

e-Deliverance

A Peaceful Death is Everybody's Right

May

Exit International

2008

The John Elliott Medal

In January 2007, Exit accompanied Dr John Elliott and his wife Angelika to Zurich in Switzerland so that John could make use of the services of the assisted suicide organisation Dignitas. Suffering from multiple myeloma, John died peacefully from a lethal dose of Nembutal on 25 January 2007.

One year on, and Angelika Elliott has set out to honour the memory and legacy of her husband in the form of a generous bequest to the University of Sydney.

In what will be the second richest undergraduate essay prize awarded by the University (after the Wentworth Medal), the John Elliott Medal will be given each year for the best undergraduate essay (from any discipline) that tackles the important issues of freedom and choice at the end of life.

Speaking in the *Sydney Annual: The 2007 - 2008 Report on Achievement and Philanthropy* - Angelika said "John was very private, but always wanted to help others. In the end, the only way he could help other Australians was to step into the spotlight."

"The response from everyone has been so positive. People stopped me in the street, and sent letters and flowers. Everyone said that they were so grateful to John for giving the subject a huge boost." Angelika says that she hopes

that in the future, the John Elliott Medal will continue to keep the issue of euthanasia and other human rights in the spotlight.

The idea behind the John Elliott Medal came from a conversation Angelika had with Exit Director, Philip Nitschke, on the return flight home from Zurich last year. Angelika said she wanted to find a way to preserve John's memory.



Professor Andrew Coates (Deputy Vice Chancellor - University of Sydney), Angelika Elliott & Dr Philip Nitschke

Philip suggested that by creating a prize at his old *alma mater*, Sydney University (Philip graduated from Medical School at the University in 1989), students of the future would be encouraged to think critically about what it means to have freedom and choice in one's end of life decisions.

Dr Nitschke said he is "particularly pleased" that the Medal will be offered to all disciplines. "This will engage students in law, medicine, the social sciences and even economics." Exit held its inaugural 'Sydney Social' to celebrate the launch of the John Elliott



This Edition

- The John Elliott Medal - Page 1
- Betty Cooks with Sodium - Page 2
- Caren Jenning Trial Update - Page 2
- Vale - Molly - Page 2
- Helium to Argon & Nitrogen - Page 3
- Exit Meeting Attracts 10% of Dorrigo Population - Page 3
- ANF End of Life Decisions Conference - Page 3
- Bob Brown Private Member's Bill - Page 4
- Public Meeting - Workshop Report 2008 - Page 4
- Forthcoming Chapter Meetings - Page 4
- Exit Conference - Christchurch - Sat 5 July - Page 5
- Exit Public Mtg & Workshop - Dunedin - Page 5
- Queensland ABC Conversation Hour - Page 5
- Darwin Public Mtg & Workshop - Page 5
- Exit Donation & Order Form - Page 6
- Senate Submission by Dr Philip Nitschke - Pages 7-8

'Betty Cooks with Sodium'

In mid April, Exit launched the first of eight new videos on *YouTube.com* that demonstrate a number of key steps required in the Single Shot Peaceful Pill process.

The first video titled 'Betty Cooks with Sodium' was filmed recently in Melbourne. In the video retired nurse educator, Betty, shows how to safely prepare metallic sodium to produce the necessary catalyst for the Single Shot process, sodium ethoxide.

In the forthcoming video series, Betty will go on to demonstrate the preparation of super dry alcohol, the manufacture of the catalyst and the several stages required in the synthesis process.

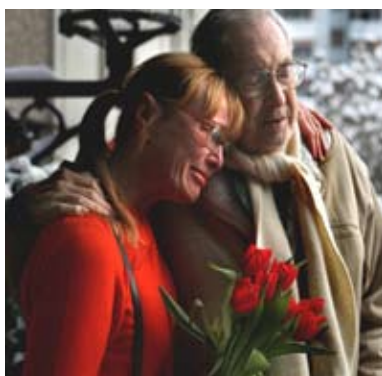


'Betty Cooks with Sodium' on *YouTube* at: <http://www.youtube.com/watch?v=IjcP1FJtA6s>

In the final video, Betty will show how the product can be laboratory tested. This will make use of the new laboratory equipment that was recently purchased using the funds generously donated by members around Australia. At the current time, Exit is attending a series of specialist training courses to ensure the correct use of the equipment.

Already Exit has received several samples of prescription drugs for testing. To date, results have been mixed but Exit is optimistic that the laboratory service will soon be able to provide members who have obtained for themselves end of life drugs much needed reassurance and confidence.

The John Elliott Medal (cont)



John & Angelika Elliott

Medal, on Monday 21 April. The Social was attended by around 60 Sydney Exit members. Speakers included: Angelika Elliott, Nick Jaffer of the Development office of Sydney University, Kep Enderby and Philip Nitschke. Fiona Stewart read an extract from a biography of John Elliott that is being written by Dr Elliott's close friend, retired veterinarian, George Lang.

Exit congratulates Angelika for her generous gift to the students of Sydney University. Exit would encourage members to consider also donating to the John Elliott Medal.

The University's aim is to raise a further \$200,000 so that the annual Medal may be offered in perpetuity.

To support the John Elliott Medal, please contact the University on 02 9036 6270 or email: development@vcc.usyd.edu.au

Caren Jennings Trial Update

On Monday 5 May 2008, the murder/ assisted suicide trial of Caren Jennings and Shirley Justin began in the NSW Supreme Court.

Drs Philip Nitschke and Fiona Stewart have both been interviewed by the police and both



Philip Nitschke & Caren Jennings in Sydney

have received subpoenas to attend court as Crown (or prosecution) witnesses which means they will not be able to watch the trial. The trial is expected to run for three weeks. Our thoughts are with Caren and Shirley.

Vale - Molly



On 7 April, Exit's beloved dog Molly died peacefully (and naturally) at home in Darwin. Molly was a tireless worker during the recent Menzies campaign, winning friends with her charming, smart ways. She is sorely missed by Fiona and Philip. Molly was 16.

Helium to Argon or Nitrogen?

Exit trials begin on replacement disposable gases for Helium

For some time Exit has received reports of trouble sourcing disposable helium cylinders. The popular "Balloon Time" 420 litre cylinders have become almost unobtainable, a consequence of the problems associated with importation, and the global shortage of helium. Although the high pressure source of helium is still available, the requirement that the cylinder be rented along with the necessary gas regulator has meant that there is little interest in this option.

Exit has been looking into two alternatives as replacements for BalloonTime helium gas cylinders. The most promising makes use of argon available in disposable cylinders for use with MIG welders. Preliminary results are encouraging although the small capacity of these compact cylinders has meant the development of a two stage



Disposable Argon on the test bench

flow control - a short 20l/min phase to fill the bag, and a longer 8 l/min regulated phase to run while a peaceful death occurs.

An alternative system developed by members in Newcastle makes use of a reservoir of nitrogen obtained commercially and delivered at a constant rate using a low applied pressure. The proposed system needs no specific flow regulation.

In both of these new systems the appeal of the inert gas method remains: there is no need to break the law, the death is fast, peaceful and effective, no drugs are involved and one needs no assistance. In addition, with the removal of the bag and cylinder, the method is totally undetectable. Testing of the Argon

and Nitrogen systems is being carried out and a full report will be included in the June *Deliverance*.

Exit Dorrigo Meeting - 10% of Town's Population

Dorrigo may only be a small town but the region's interest in Voluntary Euthanasia is unsurpassed with more than 10% of the town's population attending Exit's inaugural public meeting and workshop at the Dorrigo CWA Hall on 9 April.

Thanks in a large part to Dorrigo Chapter coordinator Al Hartley's efforts at local media and advertising there was not even any standing room at the meeting. Prior to the workshop, the 110+ people present were entertained by local pianist Ken Briggs.



Dorrigo Chapter Coordinator Al Hartley & Philip Nitschke

A room full of Exit members sang heartily to such old time tunes as 'Pack up your Troubles' and 'It's a long long way to Tipperary.' Exit looks forward to Ken playing for us again in the future. Well done Al Hartley on such a well attended local meeting.

Australian Nurses' Federation: Aged Care Conference

On Friday 18 April, Dr Philip Nitschke addressed a 300 strong crowd of aged care nurses at the Australian Nursing Federation conference.

Titled 'End of Life Decision Making' the conference covered all aspects of aged care practice, including the political and philosophical framework of nursing, issues associated with the Victorian *Medical Treatment Act* and informed consent protocols.

Dr Nitschke was the last speaker of the day and received resounding applause from the audience who stayed to the end.

Exit was particularly heartened to see some familiar faces and we thank the ANF for their hospitality.

Contact Us

Exit International

PO Box 37781 Darwin NT 0821 Australia
ph 1300 10 EXIT (3948) fax 02-8905-9249
contact@exitinternational.net

Donate to Exit

Exit relies on donations to fund its meetings/
workshops, private visits and R&D programs
Please give generously.

The Bob Brown Private Member's Bill

On Monday 14 April, Exit Director Philip Nitschke was one of a handful of Voluntary Euthanasia supporters nationally to appear before the Senate Constitutional and Legal Affairs Committee in Darwin. Returning to Darwin specifically for his appearance Philip, along with Exit life member and NT VES President, Judy Dent, spoke at length to the Senate C'ttee.

In Exit's submission which is reproduced as pages 7-8 of this newsletter Philip focused on the fact that the absence of a VE law has created a subgroup of elderly law breakers.

Acknowledging that this is neither a sustainable nor morally justifiable situation for a country like Australia, Philip spoke passionately of the need for legislative change. Central to his presentation

was the observation that, of the dozen or so individuals and groups invited to address the Senate committee, there was no patient stake holder represented. In particular, terminally ill individuals, like Don Flounders, who had asked for the opportunity to address the Senate had not been given this opportunity.

Indeed, outside the medical profession there was no one who would be directly affected by the re-introduction of the *Rights of the Terminally Ill* Act to the Northern Territory.

On Tuesday 15 April the *NT News* ran the front page headline "NT Not Mature Enough for Euthanasia Law" - a statement taken directly from the submission of the Australian Christian Lobby. The Senate Committee will present their report to Parliament on 16 May.



Former MP Daryl Manzie, Philip Nitschke & Judy Dent at Parliament House in Darwin

Exit Public Meeting & Workshop Report 2008

As Exit's first workshop series for 2008 draws to a close, we are delighted to announce that the new format public meeting / workshop format has been a resounding success. Since January this year, Exit has conducted 19 separate workshops in six states or territories with an additional four workshops held in New Zealand.

Overall, more than 1000 Exit members - new and old - have attended the workshops with many more attending the public meetings. 2008 has been the busiest year yet for Exit.

Looking forward, Exit will return to New Zealand in July before Philip takes the full month of August off for some well deserved down time.



Dorrigo public meeting entertained by local pianist Ken Briggs. The pre-workshop singalong was enjoyed by all. Thank you Ken.

In September, Exit will resume the meeting/ workshop program with additional workshops scheduled for Far North Queensland, rural Victoria, New South Wales, Canberra and, of course, Western Australia.

Bookings can be made for all workshops by calling Lindy Boyd at the Melbourne office on 03 9850 8192.

Forthcoming Chapter Meetings

Bribie Island Chapter Mtg - 3pm, Sun 18 May
Bribie Island RSL Club
(call Mark on 07-3408-1325)

Northern Rivers Chapter Mtg - Tues 20 May
Worker's Sports Club, Goonellabah
(call Jude on 02-6672-3321)

Auckland Chapter Mtg - 10.30am, Wed 27 May
Mt Albert Bridge Club (Philippa on 09-817-6646)

Brisbane Chapter Mtg - Fri 30 May
(call Angelika on 0431-275-840)

Townsville Chapter Mtg - Wed 4 June
(call Syd or Eric on 07-4729-0275)

Cairns Chapter Mtg - 10am, Thurs June 5,
Cominos House, 27 Greenslopes St, Manunda
(call John on 07-4033-1451)

Sydney Chapter Mtg - 13 June, Dougherty Ctr
(call Madeleine on 02-9449-1950)

Melbourne Chapter Mtg - 1.15 pm, Wed 28 May
Kew Library (call Rob on 0423-305-788)

‘Voluntary Euthanasia Matters’ Conference, Christchurch NZ

Exit will be holding a New Zealand’s inaugural Voluntary Euthanasia conference at the Hotel So conference centre in Christchurch on Saturday 5 July.

Titled ‘Voluntary Euthanasia Matters’ the conference will cover a wide range of issues including Living Wills and the ethical issues associated with end-of-life decision making, VE & censorship, VE law reform, VE politics and the media, and the Swiss and Mexican options. Speakers are currently being finalised.

The full conference program will be published in the next *Deliverance*. Conference brochures will be mailed to NZ Exit members in the coming weeks. Accommodation can be booked directly with the Hotel So on 0508 165 165. Rooms start at \$89.

Dunedin Public Meeting & Workshop

Exit will hold its long-awaited Public Meeting and Workshop in Dunedin at 2pm on Sunday 6 July at the Kingsgate Hotel (10 Smith St). A workshop will follow immediately after the meeting. Workshops are free to Exit members (\$50 for public).

The workshop will feature a hands-on segment where participants will be guided in the manufacture of their own Helium flow control fittings. Workshop bookings can be made by calling 09 889 0964.

Qld Workshops to Discuss Argon & Brisbane ABC Conversation Hour

On Monday 19 May, Dr Philip Nitschke will be Richard Fidler’s guest on the *Conversation Hour* (11am on 612 ABC Brisbane radio). On the same day, Exit will hold a public meeting and workshop at 2pm at the Toowong Senior Citizens Club.

A second meeting/ workshop will be held on the Gold Coast at 1.30pm on Tuesday 20 May at the Albert Waterways Community Centre. Bookings phone Gold Coast Chapter Coordinator - Elaine - on 0421-796-713. Both workshops will demonstrate new systems that use Argon gas which may start to replace Helium as this gas becomes harder to source.

Darwin Public Meeting & Workshop

Exit will hold its first Darwin Public Meeting and Workshop at 2pm on Saturday 31 May at the Palms Resort. For bookings call 1300 10 3948 (EXIT).

Editorial

April has been a month of milestones for Exit. Firstly, we held our first Sydney Social which saw the formal launch of the John Elliott Medal - an undergraduate essay prize to be awarded annually by the University of Sydney. The prize has been made possible as a result of a very generous bequest by Mrs Angelika Elliott, in memory of her late husband John.

Also in April, we have witnessed the first serious attempt in the Australian Parliament to have the Kevin Andrews Act rescinded. This is the first time in over a decade that legislative change looks possible.

On Monday 14 April, Exit was one of only a handful of individuals and organisations to be invited to present in person to the Senate Committee. The day was not very uplifting. While Senator Bob Brown has the best of intentions in putting his new Private Member’s Bill forward, the fact that most individuals and organisations invited to make submissions were hostile to the issue of voluntary euthanasia - one even going as far to claim that the Northern Territory is not ‘mature enough’ for VE - makes me a little pessimistic about the Brown Bill’s future. The Senate Committee are due to present their report in Parliament on 16 May when we will get a much better idea about what to expect.

As has become standard practice for Exit, April has also seen new videos posted on the *YouTube.com* video site. This month we have uploaded ‘Betty Cooks with Sodium’, and a brand new, documentary style video entitled ‘Something About Mary’ which shows what can and does go wrong if a person goes to Mexico without the correct information.

Also this month, the 2007 *4 Corners* episode on Exit titled ‘Final Call’ became one of four finalists for a TV Logie Award in the category of public affairs reporting. While ‘we’ lost out to *Australian Story* (on a young woman’s story of cancer), Exit congratulates producer Janine Cohen on her nomination.

Finally, as this newsletter goes to press, the murder/ assisted suicide trial of Exit member Caren Jennings has commenced in the NSW Supreme Court. Along with Fiona Stewart, I have been subpoenaed to attend as a witness for the prosecution.

None of us is looking forward to this trial and we cannot but wonder why the DPP’s office is pursuing Caren in such an aggressive way given her failing health from cancer. This looks like a political trial.

I encourage Exit members to write to Caren with words of encouragement. Mail sent to the Darwin PO Box will be forwarded to her upon receipt.

Philip Nitschke



Donate to Exit

WBC		R	
WBC-G		KMS	
B		DVD	
C		OTHER	

Office Use Only

I want to donate (join/rejoin) to Exit (A\$100-150 is the average annual donation)

- * **Killing Me Softly VE and the Road to the Peaceful Pill** A\$37
(by Drs Philip Nitschke & Fiona Stewart) (includes postage within Australia)
- * **Between the Dying & the Dead - Dr Jack Kevorkian, the Assisted Suicide Machine & the Battle to Legalise Euthanasia** A\$50
(by Neal Nicol & Harry Wylie) (includes postage anywhere in world)
- * **I Bequeath the Python** A\$15
(by Elaine Arch-Rowe & Gordon Bell) (includes postage within Australia)
- * **Exit 'T' shirts** A\$25
("My Life My Choice" Sm, Med, Large, XL, XXL) (includes postage within Australia)
(please circle size)
- * **Exit Shopping Bags** A\$10
("My Life My Choice") (includes postage within Australia)



Contact Details	Donation Options
First Name(s).....	I am giving \$
Last Name.....	on (today's date).....
Address.....	Visa <input type="checkbox"/> Mastercard <input type="checkbox"/> Cheque <input type="checkbox"/>
.....Postcode.....	Credit Card No.....
eMail	Name on Card.....
Age.....	Signature.....
Telephone.....	Expiry Date...../.....

Exit International
 PO Box 37781 Darwin, Northern Territory 0821 Australia
 134 Ayr St, Doncaster, Victoria 3107 Australia

Tel 1300 10 3948 (EXIT)

Melbourne office 03 9850 8192 Email: contact@exitinternational.net
 Auckland 09 889 0964 Web: www.exitinternational.net

Submission of Dr Philip Nitschke to Senate Legal & Constitutional Affairs Committee Inquiry into the Rights of the Terminally Ill (Euthanasia Laws Repeal) Bill 2008 *

Introduction

In 1997 the Euthanasia Laws Act (1997) was passed by the Australian parliament and the world's first voluntary euthanasia legislation, the NT Rights of the Terminally Ill (ROTI) Act, ceased to function.

As a medical practitioner in the Northern Territory, and when four of my patients used the law, I became the only doctor in the world to experience seeing euthanasia legislation fully function. I bring to this enquiry a unique perspective on the legislation under consideration.

The Issues

The passage of the Euthanasia Laws Act (1997) brought significant changes to the Northern Territory and to the broader Australian society. In particular, this legislation took away from the people of the Northern Territory the right to pass and enact legislation for the terminally ill. The effect of this was two fold.

Firstly, the citizens of the Northern Territory realised immediately that their voice was not as significant in Australian society as that of other Australians.

Secondly, the removal of the right of terminally ill Australians took away the hope and the expectation of a lawful and peaceful death at a time of their choosing. As a result, the terminally ill tended to become desperate. I refer to three examples in this submission as I urge the Senators to seek comment from those involved.

Case study #1: Dr John Elliott, 79 years, Sydney
Dr John Elliott was dying of multiple myeloma. In January 2007 he travelled to Switzerland to make use of Swiss legislation that allowed him a legal, elective assisted suicide.



Dr Elliott made it clear he would have made use of the NT ROTI legislation had it still been in existence.

Case study #2: Don Flounders, 78 years, Warragul, Victoria

Don Flounders was diagnosed with asbestos-related mesothelioma in late 2007. In January 2008, with wife Iris, Don travelled to Tijuana Mexico to obtain Nembutal. Mr Flounders would not have made this illegal trip had the NT ROTI Act still been in existence.

Case study #3: Angy Belecciu, 56 years, Hastings Victoria

Angy Belecciu is a palliative care nurse with disseminated breast cancer. Pathological fractures associated with the cancer that has spread to her bones meant that she can no longer travel.

Angy asked if Don Flounders would bring her the drug Nembutal if she paid for his trip to Mexico. Angy got her Nembutal. She would not have taken this action had the option of the NT ROTI Act still been in existence.

The above are not isolated examples. Exit International is contacted by seriously ill Australians every day. These dying people deserve better than to be made criminals of in their last months, weeks and days.

Conclusion

In Summary, the passage of the Euthanasia Laws Act 1997 had the effect of 1. disenfranchising Territorians from their democratic institutions and 2. has led to a significant number of elderly Australians knowingly breaking the law to ensure end of life choices.

The Rights of the Terminally Ill (Euthanasia Laws Repeal) Bill 2008 seeks to address these issues. The passage of this Bill will restore confidence to a large number of Territorians and to many elderly Australians; people who will once again see the possibility of a legal option of voluntary euthanasia emerging within Australia.

For these reasons I support the Rights of the Terminally Ill (Euthanasia Laws Repeal) Bill 2008.

Dr Philip Nitschke PhD, MBBS,
Director Exit International
Darwin, 8 April 2008

** These are edited extracts of Exit's submissions.*

Submission of Dr Philip Nitschke to Senate Legal & Constitutional Affairs Committee Inquiry into the Rights of the Terminally Ill (Euthanasia Laws Repeat) Bill 2008*

Supplementary Report

I should like to add to my answer to Senator Bartlett's Question about my involvement in the production of an article in the medical journal *The Lancet*.

I ask the Senate to add this material to my earlier submission. I have added this material as a result of the inaccuracy of the submissions of Professor Kissane and Dr van Gend.

Professor Kissane has long held views opposed to voluntary euthanasia legislation, certainly before he took to reviewing the patient records of the people who made use of the ROTI Act.

The role he played in the "Euthanasia No" campaign was always known to me and I believed his views were influenced by his strong religious beliefs. I agreed to his request to visit Darwin as I felt the issue would be served if close investigation were undertaken by a known opponent of voluntary euthanasia. I was wrong.

The article published in *The Lancet* by Kissane, Street and Nitschke was essentially correct. Unfortunately, Professor Kissane immediately set out to misrepresent his own article. In a press release that followed *The Lancet* publication he replaced "signs of depression" with "serious evidence of depression" and promoted himself as one who intimately understood the people involved.

Professor Kissane's "Deadly Days in Darwin" paper provided to this Senate enquiry is an account of his deliberate selection and misrepresentation of the "facts" he claims to have had revealed to him during his short Northern Territory stay.

Dr van Gend draws on these misrepresentations to base his claim that voluntary euthanasia should never be legislated on. Dr van Gend uses the Kissane submission to make four inaccurate claims as follows.

This doctor claims that only the patient's GP should have been involved - incorrect. When the patient's GP was not supportive, the legislation allowed for an alternative. That was the case with each of the four patients.

Dr van Gend's second complaint that the "wrong" specialist had certified that Janet Mills had a terminal illness is also incorrect. In the intensely politicised

climate no physician in the NT would work with the legislation. Indeed, the Territory head of the College of Physicians rang me at that time and said that "we will make sure this law fails".

Senior Darwin Orthopaedic surgeon Mr Baddeley responded to this situation by contacting the South Australian specialist involved in the care of patient Janet Mills, discussing her case and then agreeing to certify her terminal status. There was no "blatant or basic violation of the regulations" as claimed by van Gend and Kissane, and understandably the coroner approved the procedure.

The third complaint relates to the supposed inadequacy of the psychiatric review. Senior Sydney psychiatrist Dr John Ellard made it clear that he was philosophically in favour of the legislation, yet Kissane and van Gend claim this makes his assessment of Bob Dent unreliable and inadequate.

Of course, we contacted a psychiatrist who was philosophically in favour of the legislation – there would have little point in asking Professor Kissane to review Bob Dent's psychological status! The fear the patients had of the necessary psychiatric assessment is the very problem that psychiatrists like Kissane produced with their known hostility to the law.

The final comment about the isolated death of the atheist Bob gets to the very essence of the problem. Kissane and van Gend immediately interpret the life of this man they never knew, describing him as one "crying out that he needed company? He needed social work intervention. He needed church groups to involve him in this society."

Theirs is an agenda driven by their religion. Bob's comment, had he been able to make it, would have been – "please just mind your own business!"

I was the doctor involved with the 4 patients who died in Darwin, I knew them all and was with each of them when they were able to obtain the peaceful death they craved. Each of them would have been disgusted by the distorted description of their situation provided to the Senate inquiry by those clearly hostile to the concept of voluntary euthanasia legislation.

Dr Philip Nitschke PhD, MBBS,
Director Exit International
Darwin, 27 April 2008