



# VOLUNTARY EUTHANASIA SOCIETY OF NEW SOUTH WALES (INCORPORATED)

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## NEWSLETTER

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## Bob McMullan MP, Member for Fraser (ACT)

From Carmel Marjenberg

Bob McMullan, Federal parliament Member for Fraser in the ACT kindly agreed to talk to the Society as the guest speaker at the AGM in March 2006. He was introduced by Kep Enderby, and started by thanking Kep for the role he has played in trying to change the laws with regard to voluntary euthanasia over the years. He went on to say:

I intend to talk about how I think the political process might be developed to start a more effect course towards changing the laws with regard to voluntary euthanasia and not to reiterate the case for reform of Australia's voluntary euthanasia law. My purpose is to raise some issues and put forward some practical suggestions on how we might advance the cause – how we might mobilise some support and how we might win the reforms we all seek.

To work out where one wants to go to, it is often a good idea to start by working out where you are and I have to say that supporters of reform of voluntary euthanasia laws are a long way from home and that at the federal level, the prospects of making early progress are

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### Apology

In the October 2005 issue, we reprinted an article by Kate Mannix from the *Sydney Morning Herald*, under the title *A Step to the Right*. This contained many inaccuracies, and I apologise for assuming that the details in the original SMH article were correct.

It said that Greg Smith SC, the Deputy Director of Public Prosecutions for NSW, and Anthony McCarthy were members of Opus Dei, and that John McCarthy QC, may be a member. Some may have understood the article to state that the beliefs of Mr Smith, Mr John McCarthy and Mr Anthony McCarthy were hostile to the rights of others to conscientiously hold opinions contrary to Catholic beliefs and hostile to democracy and pluralism. Mr Smith, Mr John McCarthy and Mr Anthony McCarthy have informed us that they have never been members of Opus Dei and do not espouse the anti-democratic beliefs referred to or lack candour in their professional lives. The VES NSW withdraws any such allegations and apologises to Mr Smith, Mr John McCarthy and Mr Anthony McCarthy and their families for any embarrassment caused by our use of the article.

*Rhonda Taylor, Editor*

quite bleak. The political alignments which supported the Andrews Bill and sank the Northern Territory initiative are still substantially in place. That Bill was defeated 88 votes to 35 – 52 of the 88 members who voted for the Andrews Bill are still in the House of Representatives and only 20 of the 35 who voted against it, remain. My assessment is that the balance is about the same now as it was when the Andrews Bill was introduced and if it were to be debated today, the result would be about the same. The political complexion of the House on this issue hasn't changed, and it certainly won't change while John Howard is Prime Minister, but I don't suggest that merely changing the government will be sufficient. The political complexion of the House will only change slightly even if the government changes because the overwhelming majority of members will be the same.

There is no prospect of either party initiating a government Bill. I don't think there is any chance of achieving success at any level by trying to get a government initiated Bill because of the strength of conviction of those opposed to it – there is no history that those reforms are more likely to be successful by a government initiated Bill. A Private Members Bill will be needed, but it looks as if the numbers would be overwhelmingly against any Private Members Bill. I don't outline that situation to paralyse us into inactivity, but to mobilise us to more effective activity.

The other lesson to learn from that very brief political analysis is that any early effective action will need to be taken at the state rather than at the federal level. I say state rather than territory because sadly for me as a representative of the ACT, we have no independent capacity to act. We require federal initiative to get any action in either the ACT or the Northern Territory, but for the overwhelming number of Australians, state action is the best prospect.

In my assessment, having looked at some state initiatives of a legislative kind to try and reform the laws since the Northern Territory initiative, they have been sporadic and in my view, ineffective attempts at reform. We need to sit down and think what it is that we need to do. In most polls about 70% of Australians say they support voluntary euthanasia, a small amount of people are uncommitted and about 20 odd% are against. That sounds like a winning form – I hate to tell you that it isn't.

In the debate around the Andrews Bill only one or two members changed their vote because of their concern about the electoral consequences, and they then voted for the Andrews Bill because they felt that the only people who would change their vote were the anti-euthanasia people. It is not uncommon to have 70% of people warmly supporting a proposition, but it is not a factor when they make their decisions on how they will vote. All the evidence says that you can have 20% or so of people who think something is the biggest issue in the world and they will indicate to members of parliament that they will change their vote on the basis of it. And it is quite common for actively mobilised minorities to be able to hold hostage less politically committed majorities. You won't get 100% of the community mobilised, but you need more people to be more active.

Now, this involves refining the arguments. Then we have to do what I call building a coalition of the willing – that is to put together a broad cross section of the community – across the political spectrum, prepared to become active in engaging in debate around this issue.

Now, refining arguments? We need to think about what case we want to make and we need advocates. I don't think the case has been made to the Australian people that they should be more actively engaged in expressing their concern about this issue through the ballot box and so the passive majority is overwhelmed by the hyperactive minority. There isn't active debate in the parliament – people don't talk about it in the corridors, you don't see it in the media, it is not in the forefront of the public mind. So, let me just talk about some principles that I think need to be applied in the debate.

Firstly – keep it simple. Don't make it too complicated.

Secondly – try and establish some core principles of agreement. Find out what is agreed upon. All people don't all mean the same thing when they say, for instance, 'life support' and 'voluntary euthanasia'. Some mean they support the right of the physician to be actively involved, some the right of individuals to get information and access to drugs and a range of alternative views. Not exactly the same thing is meant. But, you don't have to agree about everything before you can advance.

Keep it simple. Work out what the core principles

of what the agreement are and then think of those elements of the debate most likely to capture the interest of non-politically engaged Australians, Australians for whom it is simply some issue to which they are luke-warm but in agreement in the back of their mind.

I think the first thing is to take on the Right to Life and Co—don't let them have the 'moral high ground'. When talking to journalists an effective line is to say that we do not deny them their view, it is just that we don't think they should be able to make other people suffer for their principles. Now, it is a simple argument. If you want to suffer for your principles, go right

ahead. That is a perfectly valid thing to do, but don't make other people suffer for *your* principles. Keep it simple, but challenge them. **DON'T ALLOW THEM TO TAKE THE MORAL HIGH GROUND.** Challenge the people who claim the moral high ground. Talk about issues of rights -- about death-with-dignity which is a powerful argument.

Another point which has the capacity to be effective and has worked in other political debates, is the fact that if a person is affluent enough and well enough informed and in unbearable pain, they can go to Switzerland, go through a fairly complicated set of procedures, but the law there would allow them to

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## FOR YOUR DIARY

### Meetings

- **General Meeting, 10am (Note the new time) Sunday 30 July 2006** at the Dougherty Centre, Victor Street, Chatswood. This is to be a general members' forum – a chance for constructive suggestions, discussing the issues in small groups over coffee, and to talk about the upcoming EXIT/VESNSW conference.
- **ACT Branch** – contact George Buckfield on 6282 0022.
- **Central Coast Branch** – Meetings are planned for Friday 18 August and 15 December, starting at 10am in **Meeting Room 3 at the Gosford Senior Citizens' Centre, 217 Albany Street North, Gosford**. Many members stay on for lunch at the food hall at the top of Gosford Town Centre. Contact: Romaine Rutnam, particularly if you would like a lift to and from the meetings.
- **Illawarra Branch (Support Group)** – For information please contact VES Illawarra Branch, PO Box 8, Keiraville NSW 2500, or phone 4229 2789.
- **Northern Rivers Branch** – Contact: Bryan Milner, 6680 1961.
- EXIT/VESNSW One-day Conference 22 September 2006 (see registration form inside)
- **Email:** Readers of this Newsletter are asked to help to get as many VE supporters as possible to send in their email addresses. Email is the quickest and cheapest means VESNSW has of keeping members informed. If you or your friends would like to be contacted by email please send us your email address to: [mail@vesnsw.org.au](mailto:mail@vesnsw.org.au)
- **Confidentiality:** VESNSW does not provide information about individual members or give the membership list to any person or organisation under any circumstances.
- **Visit the VESNSW website** at [www.vesnsw.org.au](http://www.vesnsw.org.au)
- **EXIT International** – website at <http://www.exitinternational.net>

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have assistance to take their own life. But if they are an ordinary Australian citizen in the suburbs in agony, they just have to suffer. Now that is not fair and every Australian can see that that is not fair.

There are other countries where Australians can't go to get access but where the local citizens can such as Oregon in the US and it shows to concerned Australians that the fear campaign does not come to pass. There has not been an outbreak in Oregon of young people killing their relatives to get their money. It hasn't happened in Belgium. It hasn't happened in the Netherlands. It hasn't happened in Switzerland. You don't see the outbreak of matricide or patricide. So, I don't think we need to worry about that. But we need to mobilise an argument about the capacity to protect against abuse when these laws are changed because there are valid points – you do need to make sure there is protection against abuse.

So – define the debate, review the international developments, form a 'coalition of the willing' and learn a lesson from the RU486 debate. For that Members of parliament, Labor Party, the Liberal Party, the National Party and The Democrats, jointly formed a group and co-operated in private and in public, to advocate a cause within their Party and within the community in the manner that lead to a change which, when they started, I am sure they didn't believe would get such support. But it was carried in the Parliament, very, very strongly. You won't win without it, so you need to sound out people from all the different political complexions to find some who might be prepared. There are people across the political divide who have strong views about this and you need to get a broadly representative group providing leadership or you won't be able to carry the majority with you. You certainly won't succeed just from the minor parties or from opposition parties. You have to get members of the government parties. That coalition is necessary to lead the debate. Those are the people who can get on the radio programmes and get interviewed and lead the debate - lead the issue. They are the people who have the capacity to initiate the parliamentary moves at state and federal level.

So, forming such a coalition won't be easy and it is no guarantee of success, but if it is not done, it is guaranteed that there won't be success. Careful, considered effort is required to build that coalition,

to build the case, to lead the debate, to respond to individual cases, cases that can capture public sympathy, to review the international developments, to initiate parliamentary moves at a state and federal level.

Other countries have had significant reforms and states in conservative countries and under very conservatively lead governments such as Oregon have made significant reforms. There is no reason why we can't do so here. It will not be easy, and in my view, it will not be quick, but until we succeed, unnecessary suffering will be inflicted on Australians not rich enough or influential enough to find an alternative. And that can't be right and we shouldn't rest until it is changed.

Thank you.

Questions were then asked by the members present. One member asked whether having a referendum would be good. Bob McMullan answered by saying that for a referendum to have a binding effect, the parliament needed to pass a law saying, 'we will submit this referendum and we will accept it as law if it is carried'. The referendum would have to be at state level. There are pluses and minuses but you can't initiate it from the ground up – you have to go from the top down by getting a politician involved. It could be a tactic to consider in the future.

Another question was about writing letters to MPs. An effective way of putting pressure on members of parliament in hotly contested seats could be by mobilising a group of local people - and it doesn't matter how small the group as long as there is somebody who will turn up in the Member's office. You need to start the debate.

A modern method of communication is email, but if you send politicians a standard email, you will either get no reply or a standard reply. A response is more likely if an email is written in a personal way, not a form letter but one you have written, one you have sat down and said I care about this, even if it is written around a core set of words — one that says that I come from your electorate and this is what I want you to do. It will be answered.

A question about suggesting VE as a topic at a local political branch meeting was answered by suggesting it was a good idea, but not to seek to have a binding position in the Party which could tend to drive some good people away and hinder the prospect of reform.

But initiating the debate is a very positive thing to do because members of political parties tend to be active in other organisations too and getting them out into the community talking is a good thing.

Is it a good idea to run a candidate for the Legislative Council in NSW? Bob McMullan answered this question by saying it is probably worth thinking about, not so much because people will vote for you, particularly the first time, but it is a platform from which to speak, it gives an opportunity to raise the issue. But it should be remembered that it could create problems for members of political parties who support VE but can't campaign against their own Party, so it has to be handled with care.

A member raised the question about New Matilda,

which was explained as an on-line magazine, and is a very good example of one of a growing number of on-line opinion avenues. It is probably worth joining and participating. It is interesting insofar as it cuts across political parties and that is a new development in this modern world. It seems that with an issue like voluntary euthanasia, it does cut across political parties which is a weakness and a strength in this debate – it is a weakness because you don't get the mobilisation of a majority on the floor of the House of Representatives like the Industrial Relations Bill – the government introduces it and they have got a guaranteed majority and know it will pass, but the strength is that a broader range of people can be mobilise around this issue.

## AND NOW, TEN YEARS ON...

The Rights of the Terminally Ill Act (ROTI) became law in the Northern Territory on 1 July 1996 and was used for the first time on 22 September 1996. Four of Dr Philip Nitschke's patients were able to choose their time of dying before ROTI was overturned by Federal Parliament on 26 March 1997.

To commemorate this 10<sup>th</sup> anniversary year, Exit is planning a rolling campaign aimed at raising public awareness of voluntary euthanasia and the role of the Federal Parliament in ROTI's demise. The injustice done to the people of the Northern Territory (and elsewhere in Australia) needs to be remembered.

Exit International approached the NT government requesting the use of the Assembly foyer on 1 July 2006 for a display to mark this historic event. Exit was advised, however, that although Chief Minister Clare Martin and the leader of the Opposition saw no difficulty in allowing such a display, the Speaker, The Hon Jane Aagaard refused the request, saying the 'controversial nature' of the issue had the potential to 'divide the community'. Extremely disappointed with this decision, Exit instead called on members to join in a walk in a major Darwin mall.

On Bob Dent Day, Friday 22 September 2006 Exit,

with the support of VESNSW, will host a one-day **'REMEMBERING ROTI' Conference** at the Dougherty Centre, Chatswood (see further details and booking form in this newsletter).

VESNSW members are urged to take part in this most interesting day.

A major part of this conference will be the distribution of Condolence Books to the other Australian VE Societies. Supporters will sign the books, requesting that the Andrews bill be rescinded and ROTI reinstated.

The major event planned by Exit and supported by VESNSW to mark this 10<sup>th</sup> Anniversary is a **'NATIONAL DAY OF SHAME'** to take place in Canberra on 26 March 2007. On 26 March 1997, the Governor-General signed into law Kevin Andrews' private member's bill to overturn ROTI.

*Please set aside the weekend of 24/25 March 2007 and assemble in Canberra with Exit and VESNSW.* One of the feature events of the National Day of Shame will be the presentation to Parliament of the Condolence Books filled with signatures from all over the nation.

# PRESIDENT'S REPORT – AGM 2006

*From Carmel Marjenberg*

After welcoming everyone to the 2006 AGM, Kep Enderby said working for the Society was important and enjoyable but unfortunately this would be his last appearance as President of the Society because of health problems.

He philosophized, saying that as neither suicide nor attempted suicide is a crime, neither should being given help to suicide be a crime. Denied help, people mostly try to hang themselves and very cruelly, some botch the job. Voluntary Euthanasia Societies ask for legislation for the right to die, with similar safeguards attached as were in the Northern Territory, Holland, Belgium, Oregon and Switzerland laws.

The guest speaker at our last AGM was Julie Letts from NSW Health Department who spoke about Advance Directives. Following this, our second meeting of the year in July was a seminar conducted by Giles Yates on writing a personal Advance Care Directive and Faye Girsh, a senior advisor to the Final Exit Network in the USA and Editor of the World Federation of Right to Die Society's Newsletter was our guest speaker for the third meeting in October. Faye was in Australia to attend the November EXIT International conference in Brisbane and spoke to us about the Right to Die movement in the USA. During the year the Society sponsored the book launch of Philip Nitschke and Fiona Stewart's book – '*Killing me Softly*' at the Dougherty Centre in Chatswood.

In October prior to the Brisbane EXIT Conference a group of EXIT members gathered, at a small farm to experiment in how to make the 'peaceful pill'. A film was made and shown at the Conference and the story appeared in the Bulletin. Several NSW members attended the valuable Exit Conference making contact with other Australian VE Societies and overseas visitors. One conference highlight was a video link with Ludwig Minelli from Dignitas in Switzerland.

In December Catherine Pryor, a nurse, was found guilty in Tasmania of attempting to murder her mother and she pleaded guilty to assisting the suicide of her father. She received a suspended sentence as Fred Thompson previously did in NSW.

In other parts of the world, a challenge made in the US to the Oregon Euthanasia law was defeated. In the UK Dr Michael Irwin, a former president of

the World Federation of Right to Die Societies and a retired GP, was struck off the medical register for writing a prescription for a terminally ill friend to help speed his death, even though the prescription was never used. Also in the UK, a Bill was introduced into the Parliament to legalise assisted suicide and if passed, it will be not unlike the Oregon law. The British Medical Association decided initially to oppose the Bill but later decided to take a neutral stand. The Catholic Church, however, has declared its opposition to the Bill, and stated its intention to launch its biggest ever political campaign to try and prevent it becoming law. There was publicity about a number of people from the UK who went to Dignitas in Switzerland to take advantage of the Swiss VE laws and three Australians have similarly gone there during the last couple of years in order to be helped to die there.

Kep and various members of the committee spoke at different meetings throughout the year and a number of letters were written to the newspapers on matters relating to VE. Unfortunately not all were published. One of Jenny Brockie's SBS TV *Insight* programs dealt with ageing and Kep was invited to put the VE point of view.

Channel 10 TV interviewed Philip Nitschke about the Suicide Related Material Offences Act and VE generally. With this Act becoming law, Philip Nitschke was forced to move his telecommunications operations out of Australia to New Zealand. The legislation was clearly aimed at him and very likely at him alone. The Act makes it a crime to use a telecommunications system to give advice about euthanasia. Even though the Government claims it is not intended to interfere with VE Societies it will inevitably do so because it is so broadly drafted. Phillip Nitschke, having been partly driven out of Australia, is now being persecuted in New Zealand where the NZ Medical Association is claiming that the workshops he operates amount to him practicing medicine in NZ and he is not licensed to practice in New Zealand.

Our Central Coast Branch and its very active local convener Romaine Rutnam organized some very successful meetings and so did Bryan Milner for the

Northern Rivers branch. Both are doing a marvellous job. George Buckfield is the new convener of our ACT branch and he has plans for various activities in that branch.

In conclusion Kep thanked Rhonda Taylor for her great work in editing our newsletter as well as thanking Carmel for all that she does. Jennie Solomon, Dorothy Simons, Bob Gallagher and Judy Wedderburn also all deserve all our thanks.

## **CENTRAL COAST NEWS**

*from Romaine Rutnam*

At the last meeting of VES members on the Central Coast in May, I was able to read excerpts from Bob McMullan's talk to the Sydney AGM. This led to a spirited discussion about the feasibility and desirability of our forming a 'Coalition of the Willing' across all political parties in the NSW Parliament, particularly in the lead up to the next State election. Members present, from both the Central Coast and a couple from the Hunter, hope that the NSW VES committee will be able to provide us with some leadership in getting such a coalition together. We also hope to follow the good example of our Northern Rivers members, in canvassing all candidates on their position on VE when the time comes.

Our proposed discussion with the NSW Ambulance Service Educator in May had to be postponed at his request, and we now hope this will occur at our next meeting scheduled for Friday 18 August.

As a result of some publicity I received in the local press I have been invited by the Older Women's Network in Wyong to speak to them about the use of advance directives on 3 July.

## **EXIT WORKSHOPS GO AHEAD IN NEW ZEALAND**

Dr Philip Nitschke has welcomed the news that the NZ Minister of Health has rejected the NZ Medical Council's recommendation to prosecute him for 'practising medicine' there while leading workshops on palliative care and providing information about methods of ending life.

Dr Nitschke will soon be completing a series of NZ workshops which started in January.

A man and his wife were sitting in the living room and he said to her, 'Just so you know, I never want to live in a vegetative state, dependent on some machine and fluids from a bottle. If that ever happens, just pull the plug.'

His wife got up, unplugged the TV and threw out all of his beer.

## **NORTHERN RIVERS NEWS**

*From Bryan Milner*

Due to some personal factors and complications arranging speakers, I was not able to organise a meeting in the first half of the year. The only external activities were a very well received talk to U3A Lismore and a stand at the Seniors Expo at Murwillumbah in conjunction with the Gold Coast group.

Our next meeting will be on 27 July at Lismore RSL Sports Club, Goonellabah at **2.00PM**. We have been very fortunate to obtain as speaker, Professor Colleen Cartwright, Professor of Ageing Services at Southern Cross University, Coffs Harbour. Professor Cartwright has virtually written the book on advanced medical planning including living wills and enduring guardianships. She has extensive practical experience in hospital situations including end of life decision making.

As can be imagined, the professor is a very busy person so I would like to see as big an attendance as possible. The subject matter is of very broad interest and I hope members might invite friends to attend. I would be grateful if any member who can assist with publicity would contact me on 66801961.

I hope to organise the next meeting in November, hopefully with a political flavour with elections coming up next year.

## **NAME CHANGE FOR VICTORIAN SOCIETY**

The Voluntary Euthanasia Society of Victoria has, after 30 years, changed its name to **Dying With Dignity** – Promoting the Right to Choose.

# KEP ENDERBY: A TOWER OF STRENGTH

by Diane Foote (previous editor)

For three years the Society has been enriched by our President, Kep Enderby. Sadly, he has had to step



down but happily, he has agreed to continue adding his unique help when he can. Keppell Earl Enderby has amazingly diverse interests with a career spanning from postman, law lecturer, Attorney General in the Whitlam Government and ten years as a Supreme Court Judge – not to mention his prowess in golf, his

proficiency in Esperanto and his passion for euthanasia.

Kep has been a dynamic advocate, travelling to help start new VESNSW branches in the Illawarra and Northern Rivers regions, attending meetings on the Central Coast, supporting Fred Thompson during his trial, giving speeches, responding to media requests and advising Philip Nitschke. He has been an eloquent and effective lobbyist; phoning, meeting and writing to politicians on our behalf, particularly when Ian Cohen presented his Bills to NSW parliament and presented a submission on our behalf to the Senate hearings of the Criminal Code Amendment (Suicide Related Material Offences) Bill. Committee members benefited from Kep's wisdom, tenacity and humour. Thank you for your splendid work, Kep.

## WORLD FEDERATION OF RIGHT TO DIE SOCIETIES

The 16th Biennial Conference is in Toronto, Canada, 7-10 September, 2006. Information and registration forms at [www.dyingwithdignity.ca](http://www.dyingwithdignity.ca) or email [wfc2006@dyingwithdignity.ca](mailto:wfc2006@dyingwithdignity.ca)

Speakers will include

Barbara Coombs-Lee, Co-CEO, President, Compassion & Choices, USA, Jocelyn Downie, Canada Research Chair in Health & Law, Dalhousie University, George Felos, expert in right to die cases, the attorney for Michael Schiavo, Lord Joel Joffe, British House of Lords and sponsor of failed Bill to allow physician aid in dying, Dr Rob Jonquiere, CEO NVVE, Right to Die Society, the Netherlands, Evelyn Martens, Recipient of the Humanist of the Year award from the Humanist Society of Canada, Dr Philip Nitsche - founder of EXIT International, Australian based organisation for end of life choices, Arthur Schafer, Director of the Centre of Professional and Applied Ethics, University of Manitoba, Canada.

## GERMANY MAY FOLLOW AUSTRALIAN LEAD

At our October '05 meeting, Faye Girsh from the World Federation of Right to Die Societies suggested that the Australian federal government's Criminal Code Amendment (Suicide Related Material Offences) which came into effect in January, would 'affect everybody in the world – those of us in the movement but also the broader aspect of civil liberties'.

Now Germany's Council of Federal States is debating a proposal for a new law which aims to quash the provision of information on assisted suicide or self-deliverance.

The Swiss doctor, Ludwig Minelli, who heads Switzerland's Dignitas clinic in Zurich seems to be the target of this proposed law, since he opened an office in Hanover to provide physician-assisted suicide for terminally and hopelessly ill members of DIGNITATE.

All voluntary euthanasia societies in Germany are likely to be affected by this law if it is passed. Since January when it became a crime here to use email, fax or the internet to discuss end-of-life issues, Philip Nitschke has moved the EXIT headquarters to New Zealand.



# WESTERN AUSTRALIA

If the State Government's living wills legislation failed to pass through Parliament, it would serve as a fillip for pro-euthanasia campaigners hoping to thrust their ideals on West Australians, Attorney-General Jim McGinty has warned.

The government wants people to be able to make their own choice in writing on whether treatment for terminal illnesses can be refused. It will lead to the first conscience vote in WA for many years.

Mr McGinty says the new Advance Health Care Planning Bill is not a path to voluntary euthanasia and would not allow for the administration of a drug or other means to end someone's life.

WA VES President, Ranjan Ray, says the Health Minister should be going further, a view shared by the Greens, who hold the balance of power in the WA Upper House. Greens MLC Giz Watson says she will be seeking to make amendments that would allow voluntary euthanasia. 'We would want to actually have legislation that reflected a full choice – that is, that a person could choose voluntary euthanasia,' she said. 'I think it will be an interesting debate because every time we have a conscience vote in the Parliament, members speak a lot more freely, reflecting community attitudes and their constituents' concerns.

The Opposition is yet to decide whether to allow a conscience vote on the issue. their MPs a conscience vote.

But while he was confident the Bill would proceed, Mr McGinty said there was little doubt its failure would add pressure for a euthanasia Bill. 'I think this is a Bill that most people can comfortably live with,' he said. 'I know that there are some people who want to see euthanasia. The Greens have put on record that they intend to move amendments to allow euthanasia. I for one will be opposing that. 'I think this Bill enables us to deal more effectively with end-of-life decision-making. If this Bill fails I think it will add pressure for euthanasia and that's not something that I would like to see.'

This week, Catholic Archbishop Barry Hickey said the legislation was potentially little more than watered-down euthanasia.

Asked if he believed he had church groups onside, Mr McGinty said the legislation struck the right balance.

'It's not often in the Parliament that we throw every individual member of Parliament on to their own resources to properly reflect what they think and what their electorate thinks,' he said. 'All too often it's a vote along party lines. This will be a vote where each member of Parliament will have to stand up for what they believe in.'

*Source: ABC News, 7/6/06*

# SOUTH AUSTRALIA

Democrats MLC Sandra Kanck, who has sponsored two euthanasia Bills in her State Parliament, has announced her intention to retire, but the baton has been taken up by former Speaker and Labor minister, Independent MP Bob Such, who plans a fresh attempt at a 'right to choose' Private Member's Bill within the next few weeks of Parliament.

Mr Such says he is confident the majority of South Australians would welcome the law but says for many MPs, religion clouds their views.

'I've heard some MPs saying, look I'm a – I'll use an example of one person who said 'I'm a Catholic MP'. I said, no you're not – you're an MP who is a Catholic – there's a big difference!' he said.

In June, Former Labor minister Steph Key made a lightning visit to Amsterdam to investigate the workings of the Dutch system.

Right-to-die legislation has failed spectacularly in the past, despite five attempts since Labor MP John Quirke's Bill in 1995.

## TERMINAL SEDATION:

Why, and how, and when should it be used – is a hot topic in the Netherlands. The editorial from the newsletter of NVVE is followed by definitions from the same newsletter. (Translation)

### PROFIT AND LOSS: Editorial

The directives for palliative sedation as drawn up by the Royal Dutch Medical Association were called ‘Another step forward’ by Eugene Sutorius, professor of criminal law at Amsterdam University. Palliative sedation stands for bringing a dying patient into a deep sleep so that, in the last phase of life, he is free from pain and anguish. The new directives are quite explicit as to the exact meaning of sedation, when it is to be administered and which means are appropriate. This clarity, obviously, is a winning point: sedation is an excellent remedy against intolerable suffering in the dying phase. However, at times doctors tend to be reluctant to administer sedation as they mistake it for a kind of euthanasia, which it is definitely not. For with euthanasia the aim is death, with sedation it is easing the final moments of a dying patient.

The office of the Public Prosecutor should take note of Sutorius’ reaction. Up to the highest levels confusion is rampant. It is proved by the case against doctor Peter Vencken who helped his patient, who was in imminent danger of suffocating, to die.

Vencken was charged with murder. He was acquitted by several civil courts but the Minister of Justice appealed against the acquittal and he was discharged too. Obviously, the Public Prosecutor didn’t comprehend Vencken’s action, or didn’t want to. Thus a doctor is victimized and the medical profession is increasingly hesitant to give accepted help.

Finally, in the new directives sedation is only permitted when the doctor is convinced that the patient’s suffering is intolerable. So, at the crucial moment, the doctor, not the patient, decides. Surely, this is a step back!

### DIRECTIVES, PALLIATIVE SEDATION

#### Definition

The directives on palliative sedation that were published by the Royal Dutch Medical Association last December were widely commented on in the media. Wrongly, by some it was suggested that it

made euthanasia superfluous. A summary of the contents of the directives follows below.

*By Rob Bruntink:*

The definition of palliative sedation is the deliberate reducing the consciousness of a dying patient in order to alleviate his pain and agony. It is used when no conventional medication will solve the medical problem.

In practice it means that the doctor in charge, with the patient and the family, can decide for palliative sedation when the patient is beyond conventional treatment due to pain, imminent suffocation or mental confusion. The patient has no more than a fortnight to live.

The directives seem clear enough but real life is obstinate. Who is to decide the amount of pain, or the moment of death? And what about assessing mental agony that is, formally, excluded from palliative sedation? The period of a fortnight seems rather arbitrary and medically difficult to be substantiated.

#### Euthanasia vs. sedation

Primarily, sedation is meant exclusively to relieve severe suffering, not to end life. Sedation is reversible, euthanasia is not. With sedation the patient can die naturally, without being conscious, whereas euthanasia seems the better solution in cases where the patient, because of his suffering, is determined to terminate life.

*Source: RELEVANT, Magazine of Right to Die-NL (NVVE) 32/1, January 2006, Summaries by Irene Dijkers*

## KEVORKIAN TO REMAIN IN JAIL

The Michigan Parole Board rejected Dr Jack Kevorkian’s request to have his second-degree murder sentence commuted. Kevorkian claims he has less than a year to live. For the fourth consecutive year, the board turned down the 78-year-old assisted-suicide advocate’s request.

Kevorkian lawyer Mayer Morganroth said he told the parole board that his client’s health was ‘rapidly deteriorating’.

*continued p11*

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Morganroth said Kevorkian weighs 113 pounds, suffers from active Hepatitis C, which cannot be treated in prison, and has become diabetic. 'Frankly, he's in terrible shape,' he said.

Morganroth said that Kevorkian's personal doctor said in May that he did not believe Kevorkian would survive more than a year in prison. Kevorkian is eligible for parole June 1, 2007.

Kevorkian is serving a 10-25 year sentence for second-degree murder in the 1998 poisoning of Thomas Youk, 52, of Oakland County's Waterford Township. Youk had Lou Gehrig's disease, and Kevorkian called it a mercy killing.

The death was videotaped and shown on CBS '60 Minutes'. Kevorkian has said he assisted in at least 130 deaths but has since made promises that he will not assist in a suicide if he is released from prison.

Source: D.GOODMAN, *Associated Press*, 22/6/06

## WEEKLY WORKOUT

The Doctor told me I should start an exercise program.

Not wanting to harm this old body, I've devised the following:

**Monday** Beat around the bush; Jump to conclusions; Climb the walls; Wade through the morning paper

**Tuesday** Drag my heels; Push my luck; Make mountains out of mole hills; Hit the nail on the head

**Wednesday** Bend over backwards; Jump on the Band Wagon; Run around in circles

**Thursday** Advise the Prime Minister on how to run the country!; Toot my own horn; Pull out all the stops; Add fuel to the fire

**Friday** Open a can of worms; Put my foot in my mouth; Start the ball rolling; Go over the edge

**Saturday** Pick up the pieces!!

**Sunday** Kneel in prayer; Bow my head in thanksgiving; Uplift my hands in praise; Hug someone and encourage them!

Whew! What a workout! It's enough to tire one out for a long time.

from *SAVES Annual Newsletter*, No 42, 2006

## UK - LORD JOFFE'S BILL DEFEATED

Britain's House of Lords has rejected the Assisted Dying for the Terminally Ill bill put forward by Lord Joffe, in a 148-100 vote.

Research conducted by the British Humanist Association reveals Christian groups' scare mongering about the bill, and the huge funds available to religious groups campaigning against the Bill. The research '*In Bad Faith*', published a few days ahead of the House of Lords debate, contains scores of examples of systematic fear mongering, abuse, misinformation, bullying and hypocrisy by religious groups and leaders

Hanne Stinson, the BHA's Executive Director, said, 'Our research shows Christian groups repeatedly telling the elderly that their children want to kill them for their inheritance or because they are a burden; that suffering is good for us; that we'll soon be killing babies, and that the health services will kill people to save money and free up hospital beds. This is a concerted attempt to scare the public about a compassionate Bill with extremely tight safeguards against abuse.'

'Assisted dying is an important but also a highly emotive issue. What we need more than anything else is an open and honest public debate about it, but these Christian groups are pouring their enormous resources into a campaign that seems designed to ensure that open and honest debate is impossible. Why are they doing this? I have to assume that it's because they know that with around 80% of the population, including some 80% of Christians, wanting an Assisted Dying Bill, they cannot win that debate. And it seems that if they cannot win the debate honestly, they have no compunctions about trying to win it dishonestly.'

BHA's study also shows that faith-based campaigning groups in the UK have an annual income of at least £11.8 million, without counting Anglican or Catholic Church funding. The Catholic Church is said to have spent hundreds of thousands more on what is described as the biggest political campaign in the Church's history.

Hanne Stinson added, 'The current Pope endorsed the death penalty as more morally acceptable than allowing a terminally ill person to ask for help to die peacefully in their final few days. That sounds like straightforward hypocrisy to me. There is also clear evidence that Christian campaigners try to avoid mentioning their faith. With double standards like this, is it any wonder?'

# INVOLVEMENT VIA THE WEB

Two fairly new websites may prove interesting to our members. They both deal with various issues, not really VE, but most of our members have a wide range of interests, so it's worth a look if you're 'on the web'.

GetUp can be found at [www.getup.org.au](http://www.getup.org.au) and they say the group 'brings together like-minded people who want to bring participation back into our democracy'.

The second is New Matilda, at [www.newmatilda.com](http://www.newmatilda.com) 'an online magazine, news and policy portal. We are an independent, alternative media voice delivering accessible, informed comment and debate'.

## SENIORS ON-LINE

How a computer can make you happier:

Many members probably know nothing about computers or even the internet, and might even secretly fear anything to do with them. But with a little instruction, you can use that good ol' computer to play games, communicate with family, read the newspaper, get up to date information on topics of interest and even join online discussion groups. Computers are a great tool that help people feel in control and reduce isolation, particularly for the elderly. If you get online you'll also be able to access newsletters with up-to-date articles on voluntary euthanasia in Australia which in itself makes you feel good by keeping abreast of developments as they occur. In fact, a major study showed that for people aged 60 and over, those who used a computer for information, communication and entertainment had an 11% higher degree of life satisfaction.

There are many clubs and community colleges around Australia that have beginners' courses for seniors. You can do any of these....

- Just ask your newsagency for the local community college brochure for some computer classes for seniors
- Contact your local seniors computer club. Their purpose is to teach seniors how to use the computer quite literally from scratch.
- Call our office and ask for them to give you the contact details for a computer group near you that's listed with The Australian Seniors Computer Clubs Association. They keep a listing and contact details of all the seniors computer clubs in the state.

[www.seniorcomputing.org/](http://www.seniorcomputing.org/)

[www.seniorcomputing.org/clubs.htm](http://www.seniorcomputing.org/clubs.htm)

- Look up 'Computer pals for seniors' in the whitepages for your local computer learners group.

If you don't have a computer and money is tight there's a federal program called BITES (Basic IT Enabling Skills for Older Workers Programme) that gives workers on a low income aged 45 years and over basic skills in computers and IT. Call 1800 800 618 for the nearest training location [www.itskills.dest.gov.au/](http://www.itskills.dest.gov.au/)

Some organisations also give pensioners, the disabled or elderly access previously-loved computers for a very low price. Call our office for details of someone who might be able to help you: [www.dcita.gov.au/ie/community\\_connectivity/subsidised](http://www.dcita.gov.au/ie/community_connectivity/subsidised)

Also check your Seniors Card discount offers - they often include computers, Internet Service providers, magazines and guides.

### **VOLUNTARY EUTHANASIA SOCIETY OF NEW SOUTH WALES**

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### **SUBSCRIPTION AND BEQUEST INFORMATION**

Membership subscriptions to VESNSW are \$30 single and \$50 for a couple. Concession rates of \$18 single and \$30 for a couple are available for pensioners and students. Life membership costs \$500 single and \$800 for a couple.

Many loyal friends have found that a bequest is one way they can make a significant gift to further our Society's efforts to change the law and to educate the community. A bequest form is also available from the Society's office.