

Senate Legal and Constitutional Affairs Committee Inquiry into the Rights of the Terminally Ill Bill 2008

Reply to question on notice from Senator Bob Brown,
Ref: L&CA 12, Monday 14th April 2008.

**From: Dr David van Gend, Senior lecturer in Palliative Medicine, UQ.
Bioethics Advisor to the Australian Christian Lobby**

Question from Senator Brown:

“Do you know to what degree the number of unpermitted killings by doctors has fallen since euthanasia was brought into Holland?”

Answer:

The number of unpermitted killings by doctors *has not fallen* since euthanasia was brought into Holland in 2002.

Background:

Analysis of the 2005 data in Holland, in comparison to data for the decade prior to legalisation of intentional killing by doctors (in 2002), was published a year ago:
van der Heide, A. et al. End-of-Life Practices in the Netherlands under the Euthanasia Act, *New England Journal of Medicine*, Vol. 356:1957-1965, May 10, 2007

and can be viewed at: <http://content.nejm.org/cgi/content/full/356/19/1957>

Concerning unpermitted killings by doctors – that is, where there is no request from the patient for euthanasia - this study finds no significant change from previous years:

"0.4% of all deaths were the result of the use of lethal drugs not at the explicit request of the patient; this percentage was not significantly different from those in previous years." (p 1960)

For reference, the data for the earlier surveys, from 1991, 1995, 2001, is discussed in:

Onwuteaka-Philipsen BD, van der Heide A, Koper D, et al. Euthanasia and other end-of-life decisions in the Netherlands in 1990, 1995, and 2001. *Lancet* 2003;362:395-399

Conclusion:

On the question of unpermitted killing of patients by doctors – nonvoluntary euthanasia – which had been running at about 900 - 1000 deaths per year in earlier studies, the evidence finds that legalisation of euthanasia in Holland in 2002 has not significantly reduced this disturbingly high figure.

I trust this information is of assistance to the Committee.

Yours sincerely,

Dr David van Gend
May 5th 2008.