



# VOLUNTARY EUTHANASIA SOCIETY OF NEW SOUTH WALES (INC.)

ACN 002 545 235

Patron: Prof Peter Baume AO FRACP FRACGP

## NEWSLETTER

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## Philip Nitschke's Address to AGM

Today I want to look at the euthanasia debate and the peaceful pill concept and give a brief summary of where we are now and the developments in those areas.

The great euthanasia debate was 1996-1997 when Marshall Perron, the Chief Minister of the NT, a politician with foresight, itself a rarity, introduced legislation and using his considerable political skill managed to get passed the world's first democratically voted on legislation, The Rights of the Terminally Ill Act, which allowed a terminally ill person lawful help to die.

Bob Dent became the first person in the world to receive a legal voluntary injection. September 22nd was a hot Sunday; in the afternoon I went to his house and he made use of a machine I had built. I didn't want to give him a lethal injection; who would, but I was really keen that he should have the right if he wanted it. When he qualified under Perron's law and said 'This is the day' I went to him, he pressed the button on the device and while his wife Judy held him he died in her arms.

He became the first of four people who used that law.

The machine I developed now sits in a glass case, cycling through its paces on permanent display in the British Museum. It was to be in the Powerhouse Museum in Sydney but opposition from the Federal Parliament prevented this. I went to London to present the machine and while talking to the director I expressed my admiration that the British were prepared to exhibit the machine when it was not acceptable in Australia. A Federal Senator had said 'I don't want the children of this nation to be traumatised by that obscenity' so I was glad that they were so enlightened but he informed me it had nothing to do with being enlightened, it's because we are 12,000 miles away, if it had been

a British machine it would be showing in Sydney! He then reflected and said that it is when a nation can accept its own history that the icons of that history can be displayed. Clearly Australia has not got to where it can accept its own history.

The VE issue divides into two strands. There is the legislative model and the universal model, i.e. the do-it-yourself or the peaceful pill concept. The legislative model is where we try to cajole our politicians to enact legislation such as we saw in the NT, however that law was overturned 6 years ago. So how far have we gone towards a replacement law anywhere in Australia? There have been some things happening in the states, and in the federal arena there is the Andrews campaign. The Nancy Crick case was another attempt to try to get politicians in Queensland to do something. We have a project called Peacenet and there are legal cases such as the Lesley Martin case in NZ. All these things are designed to get the state to bring in legislation

In the NSW parliament there have been attempts by Dr Peter Macdonald and two attempts by the very supportive Green member Ian Cohen. Cohen copied the Territory law and argued that as it has worked in the NT, surely NSW should give it a go. They were all overwhelmingly rejected. SA has a longer record of trying to introduce VE laws; there have been attempts by John Quirk, Anne Levy and recently Democrat Sandra Kanck. WA is the only other state where there is a glimmer of hope, the Green's Robin Chapple will try to introduce legislation, but it is unlikely to receive a positive response. Overwhelmingly the situation in the states is gloomy and for those who hold out hope of seeing our politicians support the issue this record can only fill one with despair.

Federal legislation is important because even though VE is a state law it was the federal government that overturned the Territory law and it has influences in other significant ways. How do they play a part? Recently Democrat Senator Lyn Allison said 'I want to introduce legislation that will overturn the Andrews law.' If that happened the NT law would be reinstated. It doesn't have to be passed again - it sits there in abeyance. But straight away Chief Minister Claire Martin made it perfectly clear that VE was not on her agenda. So since Marshall Perron has come and gone, for those hoping that when the Territory

became a state or when the Andrews Bill was repealed that the legislation would come back, will have to think again.

Now we have Mark Latham and we thought, here is a leader who is prepared to stand up. When the Andrews Bill was being debated Latham made one of the best speeches, it was inspirational. It is a long speech but this sentence sums it up fairly well, 'terminally ill citizens deserve nothing less than liberty in determining the manner from which their lives might end.' What a hero, but now he is leader of the ALP he seems to have changed. On talkback radio in February this year he said, 'On the question of euthanasia, like many people, it is never clear cut in my mind and I would like to have a rethink on the evidence and the issues and the material.' What, all the material that has come up since 1997? In other words he has moved from being a strong supporter to sitting on the fence.

What else? We have Kevin Andrews, the politician who worked tirelessly to overturn the Territory law and who has had a meteoric rise which many say is reward for overturning the world's first voluntary euthanasia law. So what are we going to do about that? Exit has thought a lot about Kevin Andrews and we have done several things. In the 1998 election I stood against him and got 9% of the vote which, for the first time in that seat, forced him to preferences. In the 2001 election we waved placards and banners saying **VOTE NOTO KEVIN** to remind the electorate of what he had done. The 2004 election is coming up and this time there are others such as unionists who want to do something about Kevin. Some say 'It's ancient history, let him go' but I don't think it's a good idea to let politicians off the hook.

Now, the Nancy Crick campaign was a strategy to try to prompt politicians to clarify 'Is it lawful to sit with someone when they suicide?' Many people want to know if this is a crime. It is legal to suicide, but if you advise, counsel or assist in any way, in NSW you might be in prison for 14 years and in Queensland the penalty is life imprisonment. Nancy exercised her legal right and suicided. There were 21 people present, they didn't help her, they just sat. Is this or isn't this a crime? To date this hasn't been clarified and to leave a law murky and ill-defined is unsatisfactory.

Another way to put pressure on politicians to do

their job is through the courts because of the publicity these cases attract.

There is the Fred Thompson case where there is no action at the moment and the Lesley Martin case in NZ. Lesley is on trial now and the jury will retire on Tuesday. Lesley wrote a book saying 'I helped my mother to die'. That is a confession. She has been charged with attempted murder because it is difficult to say if her mother died from the disease or because Lesley held her too tightly. This is a very important case because even her defence lawyers are portraying her as a hapless victim, so stressed by her circumstances that she lost her judgement, that she has convinced herself that she has killed her mother, she was simply a normal person doing the right thing

in extreme stress because of the abysmal lack of palliative care. This gives the state an easy way out. Increase palliative care in the regions and the problem goes away.

There is another strategy called the Peacenet project. This involves people with motor neurone disease. This is a dreadful disease, people become paralysed in their own bodies, perfectly lucid, but unable to move. Many people with this disease say to me, 'When it gets too bad I want to put an end to it,' but if you can't move this is very hard to do. They feel that if they don't act while they can still move they will be trapped. That is what happened to Diane Pretty from the UK. Her husband wanted to help her but the state said 'You can't have the drugs.' She

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## FOR YOUR DIARY

### Meetings

- **Anthea Johnson**, a senior social worker in aged care will speak on how **aged care services** can help the elderly retain their independence as long as possible, at the next meeting at the **Dougherty Centre, 7 Victor Street, Chatswood** at 2pm on Sunday 25 July. There will be another meeting on 28 November.
- **Central Coast** – Thursdays **5 August** and **9 December** at 10am at the **Gosford Senior Citizens Centre, 217 Albany Street, Gosford**. Contact Romaine Rutnam for help with transport.
- **Northern Rivers Branch** – The Inaugural Meeting was held on Monday 28 June. If you missed this one but would like information about future meetings, contact **Bryan Milner on 6680 1961**.
- **The Illawarra Branch** can be contacted by writing to PO Box 331, Figtree NSW 2500.
- Confidentiality: VESNSW does not provide information about individual members or give the membership list to any person or organisation under any circumstances.
- 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)
- EXIT Australia/NZ workshops: for details please either ring **Michael Griffith on 9559 7142** or send an email to [exit@euthanasia.net](mailto:exit@euthanasia.net) or phone 0500-83 1929
- visit the VESNSW web site at [www.vesnsw.org.au](http://www.vesnsw.org.au)

endured many courtroom appeals through to the European Court of Human Rights where her case was rejected. She had the death she most feared. Many say to me 'I am going to have to die before I want to, but while I can still move my arms'. Sandy Williamson from Melbourne did just that. While she could still use her arms she took lethal drugs. This is the clearest case that shows when you introduce legislation for VE you prolong life - not shorten it.

The strategy we are planning should be very effective. Motor neurone sufferers need help and partners often take risks to help them, so another sufferer, a member of Peacenet, who strongly believes in the concept but not too badly affected will help the other sufferer. When the helper admits their involvement to the police, that presents the Director of Public Prosecutions with a real problem. If they arrest a person with motor neurone disease this will really highlight the inhumanity of the current laws.

Now I will talk about what the universal model is. The peaceful pill is the best example. The universal model was proposed by a retired judge, Drion, who used to be the President of the Dutch Supreme Court. He published a book in 1992 called 'The Intentional Ending of Life of the Elderly', in which he said, I am a judge, I don't think I want to go off cap in hand to a bunch of doctors to see if it is time to die. I will decide, no-one else. Drion said that everyone over the age of 65 should be able to obtain the drug, the only criteria is that you are mentally sound.

Just going back to the legislative model, what you have with all of them is the setting up of a judgemental panel, which requires you to go from one doctor, then another then another to get signatures on a piece of paper, another level of arbitration and another set of judges. Robert Richter, an eminent Melbourne criminal lawyer said, 'This is a flawed approach. Lawyers are the only people who will benefit apart from those who are seriously ill, who will get straight in. Mostly it will be about people arguing around the boundaries, it will be a lawyers' picnic. The right to die is a pretty fundamental right; it shouldn't be arbitrated on by someone people don't have any respect for.'

So this is how the peaceful pill project came about, but what is it? This is the design criteria. You have to

be able to make it yourself, it has to provide an effective and reliable death in 1-2 hours, it has to be peaceful, convenient and something you can take by mouth. Exit has put a lot of effort into this alternative strategy, and it is alternative because if we had the drug we wouldn't be working on our recalcitrant politicians to pass a law, it's an answer which doesn't depend on the goodwill and good grace of our politicians.

Exit has also surveyed our members. We had a comprehensive set of questions on whether we go one way or the other or both ways and I would also urge the NSW society to survey its members. We got over 1000 responses from our members, not just yes or no but very detailed answers. In excess of 95% wanted us to work on the peaceful pill and not to do so would violate our members' expressed desires. So we will put in place a constructional workshop program, similar to those where people build their own Co-Genie device. The first constructional workshop for that was held in Brisbane last October. At present we have 200 people who are waiting to come to these workshops.

Communications for an Australia wide organisation like Exit is done more and more frequently on the internet and now we have problems. The Minister for Justice, Chris Ellison is about to introduce legislation targeting people who use the internet for child pornography but he has also cleverly and skilfully linked this to apply to people promoting suicide or euthanasia. We believe it is a deliberate move to make it difficult for us but it could also be difficult for VE societies as they increasingly go on line. Chris Ellison is a fearsome opponent of VE, so we are interested in strategies to deal with his proposed legislation.

I am not an extremely strong supporter of the American way but I do envy their first amendment to the constitution which protects free speech.

As you can see there are different tacks. We can stoically, in a dedicated fashion, try to get our politicians to create a special set of conditions to which a special set of people can get in and get help to die or we can put our efforts into the development of new drugs and strategies that bypass legislation.

I think euthanasia as an issue is at the crossroads. It will be interesting to know what you think.

Thank you very much for the chance to speak to you.

# KEP ENDERBY'S SPEECH TO THE AGM

*This is an abridged version of our President, Kep Enderby's speech to the AGM.*

I am sorry that my being away from Sydney prevents me being with you today.

Our Patron Prof Peter Baume was guest speaker at our last AGM and as part of his speech he told the meeting that the NSW Government had formed a committee to produce a document in relation to Advanced Directives and that he represented the Society on the working party.

Committee members spoke at several meetings throughout the year. Dorothy Simons spoke to the Older Women's Network and the Association of Independent Retirees. Peter Baume spoke to the B'nai Brith organisation.

In May I spoke to the Medical Students Association at the Uni of NSW. In June I spoke at the inaugural meeting in Wollongong of the Illawarra branch of the society and in November I attended their further meeting of about 200 people where Philip Nitschke was the guest speaker.

In July about 200 people attended a meeting of the Central Coast branch where we heard from Fred Thompson about his part in the death of his wife, a sufferer of multiple sclerosis for many years. The three speakers were Fred Thompson, Philip Nitschke and myself and the meeting expressed by words and frequent applause their support and admiration for what Fred had done.

I also met with Branch members and supporters in Canberra and was interviewed by the Canberra Times and this interview led to other media coverage of VE.

In November, standing in for Philip Nitschke I presented a paper at a conference of the Victorian Teachers Association in Melbourne. In January 2004 I spoke on the ABC's Ockham's Razor program which received a number of favourable responses.

On the Political/Legal front, in July Peter Baume and I had a meeting with the NSW Attorney General Bob Debus in an attempt to persuade him of the merits of VE.

In September I spoke to a Parliamentary committee at NSW Parliament House in relation to the Green's Ian Cohen's proposed VE Bill and afterwards Ian Cohen, Philip Nitschke and I held a press conference

which got good media coverage. After the defeat of this Bill (for the 2nd time) two NSW members Joyce and Gordon Bell and John Edge from Queensland travelled from Northern NSW to hold a press conference to express their disgust. This also received good media coverage.

I made several attendances and had several conferences with Philip Nitschke's solicitor re a case arising from the seizure by Customs Officers of his property. It was eventually decided not to defend the matter.

I attended a trial in Wollongong where the defendant was claiming his actions were VE but it soon became clear that it was an open and shut case of murder.

In May the Victorian Supreme Court gave a decision permitting a Victorian woman, unconscious and suffering from Pick's disease and being kept alive by artificial feeding via a tube in her stomach, to die by having the tube withdrawn.

Between 30 May and 1 June, 2003 our society, with Exit, co-sponsored a very successful conference in Sydney at the YWCA. It was opened by our Patron and Philip Nitschke and I delivered the final summing up. A demonstration by a group of Right to Life people generated more publicity.

On Friday evening Janine Hosking's documentary about the suicide of West Australian Lisette Nigot was given its first screening. At the Saturday night dinner the Bob Dent Award was presented by Bob's widow Judy to Queensland's John Edge for his involvement with the Nancy Crick campaign. Also during that evening Derryn Hinch conducted a panel interview of 'accused murderers', Fred Thompson from the Central Coast and Lesley Martin and Ralph Vincent from New Zealand.

The play *Last Cab to Darwin*, about taxi driver Max Bell's drive from Broken Hill to Darwin in 1996 to try to take advantage of the then new Northern Territory's Right to Die legislation; written by the joint winner of the Patrick White Playwrights Award, Reg Cribb; was enjoyed though a special promotion by many VES members.

At our 30 November public meeting Dr Susan Ogle, a gerontologist at RNS hospital gave an interesting and informative speech about dementia.

There have still been no charges laid against any of the '21' who were with Nancy Crick when she

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committed suicide despite agitation for a ruling.

The Central Coast branch held several meetings during the year and they and the Illawarra branch are very enthusiastic and hard working. John Doyle, chairman of the Central Coast for many years has retired due to ill health and our sincere thanks go to him. A very capable Romaine Rutnam has taken over.

Regrettably, Dorothy Simons will not be standing again as Vice President. We owe her our great thanks for all the time and effort she has put in over many years.

Diana Foote, our newsletter editor for over five years is retiring. We thank her for the magnificent job she has done.

Our thanks also go to Pat Thompson, membership secretary, who has retired after 15 years.

I also want to thank Carmel Marjenberg, our co-ordinator and secretary for the help she has given to me and our members, and to all the members of the committee for their time and effort. Bob Gallagher, our treasurer and magazine layout expert deserves a special mention.

If it is the wish of the meeting I will stay on as President.

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## **BILL DEFEATED IN SOUTH AUSTRALIA**

The Dignity in Dying Bill has been rejected by the South Australian Legislative Council.

Devastated by the result, the local society, **SAVES**, had the following to say in a media release:

‘The majority of members are shamefully neglecting their duty as lawmakers, to balance the harm and the good of this bill and provide to the citizens actual evidence of any perceived harm. Once again this has not been done.

‘It is an irrefutable fact that some doctors are breaking the law, assisting their suffering patients to die by acceding to requests for voluntary euthanasia and by giving large doses of medication with the explicit intention of ending the patients’ lives.

‘It is outrageous that doctors are being forced to become criminals – risking their personal and professional lives by responding compassionately to their patients’ intolerable suffering.

‘It is outrageous that suffering continues to be forced upon those with a hopeless illness for whom even the best of medical care does not provide relief.

‘The Dignity in Dying Bill would have given compassion, control, honesty, transparency, regulation and accountability.

‘The present law against choice provides none of this. The present law is both cruel and dangerously inadequate.’

## **BEQUESTS**

Recently, the Society has gratefully received two bequests and advice that a third is soon to come.

Joan Clarke, who had been a member of VESNSW, died in July 2003, leaving a very generous bequest to the Society.

We were notified in September last year that another former member, John Daly, had remembered us in his will. His bequest has now been received.

The office has been notified that Helen Warschauer died recently, leaving the Society a bequest.

These gifts will certainly be put to good use in funding our ongoing efforts.

## **VALE HUIB DRION**

Former Dutch Supreme Court judge, Huib Drion, died on 20 April in Leiden, The Netherlands, at the age of 87.

Drion was a major force in achieving legalised physician-assisted dying in his country and he was the first to advocate the development of a Peaceful Pill, to help people have a peaceful death at a time of their own choosing. His 1991 essay ‘Voluntary Death for Old People’ addressed the needs and problems of the elderly with a fresh approach and encouraged the debate that eventually led to the legal right to euthanasia for terminally ill patients, under strict guidelines.

Voluntary Euthanasia Societies around the world need men of Huib Drion’s calibre.

# FEDERAL ANTI-VE LEGISLATION

In an extraordinary move, Senator Chris Ellison has proposed new legislation which would make it a criminal offence to use a carriage service such as the internet or a phone line to provide information or counselling on suicide.

The relevant section of the *'Crimes Legislation Amendment (Telecommunications Offences and Other Measures Bill (2004)'* appears to be aimed primarily at the activities of Dr Philip Nitschke and EXIT Australia/NZ, but could also severely impede the rights of Voluntary Euthanasia Societies around the country to continue campaigning for law reform.

Our President, Kep Enderby has said, 'The Bill, as it relates to suicide and voluntary euthanasia, offends against all democratic principles of free speech. In the proposed sections that deal with suicide and VE, it seeks to outlaw what it supposedly claims to be a "public mischief" where the evidence is that there is no "public mischief". The Federal Parliamentary Library has confirmed this.

'As a Bill it is particularly offensive because, at the end of a lengthy Bill purporting to outlaw the use of "Telecommunications" or the "Net" to promote

"child pornography", it lumps in, as though as an after-thought, the question of suicide and, by definition, VE.'

When the Bill is introduced, VES members are asked to contact their Federal MPs to vote for the defeat of those parts that would outlaw the use of telecommunication messages (E-mail) relating to suicide and, by definition, to voluntary euthanasia.

South Australian VES has suggested that 'Any proposed legislation to enable your right to choose voluntary euthanasia is at grave risk' and that 'State rights to pass such legislation are in danger of being violated', so perhaps we also need to make our State politicians aware of the proposed Bill.

## NITSCHKE CARRIES ON

Dr Philip Nitschke of EXIT has confirmed that his constructional workshop program will go ahead despite Federal Government moves to close down the organisation. He is angered by the inclusion of 'promotion of suicide' provisions in this particular Bill as it may suggest that members of EXIT are in some way similar to those who would access child pornography.

The internet has been a particularly helpful means of communication for Dr Nitschke. He has said that the 'broad and general nature' of the proposed legislation would make it very difficult for EXIT to function.

Moving the website offshore could be the answer. 'The easiest way to do that would be to have it operating through an affiliate organisation in North America,' Nitschke has said.

*Source: CNS News, P. Goodenough*

### SEND A POLLIE A POSTCARD

Within this newsletter you will find four postcards addressed to politicians. Register your opinion! All you need to do is sign them, add a stamp to each and post them.

## 15 MONTHS PRISON FOR LESLEY MARTIN

New Zealander, Lesley Martin, the head of EXIT NZ, who in 1999 helped her mother to end her life of pain from cancer, was found guilty of attempted murder by a High Court jury in Wanganui, and sentenced in April 2004 to 15 months in prison. The sentencing judge gave her leave to apply for home detention, but Lesley declined, saying she did not want to make a prison of her home.

On leaving the dock, Lesley called out to the

courtroom full of family and supporters that the verdict was unjust.

Appeals have already been filed against both her conviction and sentence.

It is hoped that Lesley Martin's courageous efforts to bring about changes in NZ laws will be successful. Her book, *To Die Like a Dog*, and her choice of a jury trial, have certainly encouraged lively debate.

# NANCY'S FRIENDS TEST LAW

Fred Short, a 93 year-old retired dairy farmer, was one of the 21 people who were with Mrs Nancy Crick at her Gold Coast home on 22 May 2002 when the great-grandmother drank a lethal cocktail.

He spoke recently of his plan to confess to police that he comforted Nancy Crick in the final moments before her death, in an effort to prompt them to either 'slap him in irons' or end their investigation into whether anyone assisted in her suicide. If convicted of assisting in her suicide, witnesses face a maximum penalty of 10 years to life in prison.

Mr Short said, 'For me, 10 years is life.'

After two years, Mrs Crick's family have finally been given a copy of the autopsy, which found that she died of 'multi-drug toxicity'.

They have also called for police to close the investigation into her controversial death. The family have visited her grave but said they were unable to move on with their lives because a police investigation remained open.

Mrs Crick's daughter-in-law, Jackie, said nothing had been achieved by Nancy's death. 'So far it has all been to no avail for Nancy,' she said. 'On the back of your mind all the time is the question of whether anyone is going to be charged. We just want to put it behind us. Get on with it.'

The second anniversary of Mrs Crick's suicide was marked by a breakfast gathering of supporters at her Gold Coast home, followed by a rally in Brisbane.

Speakers included the former NT Chief Minister, Marshall Perron, who is quoted below.

'To Premier Beattie and other members of the Queensland Parliament, Nancy Crick's brave public stand to draw attention to cruel and unjust laws was

a brief but unwelcome distraction.

'Politicians don't like others setting the agenda. They don't like being compelled to face issues which are controversial or that require them to address awkward questions. Even simple questions – such as why it is an offence to comfort someone who has suffered enough and wants to die.

'(In this case) to date no politician or public official has even identified a victim! I know people can be found guilty of murder even if no body has been found but when you can't even find a victim it must make convincing a jury very difficult.

'I am not certain but I think that there are two groups of people here today - some who were present when Nancy died and some who were not. The latter group may be risking a charge of consorting with suspected criminals; it all depends on how far the Queensland police want to take this matter to comply with the premier's commitment to send in the police.'

Euthanasia activist John Edge said Mrs Crick would have been extremely upset that her death had failed to test suicide laws. 'I'm quite sure Nancy would be looking down and saying "Not bloody good enough",' he said. 'I'm not sure if she would be chastising us, her friends, for not doing more, or the legal authorities for not addressing it.'

Of the autopsy report that said (more than 40 times) that Nancy Crick did not have cancer when she took her own life, Dr Philip Nitschke said, 'So did she have cancer? Apparently not. Was she dying of her cancer treatment? Most certainly!'

Queensland Police have indicated that a decision regarding possible prosecutions should be expected in mid-June.

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## LAST CAB TO DARWIN

Congratulations to Reg Cribb, recently awarded the Western Australian Premier's Book Award for 2003. His script, Last Cab to Darwin, was based on the experiences of Max Bell, who drove from Broken Hill to Darwin in an unsuccessful attempt to be the first person to use the then new Northern Territory's Rights of the Terminally Ill Act, 1995.

## FROM THE VATICAN

Pope John Paul II has told a Vatican conference that seriously-ill patients in a vegetative state should be denied any form of assistance designed to end their life peacefully.

The Pope said the removal of a feeding tube from a person in such a state amounted to 'euthanasia by omission' and he believed it to be immoral.

## VE ON THE NET

If you have internet access and are interested in reading and perhaps even communicating about VE, you may like to investigate the following sites.

A great Australian service is the VE-Aust discussion list, basically an email discussion group of people talking about voluntary euthanasia. In a group like this you can ask questions, share opinions or just read emails and nothing else. But a group like this is only as good as the members in it – so you are invited to join up.

To subscribe, simply send an email to [ve-aust-subscribe@topica.com](mailto:ve-aust-subscribe@topica.com) or visit the group's home page and sign up from there, at <http://www.topica.com/lists/ve-aust>

*Deliverance* is a news service that carries Australian print and electronic media coverage of voluntary euthanasia. To subscribe, send an email to [deliverance-subscribe@topica.com](mailto:deliverance-subscribe@topica.com)

*Right-to-Die* is an international service, principally a news service with the occasional personal contribution. You can subscribe by visiting [http://mailman.efn.org/cgi-bin/listinfo/right to die](http://mailman.efn.org/cgi-bin/listinfo/right%20to%20die)

From Sue, a VESNSW member.

## SPREADING THE WORD

Recently Rhonda Taylor, a VESNSW board member, spoke about voluntary euthanasia to a group of women in Dee Why. After hearing details of the Society's aims and the issues involved, the members of the group joined in a general discussion, sharing experiences and ideas. It is so important for everyone to think about this issue and make their wishes known, and this is a great way of helping the debate.

□ Why not suggest VE as a topic for discussion in your social, sport or work group? The Society is most willing to provide a speaker, OR

□ You may like to help us organise an informal meeting in your local area.

Contact Carmel in the office, (02) 9212 4782 for further information.

'There should be no compulsion to die but there should be no compulsion to live either.'

Hans Kung, Catholic priest and theologian, *Dying with Dignity: a plea for personal responsibility*, 1998



'User name and password?'

## NORTHERN RIVERS BRANCH

Source: Northern Star, Lismore, 31 May 2004

After watching his stepdaughter's multiple sclerosis deteriorate to the point where she is almost entirely incapacitated, Ocean Shores man Bryan Milner believes that voluntary euthanasia should be legalised on humane grounds.

When Mr Milner was diagnosed with lymphatic cancer (now in remission), he resolved to convene the inaugural meeting of the Northern Rivers branch of the Voluntary Euthanasia Society of NSW.

'I'm doing this because of the humane principles of voluntary euthanasia; so many people suffer such cruel deaths and it's so unnecessary,' Mr Milner said.

Former Attorney-General and Supreme Court judge, Kep Enderby and the former Minister of the Northern Territory, Marshall Perron, will address the meeting.

'I spoke to a woman this morning who had to watch her husband drown to death over four days with lung disease,' Mr Milner said. 'People think they will die quickly, as in a movie or on TV, but it doesn't always work like that. The tragedy is that it's not so easy to commit suicide; you can't easily access deadly medicines. People who are faced with a progressive illness like motor-neurone disease are making the decision to take their lives while they still can because they know they won't be able to later.'

Mr Milner said if enough people attend the 28 June meeting, a Northern Rivers branch of the Voluntary Euthanasia Society of NSW would be formed.

# 'HUMANE AND COMMONSENSE DECISION'

The case of Tasmanian, John Godfrey, who gave his mother the means to suicide, has re-ignited the debate about voluntary euthanasia. More than 180 newspapers around the country carried the story and many Letters to the Editor have been published.

From *The Mercury*, Hobart, 27 May:

John Stuart Godfrey acted out of compassion and love when he helped his elderly mother to commit suicide, a court heard yesterday. With loving encouragement, the support of his family and gratitude of his mother, Godfrey helped her complete her wish to die. He gave the 88 year-old Elizabeth Godfrey a crushed paste of sleeping pills, whiskey and plastic bags to tie over her head.

She had suffered years of health problems which left her living with pain that palliative drugs were unable to relieve. Mrs Godfrey, who had been a long-time member of the VES of Tasmania, died in bed in her Dynnyrne home on December 16, 2002.

Yesterday her son was freed by the Supreme Court in Hobart after pleading guilty to assisting her to commit suicide.

Justice Peter Underwood sentenced Godfrey to 12 months in jail, suspended on the condition he be of good behaviour for one year. Godfrey had faced a maximum penalty of 21 years in jail for the crime.

Speaking outside court Godfrey said he was eager to put the case behind him and get on with his life. 'My mother lived her entire life boldly, and it was extremely important to her that she met her death with the same bold, independent spirit,' he said. 'The last year of her life was brutally painful for her, both physically and emotionally, and the palliative care drugs did not work for her. Despite these facts, she maintained her courage, her dignity and her sense of humour right to the very end. This has been a source of comfort, strength and inspiration to all her family

over the last 18 months.'

Justice Underwood said Mrs Godfrey's decision to end her life was a rational one and 'viewed objectively, soundly based'. He said her son's willingness to help her played no part in her decision and had she not been so frail his help would not have been sought or given.



John Godfrey walking from the Tasmanian Supreme Court with his wife

'It may be noted that although aiding suicide is a crime, attempting to commit suicide has not been a crime in this state for almost 50 years,' Justice Underwood said. 'Curiously, it might be said that those who wish to end their life but are physically unable to do so, are discriminated against by reason of their physical disability.'

'Curiously, it might be said that those who wish to end their life but are physically unable to do so, are discriminated against by reason of their physical disability' said Justice Peter Underwood.

But Justice Underwood said it was for the community and parliamentarians to debate the appropriateness of the crime of assisting suicide, and not the court. He said Godfrey's crime was

motivated 'solely by compassion and love' and was an act of last resort.

The court heard Mrs Godfrey had tried on two earlier occasions to commit suicide before her final successful attempt. It had been repugnant to her that she could be a burden to others, and she opposed suggestions that she live in a nursing home. The family had decided to help her commit suicide because they did not want to see her seriously damage herself in another failed attempt.

Speaking after the sentence was handed down, Godfrey's brother Bill said the past 15 months had not been easy. He hoped one of the outcomes of extra money being allocated to the Director of Public Prosecution in the latest Budget would be that cases were speeded up. 'Justice delayed is justice denied,' he said.

Bill Godfrey said it was unpleasant not knowing whether his brother was going to go to jail. 'Certainly it's the view of all of us that the law as it stands is a very blunt instrument, and it needs to be changed,' he said.

While being in the media spotlight was a 'bloody nuisance', Bill Godfrey said the family accepted the case may be used as a lever by euthanasia activists for refining the law.

## OPINIONS FROM OTHER SOURCES:

The VES of Tasmania were understandably elated at the outcome of the trial, saying 'The implications that will flow from the judgment not to imprison John Stuart Godfrey, after his mother Elizabeth Godfrey's suicide, in yesterday's Supreme Court decision will be far-reaching and it is with relief that we commend this humane and commonsense decision.'

Dr Philip Nitschke of EXIT Australia/NZ said supporters were heartened by the suspended sentence and that the comments by Justice Peter Underwood highlighted the 'murky and ill-defined' way the law treated the issue of assisted suicide.

Norma Jamieson, Tasmanian Legislative Council member and VE campaigner, hopes this case will encourage people to think about the whole life-and-death process. 'We need to have a reasoned and rational debate,' she said.

T.E., of Lenah Valley, Tas. wrote 'In a more reasonable world an elderly person in pain who wished to die would not be forced to resort to using a plastic bag. He or she would be able to access proper medicine from a competent doctor to end their life painlessly and humanely.'

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## OREGON LAW UPHELD

A federal appeals court ordered the Bush administration not to meddle with a state's assisted suicide law, ruling that doctors in Oregon may prescribe lethal doses of medication to terminally ill patients.

The court said US Attorney General John Ashcroft cannot sanction or hold Oregon doctors criminally liable for prescribing overdoses, as the state's voter-approved *Death With Dignity Act* allows.

'The attorney general's unilateral attempt to regulate general medical practices historically entrusted to state lawmakers interferes with the

democratic debate about physician assisted suicide,' wrote Judge Richard Tallman in the 2-1 opinion. 'We express no opinion on whether the practice is inconsistent with the public interest or constitutes illegitimate medical care. This case is simply about who gets to decide.'

The states do, the court ruled.

The next issue will feature the very interesting results of a study into how, and for whom, the Oregon law is working so far and updates from around the world

# TWO NEW BOOKS

There are good food guides, good pub guides and good hotel guides, and now there is a book for those who want to die. A publisher has launched the first Good Euthanasia Guide, listing details of countries that allow 'self-deliverance', and organisations which can help to accomplish it.

The guide is the work of Derek Humphry, a former Sunday Times journalist who has been campaigning for the right to die for the past 25 years and has written a number of books on the subject.

Based now in Eugene, Oregon, Humphry hopes that the new book, the Good Euthanasia Guide 2004, will become an annual, updated publication.

During a visit to the UK, he said: 'I was in a pub and I was looking at their bookshelf, which had The Good Food Guide, the Good Hotel Guide and the Good Pub Guide on it, and I suddenly had a flash, so I got cracking on it.'

The various guides are 'all staples of reference literature to help make our lives more congenial,' said Humphry, who founded the Hemlock Society - now The End of Life Choices - in 1980. 'Just as surely as we need to eat, sleep and drink right, it is also certain that we will one day die. So why not some advanced research to get that right, too?'

The book is not a 'how-to' manual, but one that points people towards the countries and organisations that will assist a death.

'Don't bother to acquire this book if you are a person who believes that a religious deity is in sole charge of your life and dying,' he writes in the foreword. His aim, he claims, is 'to ensure that the final episode of a person's life is carried out with dignity, compassion and self-control.'

The Good Euthanasia Guide 2004 is available on Amazon.co.uk or through FinalExit.org

*Source: Duncan Campbell, The Guardian (UK)*  
1 June 2004

## AND

Friends of Dr Jack Kevorkian have published a book that collects the imprisoned assisted suicide advocate's comments on doctor-assisted suicide, science, philosophy and other topics.

Kevorkian, 75, is serving 10 to 25 years for second-degree murder in the 1998 videotaped poisoning of Thomas Youk, who had Lou Gehrig's Disease.

The 227-page book is titled 'glimmerIQs - A Florilegium' and is a collection of Kevorkian thoughts, limericks and illustrations on art, music, philosophy, medicine, history and family. There are cartoon sketches and colour images of some of his paintings with explanations of their meanings.

The book sells for US\$26 and is available from Penumbra Inc., PO Box 231, Bloomfield Hills MI 48303 USA or via the internet, at [www.glimmeriqs.com](http://www.glimmeriqs.com)

*Source: Detroit Free Press*

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

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### **SUBSCRIPTIONS AND BEQUESTS INFORMATION**

Membership subscriptions to VES NSW 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 \$550 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.

