



# NT Voluntary Euthanasia Society Inc

GPO Box 2734 Darwin NT 0801

Phone: 8945 1446

Patron: Mr Marshall Perron

President: Mrs Judy Dent

Member of World Federation of Right to Die Societies

No. 43

*Newsletter*

October 2016

## BOB DENT DAY 22 SEPTEMBER 2016

To commemorate the 20<sup>th</sup> anniversary of the death of Bob Dent, the first person in the world to receive a legal, lethal, voluntary injection, under the *Rights of the Terminally Ill Act of the Northern Territory*, Exit International held a two-day conference at the State Library of Victoria entitled *From Voluntary Euthanasia to Rational Suicide*.

One of the keynote speakers was Dr Deb Campbell who has recently published *Doing Us Slowly – What’s Happened to the Australian Voluntary Euthanasia Debate?*

On the back cover of her book, she says, “You might have thought there is a debate about voluntary euthanasia going on in Australia – but you’d be wrong. Although there have been more than 25 attempts to change the laws about death, and even then by only a tiny bit, Australia is not even considering the real issues.” Anyone who wishes to read what else she has to say is welcome to borrow her book from the NTVES library.

Another keynote speaker was Professor Susan Stefan from the USA who asked “*Is aid in dying a civil right or a medical treatment?*”

She described two distinct models of aid-in-dying. The first is the medical model, generally associated with the Benelux countries, which understands euthanasia as a treatment provided by medical professionals to individuals who are terminally ill or who have chronic, untreatable and unbearable conditions.

The second is the civil rights model, which frames the individual’s decision about the time and manner of his or her death as a fundamental right arising from individual autonomy. She discussed the history and evolution of each model, as well as their benefits and drawbacks for proponents of aid in dying, concluding that the civil rights model is ultimately superior.

A third keynote speaker was Dr Lieve Thienpont from Belgium who discussed how the psychiatrically ill, minors and the non-terminally ill elderly, including those who are tired of life, are accommodated under Belgium's euthanasia laws.

Different panels discussed *Lessons for the Right to Die Movement from 50 Years of Feminism & Gay Rights*; *The Future of the Right to Die Debate*; and *Telling the Kids and Family: the Politics & Practice of Talking about End of Life Decision Making*.

The conference gave everyone plenty to think about.

### **Desmond Tutu calls for euthanasia laws**

In several newspapers, Desmond Tutu has been quoted as saying, "Throughout my life, I have been fortunate to have spent my time working for dignity for the living. I have campaigned passionately for people in my country and the world over to have their God-given rights.

Now, as I turn 85 Friday, with my life closer to its end than its beginning, I wish to help give people dignity in dying. Just as I have argued firmly for compassion and fairness in life, I believe that terminally ill people should be treated with the same compassion and fairness when it comes to their deaths. Dying people should have the right to choose how and when they leave Mother Earth. I believe that, alongside the wonderful palliative care that exists, their choices should include a dignified assisted death."

### **CANADA'S C-14 BILL**

British Columbia Civil Liberties Association which spear-headed the four-year legal challenge that led to last year's landmark Supreme Court ruling striking down the ban on medically assisted dying and forcing the Canadian Parliament to produce VE legislation is now challenging that legislation. Scores of suffering Canadians who have been excluded from the federal government's restrictive eligibility criteria for medical assistance in dying are lining up to join in the constitutional challenge.

BCCLA has been overwhelmed by scores of responses to its call for help. Just 10 days after announcing its challenge in late June, its crowdfunding goal of \$75,000 had been met.

But BCCLA will need a lot more donations to compete with the kind of money the federal government is prepared to throw at the issue. Under Stephen Harper's Conservatives, the government spent at least \$3.3 million on its losing legal fight to maintain the prohibition on assisted dying. Justin Trudeau's Liberal government has signalled its intention to

vigorously defend its new law, which it maintains is a delicate balance between personal autonomy and protecting the vulnerable.

“The last government spent millions in taxpayers’ money to defend, unsuccessfully, a law that caused immeasurable suffering and, in the process, ran roughshod over Canadians’ charter rights,” said Shanaaz Gokool, CEO of Dying with Dignity Canada. “We question why the current government, with its stated commitment to upholding the charter, would want to adopt the same misguided approach?” (The charter is the Canadian Charter of Rights and Freedoms.)

The BCCLA contends the restrictive eligibility criteria violates the charter and does not comply with last year’s Supreme Court ruling, known as the Carter decision. In Carter, the top court directed the federal government to produce a law recognising that consenting adults with grievous and irremediable conditions and enduring suffering intolerable to them have a right to seek medical help in ending their lives.

Last May, the Alberta Court of Appeal rejected the Trudeau government’s bid to prevent a 58-year-old woman suffering from a psychiatric illness that caused her excruciating pain from obtaining a medically assisted death. The appeal court ruled that the Carter decision did not preclude individuals with mental illness or those who were not near death. The government proceeded with its restrictive new law nonetheless.

The Canadian Press reported on 6 October that, since Bill C-14 came into effect in June, about 200 Canadians had received medical assistance to die. To date, 87 people have used the law in Ontario, with the total being 66 in British Columbia, 23 in Alberta, 12 in Manitoba and maybe 5 in Saskatchewan. Figures from elsewhere were not immediately available. If an idea is beginning to emerge of demand across the country for help in dying, a dearth of even basic information exists. No one seems to be keeping track of who has requested help and been refused, the medical conditions prompting the requests, those who made requests but changed their minds and the number of people who have died before the request could be granted. Even statistics on gender, age and where the deaths have occurred are elusive. A spokesman for the Health Minister said the legislation calls for regulations on data collecting and monitoring to be in place by next June. Health Canada said it was working with provinces and territories to identify what data would be collected and how before developing reporting regulations.

A doctor in Alberta noted that a surprising number of aid-in-dying recipients wanted their death to occur outside their home. Ruth von Fuchs from Right to Die Canada says “They may have heard that if they die in their home, the resale value of the building may be reduced and they want to protect their estate for the sake of their heirs. I know of several Ontario cases where dying at home had negative real-estate consequences, and I expect that Alberta is no different.”

## BACK HOME

The subject of restoring powers to the Territories is already on the agenda of the new Federal Parliament. Both Senator Di Natale and Senator Leyonhjelm have already had private members bills that they introduced last October reinstated on the Senate notice paper.

Both of these bills do exactly the same thing, overturn the 'Andrews Act' and allow Territory parliaments to again consider voluntary euthanasia legislation if that is their wish. Why these two Senators cannot cooperate and join forces on this issue is a mystery. Probably boils down to them each wanting to be credited with addressing the issue. Sadly our Territory Senators have been silent on the subject even though it affects their electorate more than any other.

**South Australia:** Voluntary Euthanasia Bill 2016 currently before Parliament.

**Victoria:** The Victorian Minister for Health personally supports voluntary euthanasia and is the person responsible for developing the response by the Government to the Parliamentary Committee's report recommending VE laws be introduced in Victoria.

**Tasmania:** Preparing a VE bill to go to Parliament

**Queensland:** Proposing looking at end of life care as Victoria did (and reaching the same conclusion?)

**New South Wales:** Working on getting a bill up.

**Western Australia:** Robin Chapple threatening a new bill

Andrew Denton continues to campaign for VE laws all around Australia.

## NTVES ANNUAL GENERAL MEETING

The NTVES AGM was held on 20 August 2016 and the following office bearers were elected unopposed:

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

The next AGM will be in August 2017 (exact date to be confirmed)