



# VESNZ NEWSLETTER

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**Voluntary Euthanasia Society of New Zealand Inc      [www.ves.org.nz](http://www.ves.org.nz)**

**National Secretary: PO Box 210, Ostend, Waiheke Island 1843**

**National Treasurer: PO Box 224, Waikanae 5250**

## President's Report

to the Seventh Annual General Meeting of the Voluntary Euthanasia Society of New Zealand

*Ladies and Gentlemen*

Before embarking on reporting on the affairs of the Society over the last twelve months, I wish to mark the death of **Justin Hurrelle** in late August 2010. Justin had been experiencing poor health that necessitated his periodic hospitalization for some weeks before we were shocked to learn of his death. Members of the National Committee were able to express their sadness to his mother Beverley at the time his death was made public, but this is the first opportunity we have had to write our appreciation of the work Justin did into the official records of our society.

Justin was involved in the voluntary euthanasia movement over a number of decades, joining the Voluntary Euthanasia Society (NZ) in Wellington at an early age. He continued his involvement when VES (NZ) and VES (Auckland) came together to form our present society VESNZ Inc. He played a central role by assisting in the amalgamation of the Auckland and Wellington Societies by doing the work that was necessary to merge the two different data bases then in use, into a unified whole for the new Society. and thereafter saved the Society and some of its members many headaches by keeping it running.

He was an advocate of the goals espoused by the voluntary euthanasia movement, and served the society over a number of years as National Secretary. Those who knew and worked with Justin always found him most approachable, ready to give us the benefit of his experience, and ready to listen to others' concerns and give advice when he could.

Upon his death, VESNZ Inc. lost a dedicated, hard working and valuable member.

I am pleased to report that the Society has continued to make progress over the past twelve months. The first meeting of the then new committee took place on 12 July, to which the newly elected members were welcomed. It was not long after that meeting that the topic of assisted suicide was again opened for public discussion, when, on 20 July, **Dr. John Pollock** went public on his imminent death from lung cancer. Since his disclosure, the pros and cons of assisted dying have continued to re-appear periodically in the media, and our members have participated in the ensuing discussion through letters to the editor and responses to articles such as that published in the DomPost on 26 July, from **John Kleinsman**, Director of the Catholic Bioethics Centre which opposed voluntary euthanasia. Sadly, from our perspective, not all the letters that our members submitted were published.

In October 2010 we welcomed **Dr. Jan Bernheim**, fresh from the International Conference of the World Right to Die Societies, held in Melbourne to New Zealand for talking engagements in both Auckland and Wellington. He outlined the history behind the assisted dying law in his home country of Belgium, a law he helped shape, and brought us up to date on how that law was currently working. His talks were informative and encouraging in as much as it demonstrated that persistent hard work can achieve great things.

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A task which has been started by the current committee, and one which will be continued by the next, is that of looking at the two previous Bills promoted by then Members of Parliament, **Peter Brown** and **Michael Laws**, and seeing, clause by clause, which areas need to be brought up to date and what should remain in a new Bill.

The 2010 National Committee adopted the goal of increasing the involvement of our membership in the affairs and management of our Society. We were very aware that our membership is spread over the whole country, but participation in the affairs of the society was limited to those members within reasonable travel distance of either Auckland or Wellington. The committee is proposing changes to our constitution at this meeting with the major, and I believe by far the most important being that of **postal voting**. For the first time in the seven year history of VESNZ Inc., all our members will have a say in who represents them, and the steps which the society takes to achieve our goal of a law change. The thanks of the committee and our members go to **Janet Marsland**, who undertook the lengthy and complicated task of vetting the existing rules and formulating the changes that will be placed before you.

As already mentioned, a change to the law on assisted dying is the raison d'etre of VESNZ. To move us closer to achieving this goal, we are negotiating to bring a person to New Zealand who has been actively involved in the 'Death with Dignity' legislation in Oregon, U.S.A. as well as working in a professional capacity with an organization called Compassion and Choices, Oregon which provides training, direction and advice to other professionals and volunteers working within the parameters of their legislation. We are working with her in representations to the N.Z. Immigration Service and when these details are completed we will give further information to all our members.

One of the major moments of, and a reward for, the year's work was to see the establishment of the **Kapiti-Horowhenua Branch**, the first new branch to be established since the merger of the Wellington and Auckland Euthanasia Societies in 2004. We welcome **John Murray** and the Kapiti-Horowhenua committee to the table, and look forward to members of their branch taking their place on the National Committee so that the level of National representation increases. The establishment of this branch gives us hope that we will see more branches established around the country, especially in the main centres and provincial cities. Wellington Branch has been developing contacts with individuals and groups in the more rural areas of their territory, with the aim of providing lines of communication that can collect and distribute ideas and information on future policy and action.

An upgrade of the society's web site, which was begun earlier in the year, was undertaken by **Alastair Hubbard**, Chair of the Auckland Branch, and **Rosie Kaplan**, Branch Secretary. The goal was to give the site a more contemporary look, to improve and expand on the information displayed, and to improve the data handling so that the production and distribution of the newsletter, and the recording of membership details was better organized. This work included the engagement of an IT company, SYSTEMS 7, to supply the technical expertise required to implement the changes. Although this project is costly, we are fortunate that we were the beneficiaries of a bequest from the estate of a supporter of our goals. We were invited by the trustees of the estate to apply for funding for specific purposes. One that we chose was the web site upgrade. The new site is now up and running, and although some aspects of the re-design still need to be finalized, I have no doubts that by the time the work is finished, the society will have a web site that will do us proud, and a data base that will serve to make administration an easier task.

Six members of the 2011 National Committee have decided not to stand in the coming election. They are: **Frank Dungey** – National Treasurer; **Rex Steele**, National Secretary, Committee Members: **Suzy Austen**, **Elizabeth Cronje**, **Mabel Smith**, and **Eric Perrett**.

On behalf of the rest of the National Committee and all our members I would like to thank all of them for their hard work and their palpable interest and dedication in the affairs of the society. As well, I would like to give my personal thanks to all the members of the committee that I have worked with over the last year for making my job so much easier by the way they shared the responsibilities and tasks of the committee, and by the way they were ready and able to respond to the demands the committee work put on them.

I can not pass this moment without a special and specific mention of the contribution that a long standing officer of the society has made to the cause of voluntary euthanasia in New Zealand. I refer, of course, to our retiring National Treasurer and founding member of VES (NZ) and VESNZ Inc., **Frank Dungey** who has indicated that he is not standing for the position again, and is retiring from the National Committee. Frank has not only held the offices of National Secretary and Treasurer but also that of National President on several occasions.

It was not very long after meeting Frank that I learned that he lived and breathed the V.E. dream of having a law in New Zealand that gave all individuals the right to have a 'Good Death' I do not believe that I can do better than very heartily endorse the tribute to Frank, and the recognition given to both his International and National work, which was contributed by Jean Cartmell and published in the Society's June Newsletter.

I certainly hope that we will be able to call on the very wide experience that Frank has, for the benefit of VESNZ. I also hope that he will continue to offer his views and give his input as we move towards eventually presenting a new Bill to our Parliament.

Please be assured that you leave the National Committee with our deep appreciation and thanks for what you have given us.

I would like to conclude by welcoming those of our members who joined the Society over the last twelve months, and to encourage all our members to look at how they can do their bit to bring the goals and meaning of voluntary euthanasia to wider public attention.

**Kevin Brennan, National President. 25 June 2011.**

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### **Sean Davison Trial To Take Place this October**

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The trial of **Sean Davison** begins on **October 26<sup>th</sup>** in the Dunedin High Court; he is charged with attempted murder.

In June 2009, NZ-born Sean Davison, now Professor of Biotechnology at the Western Cape University in Cape Town, published a memoir *Before We Say Goodbye*. It gives an account of the final weeks of his mother's life after he returned to NZ to be with her. His mother, a retired psychiatrist and GP, suffering from painful, progressive and ultimately terminal cancer had decided to hasten her death by choosing to stop eating. The book describes the increasingly agonising situations that he and his mother had to surmount day by day and also includes a brief description of the hours before his mother's death. However an earlier manuscript circulated among friends, lawyers, etc. contained other details which, when published in the *NZ Herald* resulted in the current charges.

At the time, Sean said "I am sure this book will generate debate as my mother was an experienced medical practitioner who had thought hard about the issues surrounding voluntary euthanasia..... I feel voluntary euthanasia should be legalised and that our society should show some compassion in easing that distance between dying and death."

The stated aim of our Society is to promote legislation to permit voluntary euthanasia for 'competent adults who request it and who suffer from a terminal or incurable disease' and on that basis, the National Committee has decided, after considerable discussion, to support Sean Davison in his fight for justice and for the cause of voluntary euthanasia. To this end it was agreed to donate up to \$5,000 dollars towards his trial expenses and also to invite members who wish to contribute individually towards these costs, to send their donation to the National Treasurer clearly marked that the donation is for this purpose.

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### **Elderly Nelson couple end lives together**

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Betty Jackson, aged 84, ill and becoming increasingly ill, and her husband Desmond Jackson, 88, took their own lives in Nelson last month, in what police described as a suicide and an assisted suicide

Meals left at the door of their home alerted a visitor that something was wrong.

Following the deaths an Age Concern manager said that sometimes the thought of parting after all those years together was too hard and this could be understood. ".....where somebody is very sick, they have obviously both made that decision. It's really sad."

# VESNZ BRANCH NOTES AND MEETINGS

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## AUCKLAND BRANCH

### Greetings from the Auckland branch of VES

The recent AGM was very successful with a turn out of almost 50 people. The Terry Pratchett DVD was of great interest – we are sorry more of you couldn't see it. You might want to think about setting up meetings in your local area to show it. The equipment could be couriered to you. You would also need to access a lap top computer and – if you are anything like me – a grandchild to help you use it!

We have a new Auckland branch committee: Alastair Hubbard is still chair, I, Rosie Kaplan still secretary, Mabel Smith and Gwen Cameron who have been on the committee (both before and after amalgamation) for over 19 years and 18 years respectively signed on again. I think this needs a large round of applause! There are two new committee members, Bill Cottle and Rhyn Gabriel. Jack Jones and Eric Perritt didn't stand for re-election. Thanks for your input over the last couple of years Eric.

**And many thanks to Jack** for all the work he has put into VESNZ over the years. In 1978 Jack was one of the founding members of VESNZ. He has been Auckland Chair many times and has also chaired the national committee for a number of years. It is because of people like Jack that the Voluntary Euthanasia Society of New Zealand exists. Jack is still putting in the work as a member of the national committee so this isn't farewell to Jack!

I would also like to use this update to mention Heather Westerkamp who has a combined service (both pre-amalgamation and on the Auckland committee) of twenty years. She resigned last year but, I am delighted to report, is working with VESNZ again, this time as the national secretary. More applause here please!

Auckland's next branch meeting is on **Saturday 12<sup>th</sup> November** with **Phillipa Malpas** who lectures in Medical Ethics at the Auckland University School of Medicine.

Phillipa says “In the past year our research team carried out a number of qualitative interviews with older New Zealanders who support physician-assisted dying (euthanasia and physician-assisted suicide). All were members of the VESNZ. The data from these interviews gave us crucial information about the reasons why some people support medical practices that hasten death and the influence these reasons may have for decision-making at the end of life. I will talk about the research project we undertook, some of the analysis and findings, and our future research directions”  
R.K.

So the next Auckland meeting is to be held on: **Saturday, 12<sup>th</sup> November, 2011 at 2 pm**  
**Bridge Club Rooms, Wairere Avenue, Mt Albert**

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## KAPITI-HOROWHENUA BRANCH

### News from Kapiti-Horowhenua

The new Branch for Kapiti and Horowhenua, has begun an active programme of rounding up its VESNZ members. The region covered by the new Branch, stretches from Paekakariki in the south as far as the Foxton district in the north - from the hills to the sea. In order to contact our widespread members, our Committee/Work Group of ten members, has divided the area into five regions to get to know the people better. Five regional meetings have already been held and though groups were small, they were most enthusiastic. While in the north, in Levin, we accepted the invitation of the local Rotary Club to speak about our cause. As they say "this is just the beginning"! A public meeting centred in Paraparaumu will be held on **Saturday 17<sup>th</sup> September** [see Notice]. The programme includes "stories" from New Zealand and overseas, and also will focus on two important coming events - the general Election in November and what questions we will be asking the candidates, and the trial on the charge of "attempted murder", of Professor Sean Davison who, in 2006, "helped" his mother to die with dignity.

This will open in Dunedin on October 26<sup>th</sup>., the anniversary of his mother's death. Sean's diary "Before We Say Goodbye" is essential reading. Some of us are already committed to starting a fund for his support. Both of these events will promote our cause and we intend to make the most of the opportunities.

Calling all members on the Kapiti Coast and Horowhenua  
Our next meeting is on

**Saturday, 17<sup>th</sup> September, 2011**  
**11am to 1.00 pm with a light lunch to follow**  
**Kapiti Community Centre, 15 Ngahina Street, Paraparaumu**

**“WHY WE MUST CHANGE OUR LAW – STORIES AND DISCUSSION  
LOOKING TOWARD OUR COMING ELECTIONS.”**

Bring your friends and a koha

J.S.M.

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**WELLINGTON BRANCH**

The AGM elected the new committee. Chair: Janet Marsland; Secretary: Pat Hubbard; (also Wgtn branch NC representative): Treasurer: Suzy Austen. Committee: Jean Packman, Margaret Megwyn, Marina Moran, Ivan Lawson, Lorna Lovegrove.

The meeting unanimously resolved to send a letter of appreciation to Prime Minister John Key regarding his statement on being prepared to vote for a bill amending VE legislation to go to a select Committee of the House. The letter has gone, but I have not received an acknowledgment!

The branch committee is having great success with talking to Rotary Clubs and Grey Power meetings. We have presented at 11 or 12 now and are getting good response, interesting questions and follow ups. We intend to look further now to Probus, U3A etc.

The committee plan to have a social meeting with the branch committee of the Kapiti/Horewhenua branch to get to know each other better.

Janet has had a very good response from District Health Boards following her letter to them asking for their policy on treating patients who present with a legal Advance Directive. Of 21 DHBs 14 have responded (70%) and of these 3 have an excellent policy; 3 good; 3 fair; 3 poor and 2 none!! Janet is pursuing this further.

The branch is supporting the possible action of the National Committee to donate towards the legal fees of Sean Davidson, whose trial for assisting his mother to die commences in Dunedin in October. We are very pleased with the new Website. The **Autumn Meeting** will be held on

**Saturday, 29<sup>th</sup> October, 2011 at 2 p.m.**  
**Senior Citizens Room, at the Wellington Central Library**

We are planning on having a panel discussion on the recent moves of the medical profession to introduce Advance Care Planning and the place of legal Advance Directives in this activity. This is an open meeting and members are encouraged to bring along friends and relatives who are not members of VESNZ. J.M.M.

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**NOTICE FOR ALL GREATER WELLINGTON MEMBERS**

St John's Public Issues Forum : at **St John's-in-the-City, Willis Street, Conference Centre**

**Thursday 29th September, 7.00 - 9.15pm**

**“VOLUNTARY EUTHANASIA**

**What are the Ethical, Medical, Legal, Social and Spiritual issues?”**

with speakers - **Geoff Annals**, CEO of the NZ Nurses Organisation

**John Kleinsman**, Director of Catholic Nathaniel Centre

**Dr Anne MacLennan**, Palliative Care specialist

**Dr Don Mathieson**, former Law Professor, Victoria University

**Very Rev John Murray**, Chair of Kapiti/Horowhenua VESNZ

Free entry - opportunity for discussion and debate

## GENERAL ELECTION 2011

Please attend as many of the Meet the Candidates events and other political occasions as you can in your local area.

**Ask candidates:** If a Government or Private Member's Bill advocating a change in legislation to allow physician assisted dying, or voluntary euthanasia, were to come before the House, would you vote in favour of sending it to a Select Committee?

**Ask candidates:** What is your *own* personal attitude toward Physician Assisted Dying for the Terminally Ill?

What is your *Party's* attitude toward Physician Assisted Dying for the Terminally Ill?

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### **Political Campaign Begins in Another US State**

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A drive has begun in **Massachusetts** for physician assisted dying legislation. In August, proponents of an assisted dying law began the process of bringing their plan (the Death with Dignity Act) to the Massachusetts 2012 Ballot.

The proposed law asks voters to recognize that it is in the public interest to permit patients 'with a terminal disease that will cause death within six months' to obtain drugs to 'end his or her life in a humane and dignified manner.' The plan also requires the patient to be capable of making medical decisions and to consult with physicians. It states that public welfare requires that such a process be entirely voluntary on the part of all participants, including the patient, his or her physicians, and any other health care provider or facility providing services or care to the patient.

If the ballot passes, Massachusetts will be the fourth US state to have legalized [physician] assisted dying.  
Dr Jack Kevorkian Dies

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### **Dr Jack Kevorkian Dies**

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The US-born pathologist, and ardent, if unorthodox, advocate for end of life choices, **Dr Jack Kevorkian**, has died at the age of 83. In arguing for the right of the terminally ill to choose how they die, Dr Kevorkian challenged social taboos about disease and dying and consistently defied prosecutors and the courts. Finally in 1999, he was convicted of second-degree murder in the death of the last of approximately 130 ailing patients whom he helped to die, and he spent 8 years in jail.

His critics were as impassioned as his supporters, however all generally agreed that his often intemperate advocacy of assisted dying was a spur to the growth of both the US hospice movement as well as the enactment of Death with Dignity Bills in several of the US states. **Barbara Coombs Lee**, president of Compassion and Choices, said: "He was a polarizing figure – people either thought he was a saint and a martyr or the devil incarnate. To us, he was neither, but he was certainly pivotal to our movement".

*Below is the first draft of a document prepared by Wellington member Jean Cartmell which outlines the Society's basic requirements for a Bill to be presented to a future Parliamentary Select Committee. Please read and take part in the discussion.*

## **WHAT DO WE WANT FROM A BILL?**

Any classification of the requirements needed for a proposed Act legalising the early termination of life is bound to be both incomplete and subjective, with faults and omissions. However, at this point in the development of the public acceptance of a need for such a Bill, perhaps it is worth while trying to codify ideas which we might like to see included in a possible Bill. Such prior exchanging of views and preferences should help if a Bill succeeds in reaching Select Committee and open, public discussion.

We want to stimulate thinking and debate, in the hope that some members may be willing to present the Society's position at Select Committee discussions. If you have ideas to contribute, the Editor will be glad to hear them. It will help us all to clarify our position and perhaps encourage those members of the society, who cannot attend meetings and from whom we never hear, to contribute to the general community.

### **A. NAME**

1. Assisted Dying Bill
2. Voluntary Euthanasia Bill
3. Death with Dignity Bill
4. Assisted Suicide Bill

### **B. WHO IS TO BE INVOLVED IN THE DEATH ?**

1. Doctors only to be involved in the process i.e. giving an injection
2. Other medical personnel/health care workers to be allowed to assist (how?)
3. Doctor and/or other health care workers to perform the final act OR -
4. Doctor to write lethal prescription for patient to administer

### **C. CRITERIA TO BE SATISFIED (GENERAL)**

#### **(a) RESIDENCE**

1. Resident of country only
2. Citizen of country only
3. Non-New Zealanders who satisfy medical criteria

#### **(b) AGE**

1. Over 18 only
2. 15-18 with parental knowledge
3. Under 15 with parental consent

#### **(c) WHO MAKES THE DECISION TO PERMIT REQUEST**

1. Own doctor (G.P.) alone
2. Own doctor in consultation with other professional colleague(s)
3. Psychiatrist plus doctor(s)
4. Ethical panel plus medical professional(s) treating patient.

### **D. CRITERIA TO BE SATISFIED (MEDICAL)**

1. Patient to be suffering from terminal illness only- (i.e. 6 months to live)
2. Patient suffering from unbearable pain which cannot be relieved.
3. Patients suffering from various non-terminal medical conditions resulting in loss of quality of life and loss of autonomy
4. Elderly (over 80) who consider their lives to be completed

### **E. PRIOR REQUIREMENTS**

1. Valid Advance Directive lodged with doctor.
2. Two written requests at stated intervals after doctor/patient discussion
3. Family acquiescence (written and after discussion)
4. Doctor has discussed with patient all treatment options including Palliative care
5. 2,3,4 all to be recorded on file and witnessed by patient.

## F LEGAL AND SOCIETAL REQUIREMENTS

1. Doctor granting request to report death to coroner
2. Death to be recorded as 'voluntary death' or some equivalent phrase.
3. Doctor able to provide a record of criteria and requirements satisfied.
4. Statistical records to be kept and published at required intervals.
5. Spiritual/ethical advisers to be involved in reviewing implementation.
6. Infringement of specified requirements to be legally punishable.
7. No individual to be penalised in any way for refusing to take part in any sections of the Act, but doctors unwilling to implement the Act must refer that patient to colleagues who are happy to comply with the Act.

Some of you might care to indicate your preferences among the many suggested here by using the number and letter groupings to show what you personally would like or dislike. (e.g. LIKE A1, B2 etc.) Alternatively you might wish to underline or circle the suggestions here which you like or dislike and send the sheet back to the editor. We shall be delighted by any evidence of your wishes, and also notification of anything you feel we have omitted or misrepresented.

**Please send your responses and/or suggestions (reasonably concise if you would) to:**

**Newsletter Editor  
P.O. Box 224  
Waikanae 5250.**

### **Defining suicide and hastened death:**

**Typical suicides occur when people who *could* live choose to die, usually when depressed, in isolation, and often violently. On the other hand, terminally ill people cannot continue to live much longer; it is not a suicide when a patient, having made a reasoned decision, hastens death by days or weeks with prescribed medicines.**

**Voluntarily stopping eating and drinking (VSED) is *not* suicide. Suicide is choosing death over life, but refusing hydration and nutrition is a way of choosing one kind of death over another.**

## **Contact Details**

### **Branch Contact Details**

Auckland Branch: PO Box 210, Ostend, Waiheke Island 1843 Tel: 09 630 7035 auckves@xtra.co.nz  
Kapiti-Horowhenua Branch: PO Box 224, Waikanae 5250 Tel: 04 293 2786 veszkh@actrix.co.nz  
Wellington Branch: PO Box 24 270, Manners Street Central, Wellington 6142 (04) 384 2646 pathubbard@xtra.co.nz

### **VESNZ - National Committee**

President: Kevin Brennan, Immediate Past President: Jack Jones,  
Secretary: Heather Westerkamp, Treasurer: Noel Simpson,  
Committee: Alastair Hubbard, Pat Hubbard, Rosie Kaplan, Janet Marsland,  
John Murray, Mabel Smith, Carole Sweney.  
Newsletter Editor: Beverley Hurrelle

### **Subscriptions:**

Annual: Single \$15 Couple at same address: \$25 Life Membership: \$150