his life.

Dr Syme said he was not sure if the medication he gave Mr Guest was what he used to end his life. He said in making the admission he was testing the law and highlighting what he said were “inadequate and opaque law” that did not protect doctors.

The Age. 20.6.07

Euthanasia supporters to break the law

Euthanasia advocates on Monday said they would help supporters break Australian law to import a banned suicide drug believed to cause a peaceful death.

Philip Nitschke, a doctor who has campaigned on right to die issues for more than a decade, said 20 mostly elderly Australians and New Zealanders would travel to Mexico in October to purchase the drug Nembutal.

He said his pro-euthanasia group Exit International would provide them with information about where to buy the

drug in the Mexican border city of Tijuana where it is easily available.

“They are choosing to break the law because they see that at their age this is important enough to take the risk,” Nitschke told AFP.

Voluntary euthanasia is illegal in Australia and it is against the law to import or possess Nembutal, which veterinarians use to put down animals.

Nitschke said more than 120 people had already brought the drug home from Tijuana and a few had even chosen to end their lives while in Mexico.

He said they had not been caught importing the drug because they did not look like drug-runners.

He said one woman who undertook the trip had her response ready if she was challenged. She planned to tell customs officials:

“Listen, I’m dying of cancer, what are you going to do about it?”

Nitschke said Nembutal had been found to be the most effective drug to use in assisted suicides and a dose cost only \$25 in Mexico.

In May, members of Exit International succeeded in producing a version of the drug after two years’ work in amateur laboratories.

Australia’s Northern Territory was the first jurisdiction in the world to introduce voluntary euthanasia in 1996 but the federal government voted to overturn the legislation six months later.

AFP 18.6.07

‘Let Bryant die’ plea - Nitschke labels jail term torture.

TASMANIA’S long-serving prisoners -- including mass murderer Martin Bryant -- should be legally allowed to die instead of serving their full jail sentences, says euthanasia campaigner Philip Nitschke.

Speaking at the end of his three-day visit to Tasmania, Dr Nitschke said jailing prisoners for life was equivalent to “eternal torture” and should not be tolerated in society.

He said prisoners should be given the option of taking a drug to end their lives.

This was especially so of Bryant, who has made six suicide attempts in jail and has been treated at hospital twice this year after slashing himself with razor blades.

In previous attempts to harm himself, Bryant swallowed a toothpaste tube, took an overdose of Rohypnol, and tried to choke on bandages.

“Locking prisoners like Martin Bryant away is all to do with punishment, and if you punish them forever, you are effectively torturing them forever,” Dr Nitschke said.

“People say, ‘You should not let that bastard off the hook so lightly’. They want to see revenge forever and they want to see that revenge played out in front of them.

“But let's be honest about the fact that when we put people in prison forever, it's tantamount to torture. What we're doing to people like Martin Bryant is punishing them forever.

“And I don't know if I feel terribly comfortable with the notion of endless revenge.”

Dr Nitschke said there was no denying that Bryant, whose prison papers were marked “never to be released” after he received 35 life sentences for killing 35 people at Port Arthur 11 years ago -- had done terrible things, but he still deserved the right to end his suffering.

“He's done evil and horrible things and deserves a huge incarceration,” he said. “But either there should be a plan for his rehabilitation and release or infinite incarceration plus or minus the chance to leave with death.”

He said there would need to be a number of safeguards, including assessments of a prisoner's physical and mental well being before assisted suicide could occur. It was not intended as a quick-fix for prisoners who were having adjustment problems in their early days in prison.

While he has never spoken to Bryant, Dr Nitschke has had contact with other Australian prisoners on the issue of euthanasia -- including Victorian murderer Jonathon Horrocks, who went on a shooting rampage at La Trobe University several years ago and later pleaded to be executed.

Dr Nitschke said there was often speculation that Bryant's multiple suicide attempts were purely attention-seeking acts. But he said if assisted suicide for prisoners was introduced, the public would soon discover if this was the case.

“If we give him the means to a peaceful death, we would rapidly find out if his suicide attempts are an attention-seeking gesture,” he said. “If he really wants to do it, he will.

“We would say, ‘Here's a drug, drink it and die’, and if he is attention-seeking, then Martin Bryant wouldn't touch it.”

Prison Action Reform spokesman and Mercury columnist Greg Barns said if right-to-die legislation was introduced, prisoners, like any other citizens, should be able to use it.

“I agree with Dr Nitschke that in the case of Martin Bryant, his life behind bars amounts to torture because there is no interest in rehabilitating him,” Mr Barns said.
Herald Sun 20.7.07

Summary of Report on Dying with Dignity by Newpoll Market Research commissioned by Dying with Dignity Victoria.

Summary of key findings:-

80% of respondents nationally thought that doctors should be allowed to provide a lethal dose to a patient experiencing unrelievable suffering and with no hope of recovery.

Support was higher in regional and rural Australia (82%) than in capital cities (78%). Of the capital cities, support was highest in Perth (85%) and lowest in Sydney (73%)

People who claim to have a religion still strongly support the right of doctors to provide a lethal dose (74%), however people who claim to have no religion are even more likely to support this view (91%)

22% of respondents nationally have had a personal experience of a close relative or friend being hopelessly ill and wanting voluntary euthanasia

7% of respondents nationally claim to have a “living will”.

Published in February 2007 and Tasmania was pleased to assist Victorian DwD financially with this Report.

Seventy Percent of the Health Budget Spent on People in the Last Six Months of Their Lives.

Dr Mohamed Kandra who was the inaugural chair of surgery at the ANU, pro-vice Chancellor at the University of Canberra and professor of surgery and head of the school of rural health at the University of NSW, says “**Why do we have so many people waiting years for hernia operations while we are spending an enormous amount of technological power on people in the last 30 days of their life? What are we gaining from all that? I don't have the answers but society needs to talk about it so the health professionals get some guidance**”.

A figure quoted by Dr Khandra is that 70 per cent of the health budget is spent on people in the last six months of their lives.

Weekend Australian Magazine 25-26.78.07

Mexican Holiday

Exit International announces two tours in 2007, one from Australia/NZ, the other from UK/Europe. The Exit contact is contact@exitinternational.net

Membership of the Japan Society for Dying with Dignity in June stood at 120,483.

FROM THE EDITOR – Sheila Howe.

Enduring Guardianships.

Enduring Guardianships have been around in Tasmania since 1996, and we tend to take them for granted. How fortunate we are, because I believe we are the only state using a system with a Guardianship Board that asks us for a completed copy. This is submitted to a Board meeting and then registered. Technically it is not legally binding until this has happened.

Other states tend to talk of their ‘advance directives’ or ‘living wills’. Indeed only the other day I was reading that Western Australia hopes to be able to write its ‘living wills’ by Christmas. Health Minister, Jim McGinty says that the legislation has cleared the Lower House, but they still have problems with the Legislative Council.

Those of us who have completed their Enduring Guardianship (and if not, why not?) should always keep a copy handy in case of a quick admission to hospital. If you cannot find one, call the Guardianship Board office and ask for a copy to be sent to the hospital. Also, do you remember the wallet card saying that you have made an E.G. that you should always carry with you? Some members do not seem to be aware of this card. If you would like one please contact the Guardianship Board (easy to phone them) or DwD.

Slow Progress or Euthanasia by Stealth.

When logic tells us that around 80 per cent of the population in Australia and, indeed, in so many parts of the world say they want to see legislation for voluntary euthanasia, how long can the majority of politicians afford to ignore this? There are many times when we grow impatient and think, why are our politicians not listening? They know, and here are some of the reasons that I have been given during the past few months.

From June Henderson, Secretary of the Sunshine Coast branch :-

“We feel that members of Parliament are broadly representative of the community and a majority of them do believe that legalised voluntary euthanasia would be desirable. However they also believe that open advocacy could cost them electoral support and survival dictates they ignore the subject in the hope that it will go away”.

A DwD member in Sydney suggested to me that it could be in the best interests of drug companies and nursing homes to keep people alive for as long as long as possible.

Many times I have heard remarks that the ‘baby boomer’ generation will not tolerate this situation for long.