

Newsletter #77

July 2007

Special Edition

International Euthanasia Symposium Current Issues - Future Directions

The Euthanasia Prevention Coalition is co-sponsoring the First International Symposium on euthanasia and assisted suicide entitled: *Current Issues - Future Directions* held Nov 30 - Dec 1, 2007. The other co-sponsors are: *Care NOT Killing Alliance* (UK), *NOT DEAD YET* (USA), *No Less Human* (UK), *Physicians for Compassionate Care* (Oregon), *Alliance for Ethical Health Care* (Vermont)

The list of speakers include:

- **Margaret Somerville**, from the McGill Centre for Medicine, Ethics and Law. Somerville is the author of many books including: *The Ethical Imagination*.
- **Wesley J. Smith**, attorney for the *International Task Force on Euthanasia and Assisted Suicide*. Smith is the author of many books including: *Forced Exit*.
- **Catherine Frazee** professor of disability studies at Ryerson University and the former chair of the Ontario Human Rights Commission (1990 - 95).
- **Dr William Toffler** is the national director of *Physicians for Compassionate Care* in Portland Oregon.
- **Rita Marker** is the Executive Director of the *International Task Force on Euthanasia and Assisted Suicide*.
- **Diane Coleman** is the founder of *NOT DEAD YET*.
- **Dr. Peter Saunders** is the director of the *Care NOT Killing Alliance* in the UK.
- **Dr. Bob Orr** is the director of the *Vermont Alliance for Ethical Health Care*.
- **Hugh Scher** is the legal counsel for the Euthanasia Prevention Coalition and the former chair of the Council of Canadians with Disabilities Human Rights Committee.
- Other speakers include: **Allison Davis** from *No Less Human* in the UK, **Bert Dorenbos** from *Cry for Life* in the Netherlands, and **Alex Schadenberg**, etc.

The cost for the Symposium is:

\$189 - adult, \$100 - students or people with disabilities. (Includes dinner) The room rate is \$105.00 per night.

Reserve your room by calling the Four Points Sheraton - Toronto Airport at: 1-800-368-7764 and indicate that you are reserving for the Euthanasia Symposium.

For registration information contact the Euthanasia Prevention Coalition: info@epcc.ca or 1-877-439-3348.

Euthanasia Prevention Coalition asks the RCMP to investigate an Assisted Suicide death

On Thursday, June 21, 2007; the Euthanasia Prevention Coalition received a request from a supporter in Nova Scotia asking us to read the obituary in the Halifax Chronicle Herald newspaper for Elizabeth MacDonald.

The Obituary stated that Elizabeth MacDonald, who had Multiple Sclerosis, died on June 8, 2007 in Switzerland at the Dignitas Assisted Suicide clinic. The obituary specifically thanked Ludwig Minelli, and the members of Dignitas in Zurich (Bernard and "Gaby") in particular.

The obituary further stated that donations should be sent to: (among others) The Right to Die Society of Canada.

The Euthanasia Prevention Coalition responded by expressing our concerns to the Nova Scotia RCMP by asking the questions:

"Did someone aid, abet or counsel MacDonald to commit suicide in Zurich? Did someone travel with MacDonald in order to enable her to fulfill this act? Did the Right to Die Society of Canada provide information or counsel MacDonald? Has the Criminal Code of Canada been broken by this act?"

Section 241 of the Criminal Code of Canada states that: Every one who (a) counsels a person to commit suicide, or (b) aids or abets a person to commit suicide, whether suicide ensues or not, is guilty of an indictable offence and liable to imprisonment for a term not exceeding 14 years.

As someone with MS, Mark Pickup, the founder of Human Life Matters responded by saying that he was concerned about the abandonment of people with MS and other disabilities. Pickup stated that: "The fact that MacDonald was accompanied to a suicide clinic represents the ultimate abandonment."

Pickup stated: "We have a responsibility to the common good of society, not just to ourselves. We must consider the wider implications to all people with MS, people with disabilities, and other people who are vulnerable."

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Nova Scotia man helped wife get to Zurich for assisted suicide

By James Cowan

National Post, June 28, 2007

The RCMP has launched an investigation into the case of a retired Anglican priest who helped his wife travel to an assisted-suicide centre in Switzerland.

Police yesterday interviewed Eric MacDonald of Windsor, N.S., who watched his wife die on June 8 after she consumed barbiturates provided by Dignitas, an assisted-suicide advocacy group in Zurich.

Elizabeth MacDonald, 38, suffered from multiple sclerosis, which confined her to a wheelchair and had begun to paralyze her throat. Constable Les Kakonyi said the investigation was prompted by a complaint from the Euthanasia Prevention Coalition, a group based in London, Ont.

Const. Kakonyi said the contents of the interview will not be made public. He said police intend to speak with other members of Mrs. MacDonald's family.

"What we are being asked to look at is whether anybody in the family or her friends may have coerced or directed her or in some way was active in getting her over to Switzerland," Const. Kakonyi said. "A big part of the investigation is going to be the degree that friends and family were involved in this."

Mr. MacDonald could not be reached for comment yesterday. In an interview with the Halifax Chronicle Herald this week, he said his wife's death was her own decision.

"Anyone who thinks that someone could influence Elizabeth obviously didn't know Elizabeth," he said.

Mrs. MacDonald first began talking about killing herself in 2002. She attempted suicide last year by overdosing on sleeping pills.

"I told her that if that's what she wanted, then she could choose all the dates and I would accompany her on the way," Mr. MacDonald told the Halifax newspaper.

Under the Criminal Code of Canada, it is illegal to assist with a suicide. However, it is unclear whether transporting an individual to the site of his or her death would qualify as assisting with the suicide, according to Const. Kakonyi.

The letter of the law is somewhat vague," he said. "So once we have conducted our investigation, we will be consulting with Crown counsel to determine whether we have grounds to believe an offence has been committed in Canada."

Margaret Somerville, the director of the McGill Centre for Medicine, Ethics and Law, said it would be difficult to prosecute Mr. MacDonald.

"I would be very surprised if this constituted an incident of assistance in committing suicide," she said, noting Mr. MacDonald's action could be construed by the courts in a completely benign fashion.

"Helping your wife to travel if she's disabled is not a criminal act."

"I don't know if there's a direct enough connection."

Prof. Somerville, a prominent opponent of assisted suicide, noted the case would be further complicated by the fact that assisted suicide has been legal in Switzerland since 1941. "Criminal law is territorially based, so if what you do is not a crime in the place where you are, you have not committed a crime anywhere else," she said.

Hugh Scher, a lawyer representing the Euthanasia Prevention Coalition, argued the matter merited investigation even if Mr. MacDonald is ultimately proven to have done nothing wrong.

"We're not alleging any criminal conduct in this case; we're simply indicating that there's an issue of concern here and it warrants an investigation," Mr. Scher said.

"We don't want Canada to become known for the exportation of euthanasia and assisted-suicide cases."

"We don't want to become known as a nation that traffics in death."

Dignitas, the group that helped Ms. MacDonald kill herself, was founded in 1998 by lawyer Ludwig Minelli. The organization provides lethal drugs along with counselling and an apartment where the suicide can take place.

According to Mr. MacDonald's account of his wife's death, she was handed a drink containing the barbiturates and informed that they would kill her. She acknowledged that she understood, drank the liquid and died several minutes later in her husband's arms.

Her obituary thanks Dignitas for "helping Elizabeth deliver herself from the burden of life, which had become too great to bear."

Assisted Suicide - A Societal Issue

By: Alex Schadenberg, Executive Director - Euthanasia Prevention Coalition
The Halifax Chronicle Herald - June 30, 2007

The issue of Elizabeth MacDonald's death by assisted suicide has created a strong emotional response among many people. Over the past several days the Euthanasia Prevention Coalition has been attacked and vilified by email and articles in an attempt to attack the messenger instead of dealing directly with the message. One message was left on my answering machine at home by a member of the MacDonald family, strongly impugning myself for inquiring into whether or not MacDonald's was in some way, counselled, aided or abetted to commit suicide.

The Euthanasia Prevention Coalition exists to prepare a broadly based, network of groups and individuals who support measures that will create an effective social barrier to euthanasia and assisted suicide. This means that we advocate for persons who are seeking good medical or palliative care, we offer power of attorney documents that are designed to protect people, we host conferences and information sessions, we produced an excellent DVD called: Turning the Tide, and we encourage individuals and groups to commit themselves to caring for others by promoting: good palliative care, support for people with disabilities, friendly home visiting and other community supports, etc.

We advocate for the current law. The law was designed to protect vulnerable people from others who may view other people's lives as not worth living. People who would view a person as being better off dead. The law prohibits: counselling, aiding and abetting suicide. This is a good law.

The Euthanasia Prevention Coalition simply asked the question: was Elizabeth MacDonald in some way counselled, aided or abetted to commit suicide while in Canada. If no laws were broken then no charges will be laid.

Our legal counsel Hugh Scher has been completely clear by stating: "We're not alleging any criminal conduct in this case; we're simply indicating that there's an issue of concern here and it warrants an investigation.

Assisted suicide is an issue that not only effects the person who dies. The acceptance of assisted suicide in public policy would change the way society cares for the dying, and also the way we treat each other. The long-term effect of a policy of legalized assisted suicide would be the subtle societal pressure upon the most vulnerable in our society, when they are at their most vulnerable moments, to end their lives "compassionately".

Assisted suicide is not a simple issue of ones's personal autonomy. To assist a suicide requires that another person be directly involved in the taking of another person's life. This is not autonomy but rather a decision by society that people should be allowed to be directly involved in ending another person's life.

We need to look at the issue of assisted suicide as part of the big picture. Can we always trust others who may view your life as a burden upon them? Do people who experience clinical or periodic depression deserve to be protected by society or do we abandon them to their false autonomy? Do we care enough about other people to journey with others and uphold them as equal and having dignity, even when they may question their own dignity?

We choose a society that cares about the other and refuses to abandon them. We choose a society that cares for and not kills its most vulnerable citizens. We choose a society that is willing to openly discuss an issue in its fullness rather than attack the messenger.

These comments are a beginning to a very important social policy. We should never treat an issue that involves the death of others lightly. Remember, we live in society together, in a social contract, and we need to protect and care for all people within that society, especially the most vulnerable among us.

Alex Schadenberg

⇒ RCMP investigation continued

On Friday, June 22, the Euthanasia Prevention Coalition was contacted by the Halifax Chronicle Herald and the Halifax news concerning our inquiry related to the assisted suicide death of Mrs. MacDonald. We were also contacted by the RCMP informing us that they were opening an investigation into the possible counseling, aiding or abetting of MacDonald in her death.

The issue gained national significance after the RCMP issued a press release indicating that they were investigating Elizabeth MacDonald's death.

The media began to continuously contact us. We decided to work from a national perspective by having Dr. Will Johnson and Dr. Margaret Cottle in Vancouver, our legal counsel Hugh Scher in Toronto, Mark Pickup in Alberta and Alex Schadenberg in London handling the media.

The media seemed to be looking for radical comments in order to discredit our organization and seemed disappointed when only rational comments were made. We held a conference call to discuss our concerns. We became concerned that the media was attempting to create an issue about our group that didn't exist.

The media in Nova Scotia turned the issue into that of an Ontario group that was out to attack a grieving man from Nova Scotia. This tactic was successful and resulted in the Euthanasia Prevention Coalition receiving a number of emails and phone calls attacking our position on this issue.

The police investigated the issue by interviewing family members and others who were possibly connected to the event. The media indicated that the police were fair and professional in their investigation.

On Friday, June 29th we were contacted by the RCMP who informed us that they had investigated and found no evidence to lay charges. We are satisfied with this result.

The Euthanasia Prevention Coalition will remain vigilant and we will continue to work to maintain the current laws.

The Euthanasia Prevention Coalition created national interest in our work and we are investigating new ways to discuss and respond to similar issues in the future.

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Excerpt from the NVVE June 2007 newsletter (Netherlands Right to Die Society)

NVVE'S FUTURE

By: Leo Enthoven

On the April 28 agenda of the NVVE's General Meeting in Utrecht, its future between now and 2015 featured prominently, on the basis of the concept report by NVVE's management, titled: *Perspectives on human dying*. According to chairman Eugene Sutorius the NVVE is no longer a one issue (euthanasia) society but aims to support all other possible ways to end life, from doing nothing at all to the last-will-pill and all options in between. The coming years the attention will be specifically focused on three different groups of patients who, so far, are not covered by present legislation: people whose life is accomplished, demented persons and chronically psychiatric patients.

'Unbearable and hopeless suffering' as worded in the law usually is a workable criterion for physicians in the case of severely ill patients who obviously suffer because of their disease. However, if patients with dementia, a chronic mental disorder or an accomplished life request help to end life, doctors are often less cooperative.

That is why the NVVE strives to extend the legal criteria for euthanasia to the right to die in a dignified way so that the irreversible loss of human dignity in the last phase of life can be avoided.

Already some important steps have been taken to this end. The Free University of Amsterdam has been commissioned to scientifically investigate the role of personal dignity at the end of life. A specific professorship on the subject is in the making. A scientific Council will assist both the newly appointed professor and our Society in this respect.

Chairman Sutorius: "Thus our ideas will be supported not only by us but also by a more general public. Of course, we cannot foresee all future developments but it is an ambitious starting point in any case. For the three above mentioned groups death is not a frightening but an attractive perspective. So far, these patients belong to an incredibly difficult category as dignity is virtually beyond the strictly medical domain; it will prove to be a more ethical problem. So it is, I feel, the right moment to bring the problem forward. The new cabinet, so far, has avoided a euthanasia discussion but this is an urgent call that cannot possibly be ignored."