



# Euthanasia Prevention Coalition

## NEWSLETTER

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### Bills to legalize euthanasia defeated in South Australia and Scotland

#### Australia

**O**n November 24, 2010, the South Australian upper house defeated the Consent to Medical Treatment and Palliative Care Amendment Bill that was introduced by Mark Parnell MLC (Greens) by a voice vote. Parnell pulled the bill from going to a final vote after hearing the speeches and realizing it would be defeated 12 to 9.

This bill proposed to amend the Act that controlled palliative care in South Australia, by legalizing euthanasia. Palliative care should never be confused with euthanasia.

Liberal MLC Jing Lee, a swing vote, was not convinced. "There are many problems with this Bill," she said. "What I am afraid of is voluntary euthanasia will inevitably mean in some cases involuntary euthanasia."

Philip Nitschke, the leader of the Australian euthanasia lobby, attended the debate in Adelaide. After its defeat

he stated that this was a significant setback.

But the battle continues. John Hill, the health minister in the South Australian parliament has circulated his own legislative framework to legalize euthanasia that amends the criminal code to create exceptions in the homicide act for euthanasia. HOPE is already devising their strategy to defeat the "Hill Kill Bill."

Paul Russell, the leader of the group HOPE (saying no to euthanasia) should be congratulated for his hard work and focused strategy. HOPE maintained a unified and consistent approach based on the EPC model.

#### Scotland

**O**n December 1, 2010, The Scottish Parliament, stunningly defeated Margo MacDonald's End-of-Life Assistance bill, that would have legalized euthanasia.

The bill was defeated by an astounding 85-16 vote, with two abstentions.

The Care Not Killing Alliance in Scotland stated in their media release:

"This is a fantastic result and a victory for the most vulnerable in our community. The detailed scrutiny and exhaustive investigation that this bill has had over many months and the sheer magnitude of its defeat should settle this issue in Scotland for a generation.

"MSPs have voted overwhelmingly today to reject in principle the legalization of physician-assisted suicide and euthanasia in Scotland recognizing that such a move would seriously endanger public safety. They have instead sent a ringing endorsement to making the best palliative care widely available and accessible.

"The key argument that decided this vote and the similar votes in the House of Lords in 2006 and 2009 is a simple one. The right to die can so easily become the duty to die. Vulnerable people who are sick, elderly or disabled can so easily feel pressure, whether real or imagined, to end their lives so as not to be a burden on others.

"Parliament's first responsibility is to protect the vulnerable and that is what they have voted to do today."

After the defeat of the bill, Margo MacDonald MSP, who introduced the bill, stated to the BBC news:

"I'll cut to the chase and condemn as unworthy and cheap, the contribution made by the publishers and authors of this catalogue of linguistic contortions, headed 'Care not Killing.'

During the debate in the Scottish

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#### International Symposium on Euthanasia and Assisted Suicide

### High-profile speakers being lined up

**W**e are pleased to announce that Senator Helen Polley, the federal Senator from Australia, and fierce opponent of euthanasia, has agreed to be our keynote speaker at the Third-International Symposium on Euthanasia and Assisted Suicide. Senator Polley is a Labor Party member representing Tasmania.

We are also pleased to announce that the co-chairs of the Parliamentary Committee on Palliative and Compassionate Care - Joe Comartin MP (NDP), Michelle Simson MP (Lib) and Harold Albrecht MP (CPC) have all agreed to speak at the Third-International Symposium.

The Third-International Symposium on Euthanasia and Assisted Suicide will be June 3 - 4, 2011 at the Vancouver Airport Marriott Hotel.

A strategy meeting for leaders will be held on Thursday, June 2.

Registration forms will be available in January 2011.

***Together, we will turn the tide against euthanasia.***

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## UK Assisted Dying Commission a sham

*Peter Saunders, the long-time leader of the Care Not Killing Alliance, has challenged the validity of the 'Assisted Dying commission' in the UK. Saunders analyzed the membership, goals and funding for the Assisted Dying commission and has concluded that it is a sham. The following is from a blog entry*

by Peter Saunders

The Commission on 'Assisted Dying', due to be launched on November 30, has attracted some more attention in the press and we are given additional information about the identities of some of the members of Lord Falconer's 'independent' panel.

*The Observer* has run a piece with the intriguing title 'Assisted Suicide Law to be reviewed by Lords'. This creates the misleading impression that this commission is somehow part of the parliamentary process when it is nothing of the sort.

Instead, as we have already learnt, it is a privately organised enquiry which was the idea of campaign group 'Dignity in Dying' (formerly the Voluntary Euthanasia Society) and is being funded by celebrity novelist Terry Pratchett (who like Baroness Warnock backs legalising assisted suicide for people with Alzheimer's disease).

It is true that the Commission intends to publish a report in October 2011, which it hopes will be discussed in Parlia-

ment, but we need to be clear that the euthanasia lobby has decided to take this 'independent' route because their attempts to legalise assisted suicide through the standard parliamentary processes have failed by large margins at the last two attempts (148-100 and 194-141 in the House of Lords in 2006 and 2009 respectively).

So what do we know thus far of those involved?

As noted previously, Lord Falconer, who attempted to amend the Coroners and Justice Bill in 2009 to decriminalise taking 'loved ones' to Zurich so that they could end their lives at Ludwig Minelli's suicide facility, will chair the commission.

Another member of this 12-person 'independent' team is revealed today to be Penny Mordaunt MP (pictured), who ten days ago laid her cards on the table as a supporter of so-called 'assisted dying'.

Further members include Baroness Barbara Young, the former chair of the government's health watchdog, Canon James Woodward of St George's Chapel, Windsor and Stephen Duckworth, who has campaigned on disability issues.

Baroness Young supported Lord Falconer's move to decriminalise assisting with suicide in 2009 and also spoke in support of Lord Joffe's Bill in 2006. So the two 'Lords' on the panel who are to review the law are both already committed to legalisation.

Stephen Duckworth also supports 'assisted dying' according to a statement on the Dying in Dignity website and seems to have no link with any of the main disability rights organisations who oppose any change in the law such as RADAR, Not Dead Yet, UKDPC, NCIL or SCOPE.

I was interested to read in *The Observer* that Lord Falconer felt his 2009 amendment failed because it didn't contain enough safeguards against abuse. It would be interesting to hear from him more specifically about which safeguards he felt were inadequate and why.

Lord Joffe's 'Assisted Dying for the Terminally Ill Bill' supposedly also failed on grounds of inadequate safeguards in 2006. In fact whereas Joffe used a definition of 'six months to live' for 'terminally ill', Sarah Wootton, the Chief Executive of Dignity Dying, extends this to twelve months.

Baroness Young's comment on Joffe's Bill in 2006, when she supported it in her speech, is most enlightening in this context. She said, 'The Bill is a very carefully crafted set of proposals. I very much admire the thoughtful way in which the noble Lord, Lord Joffe, has conducted the drafting and his commitment to amend it to best meet the widest possible range of views. It contains multiple safeguards against misuse. It deserves our and, indeed, the Government's support.'

Baroness Finlay, Professor of Palliative Medicine in Cardiff, has now joined John Pring and George Pitcher in expressing misgivings about the independent nature of the commission. She says, 'I have been told by someone close to this that they are not looking at whether (to legalise 'assisted dying') but how. It can't be independent?'

### Bills defeated in Australia and Scotland (Continued from page 1)

parliament the Scottish Health Secretary, Nicola Sturgeon said, "I personally find myself particularly concerned and fundamentally concerned about the difficulty I think would always and inevitably be present in determining that someone choosing to end their life had not been subjected to undue influence."

During the debate, MSPs from all parties spoke on the bill.

Labour MSP Michael McMahon described it as "dangerous and unnecessary."

Green MSP's - Robin Harper and Patrick Harvie said current laws were unclear and "served nobody."

Lib Dem. MSP Ross Finnie, who convened a special committee set up to scrutinise the legislation concluded that he was "not persuaded that the case had been made to decriminalise the law of homicide as it applies to assisted suicide and voluntary euthanasia."

The next major challenge in the UK will come from the Assisted Dying Commission. This quasi-parliamentary committee was established by Lord Falconer, all of its members are known to support assisted suicide and the committee is being partly funded by the assisted suicide lobby in the UK.

**See related article top of this page.**

<http://pjsaunders.blogspot.com/>

## Robert Latimer given full parole as of December 6

Robert Latimer has been granted full parole after serving ten years of a life sentence for the murder of his daughter Tracy.

Latimer, from Wilkie Saskatchewan, was convicted in 1997 for second-degree murder.

Latimer put his daughter Tracy, who lived with cerebral palsy, in his pickup truck and ran a hose from the exhaust pipe into the cabin of the truck. Tracy died of asphyxiation. He claimed it was a “mercy killing” - language consistently repeated in major media outlets and he never expressed remorse for the murder.

After an appeal to the Supreme Court over sentencing, he was imprisoned in 2001. He won early day parole after seven years and received full-parole on December 6.

Latimer’s parole restrictions state that he must not have responsibility for a person with a significant disability and he must attend psychological counseling.

It was indicated that Latimer’s long-term goal was to rejoin his family in another province.

Dr. Tom Koch, a bioethicist for the Canadian Down Syndrome Society stated, “To me it is a greater crime to kill somebody who is fragile than to kill somebody out of anger,



Tracy Latimer

especially when there are medical treatments and social programs that will assist.”

In a CTV news interview, Laurie Beachell, of the Council of Canadians with Disabilities, expressed the same concern that EPC has consistently stated.

EPC’s primary concern is the treatment of people with disabilities and other vulnerable people within Canada.

The tragedy of the Latimer case was that many people, including many of the media, were willing to describe Tracy Latimer, in a dehumanizing manner to defend the heinous crime of her father. It concerns us that many Canadians believe that it is acceptable to kill children with disabilities. A recent Environics survey indicated that 45% of Canadians approve of parents killing their disabled children by euthanasia while 15% strongly approve.

In the Netherlands, the government approved the euthanasia of children with disabilities based on the Groningen Protocol.

A truly compassionate society will care for its vulnerable members, not kill them.

## Province of Quebec Dying with Dignity Commission

On December 4, the Quebec provincial government Dying with Dignity Commission celebrated its first year of existence.

On November 17, Alex Schadenberg and Margaret Dore, elder law attorney

from Seattle Washington, made a presentation to the Dying with Dignity in Quebec city.

After the presentations, the questions from the committee members were somewhat troubling.



One committee member expressed outrage at the idea that elder abuse could be connected to euthanasia.

The chair of the committee was particularly upset when Margaret Dore quoted from the preliminary report that the committee would examine whether the euthanasia of infants and children is acceptable.

The committee also appears to be convinced that the act of withdrawing medical treatment to allow someone to die is the same as directly and intentionally causing a person’s death by euthanasia. This is one of the false arguments that has been made by the Quebec College of Physicians and Surgeons.

We have a lot to be concerned about in Quebec.

Thankfully Vivre dans la Dignité is doing an excellent job at countering the cultural shift in Quebec.

<http://www.vivredignite.com/en/welcome.html>

## Vermont governor to introduce assisted-suicide bill

The assisted suicide lobby has indicated that a proposed bill to legalize assisted suicide in Vermont is ready.

They have created commercials, launched a website, raised money and built connections.

Democratic governor Peter Shumlin campaigned on a promise to legalize assisted suicide in Vermont.

It appears that the meaning of “terminal condition” will be: “an incurable and irreversible disease which



Vermont Governor Peter Shumlin

would, within reasonable medical judgment, result in death within six months.”

Once again, the assisted suicide lobby is using the word ‘condition’ which is interpreted to allow a person with a disability or a person who is not dying but medically dependent to die by assisted suicide.

The assisted suicide lobby intends to pour their national resources into the Vermont campaign.

***We must be prepared to do the same.***

## Euthanasia in Belgium

### Study finds that nearly half of all euthanasia deaths go unreported

By Alex Schadenberg

A study published in the *British Medical Journal* (October 5, 2010) found that nearly half of all euthanasia deaths in the Flanders region of Belgium were not reported. The study is titled “Reporting of Euthanasia in Medical Practice in Flanders Belgium: Cross sectional analysis of reported and under-reported cases.”

That the Belgian euthanasia experiment is out-of-control is strongly suggested by the findings of this study and one published in the *Canadian Medical Association Journal* in May 2010, which indicated that 32% of all euthanasia deaths in the Flanders region of Belgium were committed without request or consent.

#### **Analysis**

The authors of the study analysed the death certificates in Flanders. They sent a five-page questionnaire to the treating physician concerning each death. The physicians were guaranteed total anonymity when responding to the questionnaire.

The study determined that euthanasia deaths were reported 52.8% of the time, even though reporting is a requirement of the law. (According to the most recent study in the Netherlands, euthanasia deaths were reported 80.2% of the time.)

The study indicates that the reasons given for not reporting a death by euthanasia were:

76.7% - the physician did not perceive their act as euthanasia.

17.9% - reporting was considered an administrative burden.

11.9% - the legal, due care requirements, had possibly not all been met.

8.7% - euthanasia is a private matter between the physician and patient.

2.3% - because of possible legal consequences.

It is important that 97.7% of the reported cases were done by physicians, whereas 41.3% of the unreported

cases were done by a nurse alone. This confirms the result of a recent study that found that, in Belgium, 45% of euthanasia deaths by nurses were done without request or consent.

#### **Pro-euthanasia speaker Jan Bernheim is misleading the public**

Retired Belgian professor and pro-euthanasia activist Jan Bernheim recently toured Quebec, telling audiences that Belgium’s euthanasia law is operating without any problems or abuses. When I was doing my speaking tour of Australia, Bernheim had also just completed a similar Australian speaking tour. I responded to Bernheim’s comments by stating that he is intentionally misleading the public.

The study proves the Belgian government official reports are useless. According to these reports, physicians who reported cases practiced euthanasia carefully and in compliance with the law, and no cases of abuse have been reported. These are the reports that Bernheim relied upon when he stated that there are no abuses of euthanasia in Belgium

#### **Under-reporting**

Given that only 52.8% of all euthanasia deaths are reported, and the physicians admitted that 2.3% of the deaths were not reported owing to possible legal consequences, and 11.9% of the deaths were not reported because the legal requirements were not met, it is clear that physicians are reporting only the deaths that are within the parameters of the law.

It is also important to note that 76.7% of the time physicians did not report the death because they thought it was not euthanasia. The study indicates that Belgian doctors believe that euthanasia is defined by the technique.

#### **What does this suggest about Oregon and Washington States?**

This study creates suspicion concerning the assisted suicide laws in Oregon and Washington States.

In Washington, this study could not be done because the law requires the physician to lie on the death certificate. The death, is required by law, to be listed as related to the illness the person had (i.e. cancer) rather than the cause of death (assisted suicide by lethal overdose). Therefore, it is impossible to connect an assisted suicide death to the death certificate.

In Oregon and Washington there is no mechanism in the law to determine whether all assisted suicide deaths are reported. Therefore, similar to the Belgium reports, the official reports are based only on reported deaths.

In Oregon, where the assisted suicide law has been in place since 1998, Compassion & Choices (C & C), formerly the Hemlock Society, have become the gate-keepers of the law. Last year (2009), 57 of 59 assisted suicide deaths in Oregon were facilitated by C & C and in 2008, 54 of 60 assisted suicide deaths were facilitated by C & C.

When those who lobby the government to legalize assisted suicide are also the facilitators of the law, it is very unlikely that they would self-report deaths that fall outside of the law or cases that do not fit the paradigm that they are promoting.

#### **Abuse is hidden from public**

This study proves that even where euthanasia is legalized and regulated, abuse and under-reporting are common. The abuse is hidden from the public by the physicians who report only the deaths that are considered acceptable within the law.

***The only way to protect vulnerable people is to reject euthanasia and improve the care that society offers its dying citizens.***