



# Euthanasia Prevention Coalition

Newsletter #78

September 2007

## 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*** on 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), *Compassionate Health Care Network* (Canada).

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*.
- **Rita Marker** is the Executive Director of the *International Task Force on Euthanasia and Assisted Suicide*,
- **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,
- **Diane Coleman** and **Stephen Drake** from *NOT DEAD YET*,
- **Dr. Bob Orr** is the director of the *Vermont Alliance for Ethical Health Care*,
- **Dr. Peter Saunders** is the director of the *Care NOT Killing Alliance* in the UK,
- **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,
- **Bobby Schindler** from the *Terri Schindler Schiavo Foundation*.

- Other speakers include: **Allison Davis** from *No Less Human* in the UK, **Bert Dorenbos** from *Cry for Life* in the Netherlands, **Alex Schadenberg**, **Dr. Paul Byrne**.

For information about registering and hotel reservation go to the link on our website at: [www.epcc.ca](http://www.epcc.ca).

Nearly every leader and significant speaker on the issues of euthanasia and assisted suicide will attend the Symposium. Make sure that it includes you.

## Turning the Tide DVD has sold more than 700 copies

*Turning the Tide* was produced by the Euthanasia Prevention Coalition and Salt and Light Media.



*Turning the Tide* is a 28 minute video that explores the questions of why people are seeking to legalize assisted suicide. The DVD focuses on the arguments related to

personal autonomy and safeguards, the question of whether euthanasia puts vulnerable people at risk, and the reality of what we need to do to make a difference in our society.

*Turning the Tide* is designed for a secular audience, where it would be expected that many of the participants do not share our opposition to euthanasia and assisted suicide.

A **discussion guide** for small group or classroom presentations is included with the DVD. The discussion guide enables people to share our concerns about the issues, and to organize effective discussion forums.

*Turning the Tide* features: **Bobby Schindler** (Terri Schiavo's brother), **Wesley Smith** (Attorney, International Task Force on Euthanasia and Assisted Suicide), **Catherine Frazee** (former chair of the

Ontario Human Rights Commission), **Adrian Dieleman** (counselor, rehabilitation clinic for spinal chord injuries), **Jean Echlin** (Dorothy Lea Award winner in 2004 for excellence in palliative care.), and **Senator Sharon Carstairs** (Senator from Manitoba).

Order *Turning the Tide* from the Euthanasia

Prevention Coalition, by calling: 1-877-439-3348 or info@epcc.ca. Order the video for: 1 copy for \$50.00, 2 copies for \$70.00 4 copies for \$100.00, further bulk rates are available upon request.

Further information can be found on the back of the International Symposium promotion form.

## ***Doctor sentenced over assisted suicides in Switzerland***

### ***Swissinfo - July 6, 2007***

A retired Swiss psychiatrist has been found guilty of involuntary manslaughter after he helped three mentally ill people commit suicide. Peter Baumann was given a three-year prison sentence, two years of which are suspended, by Basel Criminal Court.

Switzerland has one of the most relaxed laws on assisted suicide in Europe, but calls have been mounting for the practice to be subject to more supervision.

Swiss law tolerates assisted suicide where the act is committed by the patient and in which the helper, who might for example provide a needle and then leave the room, has no direct interest. Direct active euthanasia for example, injecting a patient with a view to ending their life, remains illegal in Switzerland.

Baumann was accused of intentional killing in addition to several counts of inciting and assisting someone to commit a suicide. The prosecution had demanded seven years, with the defense calling for an acquittal.

The former psychiatrist, who is the head and founder of the assisted suicide association *Verein SuizidHilfe Schweiz*, was accused of helping three depressed patients take their lives rather than trying to save them.

It was argued that the three people in question were not capable of judgement, and that Baumann had acted out of self-interest and a desire to spread his beliefs. During the trial Baumann described the accusations as the prosecutor's "paranoid illusions".

### **Three Cases**

Basel prosecutors started investigating Baumann after he was alleged to have helped a 48-year-old mentally ill man commit suicide in 2001.

In 2002 he helped a 62-year-old woman die. The case was documented in a Swiss television documentary.

A year later an 85-year-old man was found dead in a Lucerne hotel room. The plastic bag used for the suicide was alleged to have Baumann's fingerprint on it.

The defense had argued that the former psychiatrist had

not acted illegally. Lawyers said that he had not acted in his capacity as a doctor, but as an assisted suicide helper.

Baumann, who had his own practice in Zurich, became a member of the assisted suicide group *Exit* in 1998, where he accompanied 14 suicides. In 2002 he left to form his own association.

Among the most well-known assisted suicide organizations is Zurich-based *Dignitas*, which is the only Swiss group open to foreigners. This has led to accusations that the city is becoming a death tourism center.

According to the Swiss National Advisory Commission on Biomedical Ethics, a government advisory panel, there are 350 cases of assisted suicide, Swiss and foreign, in Switzerland each year.

### **Tightening controls**

The commission has recommended state supervision for assisted suicide organizations.

According to its president, Christoph Rehmann, the Swiss law as it stands offers "relatively little legal hold" to act against ethically questionable cases of assisted suicide.

The panel wants to install compulsory registration for assisted suicide organizations and subject them to guidelines.

These would include the demand that people undergoing assisted suicide were capable of making decisions about their futures. It also wants assisted suicide helpers to provide long-term and intensive forms of care to patients in the run up to death.

This view is largely shared by the Senate, which passed a motion during this summer session aimed at tightening the assisted suicide rules to stop abuses. If the House of Representatives follows suit, the government will be forced to draw up a new law on the subject.

But Justice Minister Christoph Blocher has already made it clear that it is up to the cantons and communes to apply the law as it stands.

## Swiss Suicide Group Dignitas Evicted

*Spiegel Online* - July 13, 2007

Local residents in a Zurich suburb have had enough of people dying in their building and have forced the assisted suicide organization *Dignitas* to find new premises

For nine years a residential neighborhood in Zurich has had to deal with a constant flow of police cars and ambulance calling to one particular house. Three or four times a week people arrive at the apartment building on Gertrudstrasse — waiting to die.

But now the controversial assisted suicide organization *Dignitas* is being evicted from its premises. The group had occupied two apartments in the modern housing block, now the landlord is cancelling the lease — too many residents in the building had complained. The group now has until September to find a new abode. Residents and neighbors had been put off by the fact that death comes knocking so frequently at Gertrudstrasse 84. Since 1998, 700 people have made their final journey to the apartments on the first and fourth floors. More than half of those using the *Dignitas* service to end their lives are from Germany, where the organization now has an office, and the second biggest group is from Britain.

Gloria Sonny started the campaign to banish *Dignitas* from her building. She told Germany's *Süddeutsche Zeitung* that Gertrudstrasse 84 had become a "house of death," and that was why she and a friend had decided to gather signatures in the house and the surrounding area. The 55-year-old insisted that she wasn't against assisted suicide but said that "people live here... It's the wrong place."

The local resident's association, headed by Laurenz Styger, then led the push for the practice to end and finally the landlady, a cousin of Ludwig Minelli, who head *Dignitas*, relented and gave the group its marching orders.

### "A Good Thing"

Not all residents are against the presence of *Dignitas*. "I knew when I moved in that they were here," Karin Bollinger told the *Süddeutsche Zeitung*. "I don't have a problem with it." Bollinger also criticized the fact that society tries to suppress death, saying that the service *Dignitas* provides is "a good thing."

Switzerland has liberal laws on assisted suicide in comparison with many other countries, although the practice is also legal in Belgium, the Netherlands and Oregon in the US. In Switzerland, all that is needed is for a doctor to confirm that the person in question wishes to die and then write a prescription for a lethal dose of barbiturate sodium pentobarbital. People

wishing to die are accompanied by a "suicide assistant," but patients administer the dose themselves. Critics argue the *Dignitas* makes it all too easy.

There is growing concern in Switzerland about the phenomenon of suicide tourism, with the Justice Minister Christoph Blocher warning it could damage the country's reputation.

This June the Swiss senate called on the government to draft a law aimed at improving controls of organizations offering assisted suicide and the National Commission on Biomedic Ethics, a government advisory panel, has also recommended increased state supervision of organizations such as *Dignitas*. Swiss Senator Hansruedi Stadler, a Christian Democrat who is behind the moves to change the law, told Germany's *Ärtze Zeitung*: "They arrive in Switzerland on the day of their death, have some kind of conversation with a representative of the assisted suicide organization and the doctor, who writes a prescription and a few hours later they get the lethal dose. The clarification of whether the person desires death takes time and can't be rushed through at top speed."

### *Quebec man accused of assisting uncle's suicide wants trial by jury*

*CBC News* - July 18, 2007

A man accused of helping a relative commit suicide last year is pleading not guilty and wants his case to be heard by a jury, his lawyer said in a Quebec court.

Michel Boudreault represented Stéphan Dufour, 30, during a brief court hearing Tuesday in Alma, a small city about 250 km north of Quebec City in the Lac-St-Jean region.

Dufour was charged in May with assisted suicide in the 2006 death of his uncle, Chantal Maltais, who was 49.

### **Assisted suicide under Canadian law:**

- Under Section 241 of Canada's Criminal Code, the maximum prison term for aiding in a suicide is 14 years.

Maltais, who suffered from Polio and had serious coordination problems that forced him to eat through a straw, was found hanged in a closet in his home on Sept 8, 2006.

Boudreault told Montreal newspaper *La Presse* that he's confident Dufour has a strong case.

"According to the police report, Mr. Maltais was an individual who wanted to die for about 15 years," he said in a French interview after Tuesday's hearing. "He'd asked many member of his family to help, and

they all refused. Mr. Maltais was extremely aggressive with my client, and that will be an important element in our defence.”

Court records show Maltais allegedly asked his nephew to provide him with materials to commit suicide.

One of Maltais’s sisters called police several weeks after his death when she began to suspect her brother hadn’t committed suicide alone, and believed he would have needed help getting out of his wheelchair.

Dufour will return to court on Sept 25, 2007.

This is the fourth assisted suicide case to go to court in Quebec.

### ***Euthanasia activist moved to jail pending final extradition hearing***

*fnalexit.org - August 24, 2007 - edited*

On Thursday, August 23, 2007, at 3:30 p.m., The Rev. George Exoo was transported by federal marshals from the Southeastern Regional Jail in Beaver, West Virginia, to the South Central Regional Jail in Charleston.

In the Charleston jail, he will be held in protective custody until his extradition hearing, which will be held sometime in the next several weeks in Beckley, West Virginia.

Exoo is charged by the Republic of Ireland with allegedly aiding the suicide of a Dublin woman, Rosemary Toole, in 2002. The Irish government contends that Exoo violated Irish law by sitting at the bedside of Ms. Toole, offering her a spiritual and

compassionate presence, as she took her own life by her own hand by drinking crushed-up sleeping pills and inhaling helium gas. Toole had obtained all the supplies herself. Exoo took no physical action to assist her.

Exoo noted that every year, hundreds of clergymen and women routinely provide compassionate spiritual presence and pray with dying people.

If U.S. Magistrate Judge R. Clarke VanDervoort rules that Ireland’s extradition request is valid under U.S. law, Exoo could be sent to Ireland to face trial for “assisting a suicide,” a crime in Ireland (though not under U.S. federal or West Virginia law) punishable by up to 14 years in an Irish prison.

Exoo was stripped of all possessions, including personal and professional correspondence, postage stamps, writing instruments, and books when he was transferred to the jail in Charleston, WV.

The Rev Exoo, a graduate of Harvard Divinity School and ordained at Boston’s First Unitarian Church in 1977, celebrated his 65th birthday in jail on August 22, 2007.

**Editor’s Comment: The death of Rosemary Toole is connected to the Canadian case of Evelyn Martens. Evelyn Martens sent the “Exit Bag - Suicide Bag” to Rosemary Toole in Ireland. Originally the Irish authorities had also inquired about extraditing Evelyn Martens.**

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