



ANNUAL REPORT

2014





CONTENTS

THE YEAR IN PHOTOS	1
DIRECTOR'S REPORT	2-3
EXIT FACES	4-5
VICTORIAN ELECTION	6-7
DARWIN MONKEY TRIAL	8-9
EXIT IN THE MEDIA	10

Exit Annual Report 2014

Front cover: Peter Nugent, Barrister & Exit Hero, 7 January 1961 - 28 February 2015

Back cover: The note that Dr Claire Parsons wrote to explain why she died with her friend Val Seeger

The Year in Photos



DIRECTORS REPORT

I realise I say it every year, but the last 12 months sure have been an eventful time. Thank you Nigel Brayley!

For those who have not kept pace, the February attendance of 45 year old Nigel Brayley at Exit's Perth workshop, was to set the pace for the rest of the year. Well, it wasn't really Nigel's workshop attendance. Rather, it was his rational suicide a few months later that took the debate forward.

Should a person - an adult - of sound mind - have the right to end their life when and how they choose? Or, should a medical practitioner - regardless of whether they are working as a doctor - be obligated to stop them?

Following Nigel's suicide mid-year, the Medical Board of Australia decided to enact their emergency powers to suspend my medical license, due to my being a so-called 'danger to public health and safety'. The fact that Exit work does not and has never involved me working as a medical doctor was a point lost on the Board.

But then they were hardly acting alone. Rather, the Board was spurred on by anyone who has ever objected to Exit's point of view. The knives came out and they are not yet put away.

However, the upshot of the controversy has been a marked increase in Exit members, increased demand for Exit workshops and heightened interest in *The Peaceful Pill Handbook*. All in all one can't complain, even if the personal stress has been overwhelming.

In particular, I have been genuinely heartened by the show of financial support that has come in response to my call for donations to allow me to defend myself against the Medical Board's onslaught on my reputation.

In this regard, I have felt reassured that what I'm doing is right

and it is what members of the organisation expect of me.

Unfortunately, at the time of press of this Annual Report, the legal wheels are still turning. As is the need to pay lawyers. I have been told to expect this to be ongoing for some months yet.

That said, I do not see Exit members as a bottom-less pit of funds. There must be an end to this madness. We are never going to change the fact that the Medical Board has the bottomless pit of State money at its disposal. The question that I would like to put to Exit Members is, is this a good use of our dollars or should I let the Board do as they will, and concentrate on the work that concerns us? I welcome members feedback on this issue.

But the Medical Board and its antics are not all that happened in 2014. As we reported in *Deliverance*, I stood again for the Voluntary Euthanasia Party, this time in the Western Australia Senate re-run. The results for the Party (0.65%) (which included my running mate Jim Duffield) were again encouraging.

In November, I took a behind-the-scenes role in managing the VEP's 2014 Victorian election campaign. The ten candidates did remarkably well, as did the preference flows. The main result of our efforts was the election of the Australian Sex Party's Fiona Patten to the Upper House. Fiona is a strong supporter of VE. VE is in good hands with her. The results of the WA Federal, and the Victorian State, election show that the VEP is well and truly established as a micro party force. It is a matter of time until the VEP gets a candidate elected.

The year was also marked by various Writers' Festival invitations (Perth, Adelaide, Sydney, Newcastle, Tasmania) where I spoke about *Damned If I Do*, the autobiography I wrote with Peter Corris, and which

was published by Melbourne University Press. Both the Perth and Sydney appearances resulted in recordings for the ABC series, 'Big Ideas' on Radio National and ABC TV.

The year was also marked by several wins, most notably by Janine Hosking's beautiful documentary about Angelique Flowers. Funded in part by the Exit community, '35 Letters' won the Sydney Film Festival Best Documentary. A remarkable achievement for a film that has the right to die as its subject matter. I am very proud of Janine. She is a fine Australian film maker.

At an organisational level, Exit launched a new website this year, the first in eight years. I particularly like the dynamic carousel on the home page which allows Exit to feature a full range of current and topical Exit events.

In 2014, the popularity of Exit Workshops continued unabated. Following the unprecedented media coverage we received, meetings in Perth, Melbourne and Sydney attracted audiences in excess of 250 participants respectively.

Indeed, all capital cities and even regionals such as Newcastle generated larger than normal crowds. It is to my regret that I was not able this year to visit New Zealand or Tasmania. These locations are listed for 2015.

On a sadder note, 2014 was also the year of the deaths of well loved and dearly remembered Exit Members. I make special mention here of Peter Nugent and Bill O'Brien. They are both missed more than words can express.

Finally, I would like to thank my staff, especially Kerri Dennis, Dr Johannes Klabbers and Dr Fiona Stewart. Supported by Chelsey Phillips, Rachael Dennis and others, this strong core keeps Exit alive, and I thank them all.

DIRECTORS REPORT



Clockwise from top left: Media interview outside Darwin Appeal in Nov, Sydney Film Festival cast & crew of 35 Letters in May, PN, with Max Dog colleagues at San Francisco Beer Week in January, with Janine Hosking & her SFF award for best doco for 35 Letters, book-signing at Perth Writers Festival in January, with Chris Endrey for In Canberra Tonight @ Adelaide Fringe 2014, at Slow Beer in Richmond during VEP election campaign, celebrating my mother Gwen's 95th birthday in Adelaide in January 2015. Centre: with the Australian Sex Party - VEP Billboard in Melbourne

FACES of EXIT in 2014

Amidst the media clamour that characterised the sensationalised rational suicide of **Nigel Brayley** in Perth, other brave and strong Exit members made their stories public.

At the beginning of the year, Exit was very sad to hear of the peaceful passing of retired nurse educator, **Betty Peters OAM**. A long time advocate of the use of gas for a calm, reliable hypoxic death, Betty was a sensation.

When Youtube censored her quirky 'Do It Yourself with Betty' film, Betty shot back with a further film that showed the ridiculousness of the Youtube decision. With Betty's death so ends a unique era of provocative and innovative film-making. She is sadly missed.

Also leaving us in 2014 was **Laurie Srike** in Perth. Diagnosed with Melanoma, Laurie took to Youtube in an effort to secure a supply of Nembutal. A week after he recorded and posted his video, lo and behold Laurie received his precious parcel from the US. Laurie ended his suffering a few days later. In contrast to Betty's experience with the Internet, Laurie's access to lethal drugs showed that Youtube can be a force for good.

The power of film to document and explain was brilliantly tapped mid-year by journalist Jeannette Francis when she produced the segment 'Dead Letter' for SBS TV's 'The Feed'.

This beautiful short film examined the suicide note of retired Melbourne academic, **Dr Claire Parsons**. Parsons acknowledged helping her closest friend **Val Seeger** to die. Val had been diagnosed with Alzheimer's Disease which was progressing at speed. Claire

reasoned that in the current legal climate, if she were to avoid legal repercussions, the law left her little choice but to go with her friend.

'Dead Letter' is a moving account of a friendship that spanned over two decades. It is also testimony to the cruel and unnecessary way in which current law makes criminals out of those who act from the pure motives of love and compassion.

In July, Exit was affected directly by the deaths of two special people. Firstly, there was former the VEP Senate candidate for South Australia, cancer sufferer, **Max Bromson**. A long-time activist, Max had his passing meticulously planned. He even organised his own wake. Max died in an Adelaide motel room, surrounded by his close family. Sadly, the aftermath of Max's death brought a police raid on Philip's Adelaide house.

No sooner had Max died, and Exit Director, **Bill O'Brien**, also exited. Unlike Max, however, Bill, a retired CPA, was not sick, though he was getting on in age. According to his partner, Jan, Bill had recently lost his confidence. He felt increasingly frail. A few days after his 89th birthday, Bill died. A director of Exit and a close friend of Philip's, Bill's decision to leave was especially sorrowful.

On a brighter note, Exit Member, **Rupert Ward** of Albany in Western Australia also spoke out in 2014, after he found himself charged with Nembutal possession. Rupert's plight came to public attention after he got caught up in that State's mysterious spate of 'welfare checks' by the Australian Federal Police. Gladly for Rupert, he escaped with a fine and no conviction.

Towards the end of the year, Darwin man, **Martin Burgess**, died peacefully at home. Diagnosed in 2012 with bowel cancer, Martin had been a VEP candidate for the House of Representatives in the September 2014 Federal election. A strong supporter of the *Rights of the Terminally Ill Act* back in the mid 90s, Martin was active in speaking out to numerous media over the years. Martin was loyal supporter of Exit. His memory stays with us.

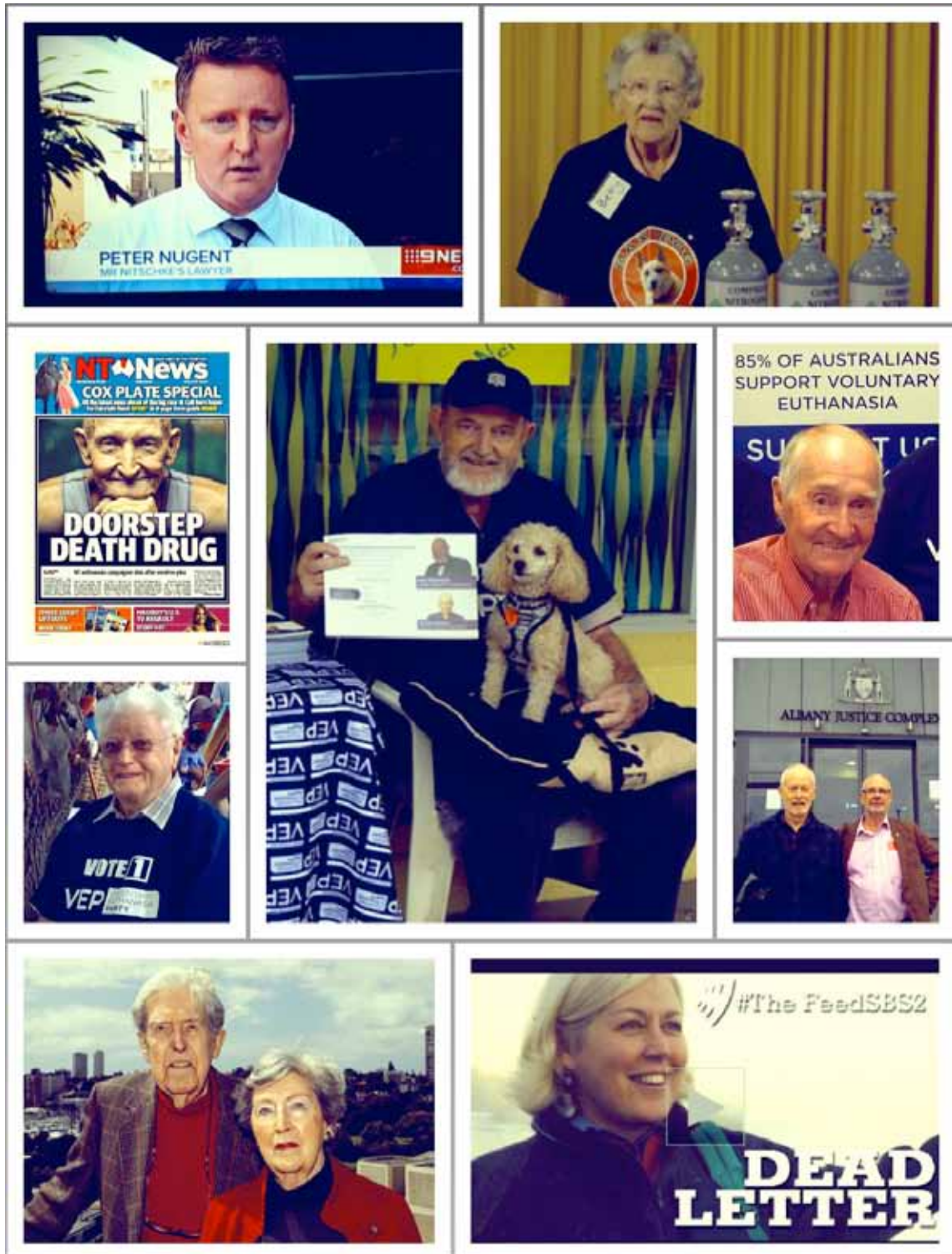
As a new year began, former Attorney General and Life Member of Exit, **Kep Enderby QC**, died. Survived by his wife Dot, Kep passed away in hospital. His health had been failing for some time. Kep must have been disappointed that he did not get to use the bottle of Nembutal which he liked to tell the media proudly about whenever he had the chance. Kep's sense of humour and pragmatic outlook is much missed.

Finally, as this Annual Report goes to press, Exit has lost our knight in shining armour, Melbourne barrister **Peter Nugent**. There are simply no words that can adequately describe the hole that Peter's passing has left in our lives and in Exit's work.

Only 52 years old when diagnosed with bowel cancer, Peter was not only a brilliant legal mind, but he had enormous compassion and concern for all around him. Peter worked tirelessly and pro bono for Philip throughout 2014, tragically dying before the politically-driven Medical Board case could be concluded.

Peter Nugent will be remembered as a true friend of Exit, when we needed him most.

FACES of EXIT in 2014



Clockwise from top left: Peter Nugent, Betty Peters, Laurie Strike, Philip with Rupert Ward, Claire Parsons, Kep & Dot Enderby, Bill O'Brien, Martin Burgess & Max Bromson (ctr)

VICTORIAN ELECTION 2014

In its first State election test, the Voluntary Euthanasia Party of Victoria achieved an impressive result on its inaugural outing. For the 29 November 2014 election, the VEP Vic stood ten candidates across five of the eight Upper House electoral regions.

The Party's campaign was launched by media personality Derryn Hinch at the Toorak Library two weeks out from election day. A second launch took place in the final week of the election, when the VEP banded together with the Australian Sex Party (ASP) to promote a series of billboards.

The billboards were aimed at drawing voters' attention to the Christian alliance which was taking hold in the Northern Metropolitan region and which would stop other micro parties, such as the VEP & the ASP, from getting elected. Luckily, the campaign had effect and ASP Founder, Fiona Patten, was elected to the Upper House for the North Metro region.

The VEP's collaboration with the ASP also resulted in swapping preferences in other key regions.

The road leading to the election was far from straight. Firstly, upon the Party registering for the election, the Victorian Electoral Commission (VEC) received a complaint from the Liberal Party of Victoria claiming that the VEP's constitution was in breach of the *Victorian Electoral Act*.

To settle this dispute, well known Tasmanian lawyer, Greg Barns, came to the rescue. The VEC dismissed the Liberal Party's spurious complaint and VEP Vic got on with the business of preparing for the election.

Now fully registered as a Party fit to contest the election, the VEP set about incorporating and electing office bearers. With initial positions all filled, the Party headed into 2015 with the Officers listed below:

President: Mr Peter Nugent (dec)

Vice President: Ms Meg Paul
Public Officer: Ms Bertha Franklin

Treasurer: Ms Debbie Stockdale

Committee: Mr David Scanlon

Committee: Mr Monte Bonwick

Committee: Dr Fiona Stewart

It is incredibly sad that just as Peter Nugent took over the leadership of VEP Vic, that he should be lost to the world to bowel cancer.

Peter had ambitions to call on his old university mate, Victorian Attorney General, Martin Pakula, to do the right thing; and refer VE to the Victorian Law Reform Commission (VLRC) with a view of Victoria being the first state to pass end of life choices laws. This was sadly not to be, at least not at the current time.

The 2014 election results were as follows:

Eastern Victoria - 1.19%
(Meg Paul/ Bruce Miller)

Eastern Metropolitan - 1.06%
(David Scanlon/ Monte Bonwick)

Southern Metropolitan - 0.77%
(Penny McCusker/ Fiona Stewart)

South Eastern Metropolitan - 0.55%
(Sorin Ionascu/ Greg Mauldon)

Northern Metropolitan - 0.29%
(Bertha Franklin/ Jay Franklin)

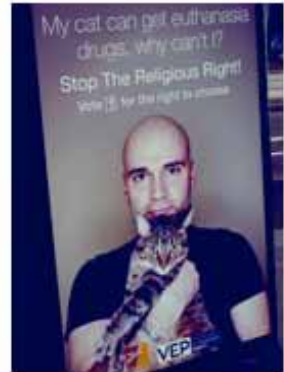
While no VEP candidate was this time elected, Exit remains very pleased that Fiona Patten of the ASP is now a sitting member. It could be said that the VEP Vic has its woman, where they want her; in the Victorian House of Parliament.

Looking forward, the VEP Vic is now in the process of establishing itself as a powerful pro-choice force in Victoria. Included in their plans are the fulfilment of Peter Nugent's vision of the VLRC referral.

The VEP Vic website is at:
www.vepvic.org

Membership is free. All supporters are welcome to join.

VICTORIAN ELECTION 2014



Scenes from the Voluntary Euthanasia Party of Victoria Election Campaign, November 2014, Melbourne

DARWIN MONKEY TRIAL

There have been few medical civil trials in recent memory that have attracted the controversy of the 'Darwin Monkey Trial' that was held in November 2014. And the story is not finished yet.

The hearing before the NT Medical Tribunal came about after the Medical Board of South Australia used their emergency powers to suspend Dr Philip's Nitschke's medical registration.

The reason for their hurried action? The rational suicide of Nigel Brayley. Early in 2014, Nigel took out a subscription to *The Peaceful Pill eHandbook*. The *eHandbook* is published by Exit International USA where it is protected by that country's *First Amendment*.

In February 2014, Nigel attended Exit's annual Perth workshop at the Wembley Community Centre. He was one member of an audience of more than 250 other people.

In the weeks leading up to his suicide, Nigel was active in Exit's forums. One important post he made concerned a police visit to his home. As time would tell, the Australian Federal Police would visit the homes of more than ten people in Western Australia. Some were Exit Members, others not. The AFP spoke with Nigel and then left. Interestingly, the AFP did not identify Nigel as suicidal. They did not detain him as a danger to himself or the public.

When news of this visit became known, Philip asked if Nigel wished to warn others publicly. In the email exchange, Nigel declined, mentioning instead that he planned to go ahead and take his Nembutal in the coming months. Because Philip did not stop him, the Medical Board reasoned that Philip represented a danger to public health and safety.

The issue received significant national coverage following a

spray from ABC TV's *7.30 Report* program. The segment was titled 'Just who is Dr Nitschke advising?' implying that any person who attends an Exit workshop is receiving support and advice from Exit.

The allegation was as ridiculous then, as it is now. However, the mud stuck and the Medical Board swung into action. It was the excuse they and others had been waiting for.

However, the Nigel Brayley complaint was not the first to be levelled against Philip Nitschke. In 2014, four separate complaints were in train. It seemed if the Medical Board did not succeed in disgracing Philip on the Brayley issue, they would revert to the others at hand.

The first complaint before the Medical Board came from the Therapeutic Goods Administration (TGA) when Philip had the temerity to suggest that four terminally ill Exit members (people who he had to refer to as his 'patients' for the sake of the TGA's Special Access Scheme) would benefit from an exemption from the ban on Nembutal's use as a sleeping agent.

While Nembutal remains a very powerful sleeping agent, anecdotal evidence suggests its off-script use provides a sense of ontological security for the dying; that is, possession of the drug enables the person to feel they are back in control.

With the December 2011 death of Wendy Benton, the Medical Board began a four year (& counting) investigation into Philip's fitness to hold medical registration. At the time of press, this inquiry is on-going. The accusations include the fact that Philip saw Wendy at her home in South Australia (when his medical insurance only allows him to practice in the Northern

Territory), that he failed to keep adequate medical records about her and three other Exit members.

The second pending Medical Board investigation stems from a complaint made by Paul Russell of the rabid 'Euthanasia No' lobby group based in Adelaide. Russell took exception to Philip's sideline business of Max Dog home brew nitrogen.

The third complaint before the Medical Board was made by Dr Mark Schutze, then Head of the pain unit at Sir Charles Gairdner Hospital in Perth.

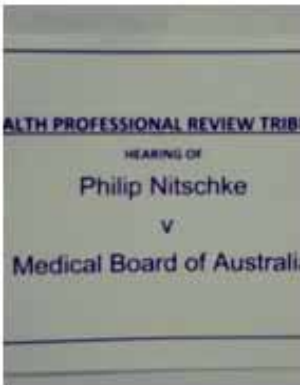
In January 2014, Dr Nitschke was invited to give a breakfast presentation to a closed meeting of Hospital staff about his work at Exit, and the issue of Voluntary Euthanasia more broadly. Philip gave his standard VE 101 address; a talk he has given many times before.

On this occasion, however, and despite the application of 'Chatham House Rules', Schutze broke common courtesy and lodged a complaint on the basis that he did not like, or agree with, Philip's talk.

At the time of press, Philip's appeal against the Medical Board's use of the immediate action powers is in the NT Supreme Court. When that is done, he will need to defend himself against a further ten complaints which both pre- and post-date the Brayley affair. The Board's agenda seems clear.

To date Exit members have contributed over \$200,000 to fund Philip's legal defence. Until early March 2015, Philip was proudly represented by Mr Peter Nugent. Mr Richard Niall QC has since stepped in to work alongside solicitor Mr David Fitzpatrick in defending Philip against this relentless witch-hunt.

DARWIN MONKEY TRIAL



Clockwise from top left: The players, Peter Nugent, Fiona Stewart & Philip Nitschke, the support crew, PN, the courtroom, solicitor David Fitzpatrick, Philip Nitschke & barrister Peter Nugent at the pre-trial press conference, John Scopes at the original Darwin Monkey Trial & Day 1 press conference in Darwin.

The original Darwin Monkey Trial was held in Tennessee in 1925. The trial concerned high school teacher John Scopes who had the audacity to teach his students evolution. The trial was a contest between ideologies; modern science versus the creationism of the christian faith.

EXIT in the MEDIA



In a year where it seemed that the media was about one man's death and one former doctor's de-registration, it is encouraging to realise that there was much more going on.

In many ways, 2014 was the year of Festivals which stretched from one side of the country to the other. These enjoyable speaking invitations were based on the publication of *Damned If I Do*, the biography of Philip Nitschke.

Many of these events were recorded and remain available online. For example both the Perth Writers Festival panel 'A Good Death' and the Sydney Writers Festival 'In Conversation with Fiona Stewart' can be viewed on the ABC's *Big Ideas*.

As always, the year also spanned the full range of media coverage; from news reports and front page stories to opinion articles in both the traditional and online media. The *Sydney Morning Herald* ran two opinion pieces by Philip Nitschke during the

year. The first in April was titled 'We Need a New Word for Suicide'. The November follow-up was headed 'Rational Suicide is a Challenge we Must Face'. Both articles attempted to raise important issues associated with the shift in emphasis for medical-assisted dying to the organise-yourself/ prepare-for-yourself approach taken by Exit.

Further opinions were published in *Crikey.com.au* 'No Good Deed Goes Unpunished' & 'My Airport Detention for Reasons Unexplained', *The Guardian* 'Euthanasia is a rational option for prisoners facing life in jail', the *West Australian* and the *Newcastle Herald*.

In addition to the extensive TV coverage that Exit received this year, there was also the excellent *Vice Media* film featuring Melbourne Exit members, Betty Peters and Cath Ringwood. At last count, 'Death in a Can' had been viewed over 200,000 times on *Youtube*. Finally, Exit was especially impressed with *SBS TV* 'The Feed' and their

sensitive and moving portrayal of the suicide pact of Dr Claire Parsons and her longtime friend, Val Seeger.

One of the more innovative media events of the year was Philip's involvement in *TedX* at the Sydney Opera House in April. The brief was to write his own eulogy, 'John was a good man ...'

Finally, the year concluded with an announcement that some might consider to be rather left field; that is that Philip Nitschke would be launching his comedy career at the Edinburgh Festival in August 2015.

In reality, this idea is not new. Indeed, the plan was intimated in the closing chapter of *Damned If I Do*. To this end, Philip has tee-ed up with UK comedian and Exit Member, Mel Moon. Their show is titled *Mel Moon Dicing with Dr Death* and will be the first time that Voluntary Euthanasia has formed the basis for laughs at an international Festival of this kind.

Nitschke tips a full house

NITSCHKE
QUIZZED

NT euthanasia campaigner dies after emotive plea

Singer questions the ethics

Nitschke's suspension

Euthanasia advocate Nitschke bans
war of words Exit clause

Lesson before dying

Protecting the profession
The suspension of Dr Philip Nitschke is a political move. Euthanasia occurs every day in nursing homes and public hospitals. The term used is palliative care - a euphemism for

SO the Medical Board of Australia has deregistered Dr Philip Nitschke, below right. If I had my way, we'd give th man a medal.

He's taken on one of the most thankless tasks in Austral because our politicians don't have the guts or the will to legislate on crucial social issues. voluntary euthanasia. d, we let our dogs, c ers die more han our mums, da rents.

Nitschke report before ACMA

We need a new word for suicide

Campaigner Dr Philip Nitschke deregistered

Many people support Dr Nitschke. Strange how nobody ever hears of all the wonderful work he did as a GP.
MARILYN

People with power exercising their tyrannical control over the rest of us.
DAVID

An absolutely terrible decision and shows what is wrong with the AMA.
ANDY

When my time comes to leave the planet and I am in great pain and suffering, I would like to have this man available to help me.
RES

Suicide call can be 'informed' if depressed: Nitschke

Dr Nitschke should get the Nobel prize.
ADRIAN

Deregistering a doctor for political reasons has damaged the AMA far more than anything Dr Nitschke could do.
RUPEY

Terminal illness is one thing, but assisting a healthy man who was suffering from depression is playing God.
VICKI

Public opinion of the Australian Medical Board has just sunk to an all-time low.
STEVEN

Pope Abbott has his fingerprints all over this.
KYM

The last thing the medical profession need is a doctor committed to allowing us to die with dignity.
PETER

If people are desperate to end their lives, for whatever reasons, they will do it anyway, with or without the good doc's assistance.
SHARM

I would like to thank the good doctor for being one of the few who have the guts to allow people to decide their own fate when they are terminally ill.
BRIAN



Voluntary Euthanasia Party
Candidates:
Nitschke: Philip Nitschke
Indicates: Jim Duffield

EXTRACT FROM CLAIRE PARSONS' LETTER

"Given the laws that exist at this time in history, what I am obliged to do, I will do, and do willingly. Who would consider a loyal friend to be someone who walks away when their friend is in need? What is loyalty when one abandons others in order to protect oneself? I find I cannot do that."

"None of our actions has been taken lightly. But neither have we been taken with sorrow or content and fulfilled with our but who have planned how to manage the disease confrontin and have chosen to leave this world before all dignity and integrity is lost. We will have a wonderful final day and share a meal together before we wish each other well on our final journey."



I WANT TO GO OFF



Nitschke's latest salvo

'If we can't fix a person, we shouldn't be sayi going to keep you in some kind of safe he see the benefits and joys of existence'

You wouldn't think it'd be a crowd pleaser, but I'm one of about 300 people crammed on the first floor

Dr Death linked to friends' suicide pact

Nitschke risks ban as third inquiry looms



LEARNING HOW TO KILL MYSELF.

Medical attention 'No legal duty to rescue' Nitschke

Life or death case to grab world attention

SHOULD rational adults have the right to information that could be used to end their life? The controversial subject of euthanasia will be argued by advocate Philip Nitschke and his lawyers this week.

Parliament must respect public opinion

Poll shows majority in Victoria support

We are also aware that under the current (and we believe out-dated) law in this land, the police are obliged to charge me with aiding and abetting a suicide and I am not prepared to undergo the harassment and disgrace of a prosecution.

This leaves with me no choice but to join my friend at her time of death.

Given the laws that exist at this time in history, what I am obliged to do, I will do, and do willingly. Who would consider a loyal friend to be someone who walks away when their friend is in need? What is loyalty when one abandons others in order to protect oneself?

Claire Parsons & Val Seeger

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