



# NT Voluntary Euthanasia Society Inc

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Patron: Mr Marshall Perron  
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No.29

*Newsletter*

October 2009

## **TWO SIGNIFICANT LEGAL DECISIONS IN AUGUST 2009**

### 1. Supreme Court of NSW 6 Aug 2009

Mr A was a Jehovah's Witness who had an advance directive which refused "procedures involving the use of [his] own blood". When he developed septic shock, renal failure and respiratory failure, his life was being sustained by mechanical ventilation and renal dialysis. The hospital sought a declaration as to whether the advance directive compelled the hospital to withdraw treatment. The judge determined that it did.

### 2. Supreme Court of WA 14 Aug 2009

Christian Rossiter, a very high quadriplegic since 2004, directed the staff who cared for him to discontinue the provision of nutrition through his PEG. The judge determined he had the right to do so even though he would die without that nutrition. He did die from a chest infection not long after the judgement in his favour.

Dr Rodney Syme of DWDV has written a comprehensive discussion of these two cases and a third in the ACT, too long to reproduce here. If you would like a copy of his paper, please phone Judy on 8945 1446 or email [ntves@bigpond.com](mailto:ntves@bigpond.com)

## **World Federation of Right to Die Societies Conference 2010**

The 18<sup>th</sup> Biennial Conference is to be held in Melbourne on 7-10 October 2010 followed by a meeting in Wellington NZ on 14 and 15 October. If you think you may be able to attend one or both sessions, please call Judy on 8945 1446 or email [ntves@bigpond.com](mailto:ntves@bigpond.com) The organisers would like to know how many are likely to attend.

## NEWS FROM SOUTH AUSTRALIA

The Parliament of South Australia has before it two bills relating to euthanasia. Apologies to Frances Coombe of SAVES for the errors in the reproduction of her comparison of the bills in the April newsletter.

### What is in the Such Bill?

- a request for euthanasia can come only voluntarily from an adult person of sound mind
- the adult must be in the terminal phase of a terminal illness *and*
- have intolerable pain that cannot be relieved by methods that the person finds acceptable
- a request may not be made before the illness occurs
- the person must be examined by two independent doctors and the doctors must agree that the request is justified by the medical evidence
- the sufferer must be fully informed about his/her illness, including palliative care and all possible treatments and their likely outcomes
- two adult witnesses are required and a “cooling off” period of 48 hours must occur after a certificate of confirmation is completed by the doctor
- the request may be withdrawn at any time
- all prescribed documentation must be completed and forwarded to the State Coroner who will provide an annual report to Parliament
  
- medication will be prescribed for ingestion by the person or administration by the doctor
- any person may refuse to be involved in the process
  
- a doctor, pharmacist or health care provider who provides assistance in accordance with the provisions of the Bill will not be the subject of civil or criminal action

### What is in the Parnell Bill?

- a request for euthanasia can come only voluntarily from an adult person of sound mind
- the adult may be in the terminal phase of a terminal illness *or*
- be permanently unconscious *or* have irreversible impairment of quality of life
- a request may be made before the illness occurs
- the person must consult a doctor and the doctor must be satisfied that the person is of sound mind, otherwise a psychiatrist must be consulted
- the sufferer must be fully informed about his/her illness, including palliative care and all possible treatments and their likely outcomes
- at a second appointment, not less than 24 hours later, the request must be made in the presence of an adult witness and the doctor
- the request may be withdrawn at any time
- all prescribed documentation must be completed and forwarded to the Voluntary Euthanasia Board of SA which has the power to intervene and which will provide an annual report to Parliament
- medication will be prescribed for ingestion by the person or administration by the doctor
- any person may refuse to be involved in the process
  
- a doctor, pharmacist or health care provider who provides assistance in accordance with the provisions of the Bill will not be the subject of civil or criminal action

The following letter, endorsed by Rev Trevor Bensch and the accompanying 300+ signatories, was sent to the SA Legislative Council. If you would like to add your name to future letters, write to the address on the enclosed Good Samaritan letter (also sent to SA politicians) to join Christians Supporting Choice for Voluntary Euthanasia. You do not have to live in SA nor do you have to be a Christian to be a supporter.

## **Die like a dog? I wish!**

### **No dog would need to endure-**

- uncontrollable vomiting of blood and faeces
- choking and drowning in own saliva
- “tapping” of abdominal cavity to remove litres of blood and pus
- skin swollen to the point of bursting, as he was “rotting from the inside out”
- blindness, paralysis, incontinence due to inoperable brain tumour
- slow death from starvation
- ulcerating bedsores, down to the bone
- spinal cancer or osteoporosis, vertebral collapse and excruciating, unremitting pain
- faeces, pus and fluid from bowel cancer leaking through vagina, “agonising death”

**People in Australia are being forced to endure these symptoms.**

**All Australians should have the legal right to voluntary euthanasia.**

**MPs – we want the choice of a peaceful & dignified death NOW!**

**Authorised by Ian Wood, Co-ordinator: Christians Supporting Choice for Voluntary Euthanasia. 429 Anzac Road, Port Pirie SA 5540. Phone (08) 8632 2272  
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If you happen to be in Adelaide on 28<sup>th</sup> October, join the rally at Parliament House.

*South Australian Voluntary Euthanasia Society Inc. (SAVES)*



**RALLY TO LEGALISE VOLUNTARY EUTHANASIA**

*Your last chance to support the 2 Bills in parliament.*

**Wednesday 28<sup>th</sup> October  
1.00 – 2.15pm  
Parliament House steps**

In commemoration of Shirley Nolan OBE and all hopelessly ill people who have been forced to take their own lives because of the cruel South Australian law that denied them the choice of voluntary euthanasia.

**SPEAKERS**

Hon Mark Parnell - MLC Greens  
Hon Dr Bob Such - MHA Independent  
Dr Di Wickett – Austn. Nurses Fedn. Professional Officer  
Ian Wood - Christians Supporting Choice for VE  
+ others

81% of South Australians support voluntary euthanasia legislation (Newspoll 2007). This would simply allow choice for a quick and peaceful death in face of unbearable suffering from a hopeless or terminal illness.

Surely it is everyone's right to have this legal option of last resort as insurance against a living hell.

**Come and help change the law – it should be your right to decide!**