



NT Voluntary Euthanasia Society Inc

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Patron: Mr Marshall Perron
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Newsletter

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Bob Brown's Bill

In September, Senator Bob Brown introduced his new bill aimed at restoring the rights of the Northern Territory, the Australian Capital Territory and Norfolk Island to legislate for voluntary euthanasia. The bill, Restoring Territory Rights (Voluntary Euthanasia Legislation) Bill 2008, incorporates the recommendations of the Senate Committee inquiry into his Rights of the Terminally Ill (Euthanasia Laws Repeal) Bill 2008.

This bill does not reinstate the Northern Territory's Rights of the Terminally Ill Act, but it does repeal the Commonwealth Euthanasia Laws Act 1997, which overturned that law.

The Greens are currently negotiating for a time to debate this bill. They are hopeful that both the major parties will allow a conscience vote on the bill and that it will be an opportunity for the views of the majority of Australians to be expressed by the Parliament.

If you would like a copy of Senator Brown's bill and his second reading speech, please email ntves@bigpond.com or phone 8945 1446.

Bob Dent Day

The President attended a Picnic in the Park at Maroochydore to commemorate the 12th anniversary of the death of Bob Dent, the first person in the world to have a legally sanctioned physician-assisted death. The day was hosted by the Sunshine Coast Branch of Voluntary Euthanasia Society Queensland.

NTVES Annual General Meeting

The NTVES AGM was held on 9 August 2008 and the following office bearers were elected unopposed:

<i>President</i>	J Dent
<i>Vice-President</i>	V Czernekyj
<i>Secretary</i>	E A Mason
<i>Treasurer</i>	S McKerrow
<i>Public Officer</i>	S McKerrow

The following article was first published in the Sept-Oct 2008 edition of *Deliverance*, the newsletter of Exit International.

Caren Jennings Receives Bob Dent Award 2008 at Sydney Conference

On Bob Dent Day 2008 (22 September), Exit held its second conference for the year. Titled 'Dementia, Voluntary Euthanasia and the Law' the conference took place at the Holiday Inn in Potts Point, Sydney.

The one-day conference attracted a capacity crowd of 120 participants and proved the perfect forum for one of our most outspoken supporters, Caren Jennings, to deliver her stinging final statement in which she explained why she decided to take her life on the evening of Thursday 18 September, and her experiences of the legal system (which contributed to her decision to end her suffering prematurely).

The conference opened in true Exit style with a hearty rendition of 'Advance Euthanasia Fair' penned by Gold Coast Exit Member, John Morris. This was followed by Caren's final statement being read to the audience (and assembled media).

In her statement, Caren spoke strongly about how she felt about the recent trial saying 'my cancer is spreading and pain is on the increase. While I still have remaining some worthwhile months of life, I cannot risk spending any of them in jail.'

In the days and weeks leading up to her death Exit Director, Philip Nitschke, was intimately aware of Caren's final plans.

Caren asked Philip to check her bottle of Nembutal (the bottle was past its expiry date), and had detailed discussions with him on the content of her statement and the various emphases that she would give to the points she wanted to make (such as her treatment at the hands of Crown Prosecutor Mark Tedeschi QC).

Unfortunately, the statement that was ultimately delivered at the conference was an edited version of what Caren had written. This was because Caren's solicitor decided to black-out a paragraph that, as a lawyer, he claimed was defamatory. It was particularly disheartening that even when Exit Director, Philip Nitschke, offered to take the risk and read the concerning sentences, the solicitor declined the invitation. Just as with so much of the Justins/ Jennings trial, there were twists and turns to the very end of Caren's life.

This proud woman could never have envisaged that even in death, her voice would be stifled by, and in the name of, the Law. Given this unexpected turn of events, Philip Nitschke said he felt obliged to honour Caren's last wishes. This is why, at the conference, Philip filled in the gaps omitted by the solicitor.

Once Caren's statement was completed Exit took great pleasure in announcing that the Bob Dent Award for 2008 -an award presented for outstanding personal contribution to the VE movement -would be presented posthumously to Caren. The award was accepted on Caren's behalf by her daughter Kate Jennings.

Ironically perhaps, Philip had told Caren in the week before her death that she would be the 2008 recipient. Caren was 'thrilled' with the news and appreciated being informed of this just before her death.

With the formalities complete, the conference continued with an impressive array of speakers including Professor Colleen Cartwright. One of the highlights of Professor Cartwright's paper was her examination of the use and abuse of the MMSE (Mini Mental State Examination) test, arguing that it is entirely inappropriate to use the MMSE to assess one's capacity (to suicide). In the course of the trial, this is exactly what the Crown did, an approach left unchallenged by the defence counsel of both women. Colleen's website is at: <http://aslarc.scu.edu.au>

Criminal barrister, Tania Evers, followed Professor Cartwright discussing the legal issues associated with a person's capacity. Immediately after lunch, a second Bob Dent Award was presented to Hayden Wilson and Bridget Ross of Kensington Swan law firm in Wellington for their extraordinary defence of Exit's activities in that country; including their defence of the publication of The Peaceful Pill Handbook over the past two years. The inaugural Chapter Coordinator of the Year Award was presented to Elaine Arch-Rowe. Exit congratulates all concerned.

The afternoon sessions featured, Dr Robert Young from Melbourne's La Trobe University who gave a thought-provoking presentation on the issue of competence and end of life decision making. His paper is available on the Exit website. To prove that not everything Exit does is deadly serious, the audience were then treated to a performance of 'The Consultation' by Jill Kleinman and Peter Arch-Rowe.

The final presentation of the day was by Associate Professor Tom Faunce of ANU Medical and Law Colleges. Professor Faunce concentrated on the existential aspects of dementia and decision-making which neatly integrated with the previous presentations and brought Bob Dent Day 2008 to a fitting end.

Physician Assisted Dying Bill in the Victorian Parliament

The following announcement was sent by Neil Francis, President, Dying with Dignity Victoria.

As you may be aware the vote in the Upper House of the Victorian Parliament on the Medical Treatment (Physician Assisted Dying) Bill 2008 was lost yesterday (10 Sept 2008) 13 votes to 26.

Many of those who voted against the bill expressed support in principle for physician assisted dying (PAD), but had specific concerns about one provision or other of the Bill.

The government allowed a conscience vote on the bill itself but removed the conscience vote from procedural matters for Labor members who then voted as a block to defeat the proposal to refer the bill for detailed consideration in committee. It is disappointing therefore that Labor members have been forced to vote down the whole Bill because of specific concerns about one provision or the other.

Despite the wide disparity in the vote, all the indications are that a majority of Upper House members do support PAD in principle.

We call on the Premier to refer the matter to the Victorian Law Reform Commission for wide community consultation in the same way that the Government decided to do earlier with the abortion bill.

Professional social research shows that community support for abortion is 65%, and the Premier recognised the law on this was out of step with community sentiment and referred the matter to the Victorian Law Reform Commission for community consultation in order to create a strong and robust Bill to decriminalise abortion.

We call on him to do the same with physician assisted dying. With community support for PAD at 82%, the law is way out of step on this issue too.

82% of Victorians are in favour of PAD and DWDV will continue to fight for this type of legislation to enact the right to PAD.

World Federation of Right to Die Societies Conference

The 17th Congress of WFRtDS will be held in Paris on 30th and 31st October and 1st and 2nd November 2008. 2nd November is to be declared the 1st International Day for the Right to Die in Dignity. Further details about the conference can be found on www.ultimatelibertyparis2008.eu.

If you wish to attend the conference, please email ntves@bigpond.com or telephone 8945 1446.