

## Euthanasia Does not Seem to be Under Effective Control in the Netherlands

### Press Release

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#### **[Assessment of physician-assisted death by members of the public prosecution in the Netherlands]**

**1999;25:8-15**

#### **[Voluntary euthanasia under control? Further empirical evidence from the Netherlands]**

**1999;25:16-21**

The practice of voluntary euthanasia is not being effectively controlled in the Netherlands, suggests the evidence from research in the Journal of Medical Ethics. In the Netherlands physician-assisted death is still subject to criminal law, but has been widely practised and tolerated for well over a decade, according to strict safeguards established by the Royal Dutch Medical Association in 1984.

However, an extensive survey into medical practice regarding end of life decisions carried out in 1996 shows that these safeguards are not being adhered to. In 1995 almost two thirds of cases of euthanasia and physician-assisted suicide went unreported. One in five cases of euthanasia occurred without the patient's explicit request, and in 17 per cent of such cases, alternative treatment was available. Unbearable suffering is the standard criterion required by law to justify euthanasia, but over half of doctors stated that the main reason given by patients for the request was "loss of dignity," and almost half cited "to prevent further suffering."

If all cases involving explicit intention to end life are taken into account, the total number of cases rises from 3,200 to 24,500. "The reality is that a clear majority of cases of euthanasia, both with and without request, go unreported and unchecked. Dutch claims of effective regulation ring hollow," conclude the authors, Jochensen and Keown.

A further study by Dr. Cuperus-Bosma shows that the legal assessments of cases reported to the public prosecution service in the Netherlands vary considerably. These determine whether a doctor will be prosecuted for murder. Twelve hypothetical cases presented to 47 legal assessors showed that two would have dismissed nine of the cases from further investigation, while two would have recommended a summons in six cases. Up to five assessors were also ready to

dismiss one or more cases in the absence of a specific request from the patient, despite this being one of the basic requirements of the Dutch code of euthanasia practice.

**Contact:**

Dr. John Keown,  
Queens' College University of Cambridge.  
Tel: 01223 33 55 62;  
Fax: 01223 33 55 22;  
Email: [ijk1001@cus.cam.ac.uk/](mailto:ijk1001@cus.cam.ac.uk)

Professor Gerrit van der Wal,  
Free University of Amsterdam,  
Holland.  
Tel: 0031 22 444 83 84;  
Fax: 0031 20 444 83 87