



Australian court allows quadriplegic the right to die

Posted: 14 August 2009 1721 hrs

PERTH, Australia: An Australian court on Friday ruled that a quadriplegic man who has begged to be allowed to die has the right to order his carers to starve him to death.

In a landmark judgement, Western Australia's chief judge Wayne Martin said the Brightwater Care Group would not be criminally responsible if it stopped feeding and hydrating severely paralysed Christian Rossiter, 49.

Martin said Rossiter had the right to direct his own treatment, and that food and water "should not be administered against his wishes".

The ruling sets a legal precedent in Australia, where helping someone take their own life is a crime punishable by life in prison in some states.

The judge found Rossiter was not terminally ill or dying and had the mental capacity to make an informed decision about stopping his treatment.

Martin ordered that medical staff fully explain to Rossiter the consequences of ceasing nutrition and hydration through a tube into his stomach.

In a statement read to the court on Friday, the former stockbroker and outdoor adventurer said he was unable to undertake the most basic of human functions.

"I am unable to blow my nose," he said. "I am unable to wipe the tears from my eyes."

He made a public plea last week to be allowed to end his suffering, which he described as a "living hell".

"I'm Christian Rossiter and I'd like to die. I am a prisoner in my own body. I can't move," he told reporters. "I have no fear of death – just pain. I only fear pain."

Brightwater, the group that runs the nursing home where Rossiter lives, sought the court ruling on whether ceasing to feed him would place it in breach of its duty of care, and said it held no position on his wish to die.

Renowned euthanasia advocate Philip Nitschke, called the decision "very important" and "such a victory for common sense".

"The idea that they would have come back with some direction that his wishes would not be complied with is just too awful to think about," Nitschke said.

Nitschke, head of euthanasia group Exit International, said Rossiter would be able to ask his carers to stop feeding him whenever he wants and could also revoke it any time.

He also said Rossiter was considering ending his life in Switzerland, where assisted suicide is legal.

"He's been concerned about some problems there, but I guess over the next course of time, we will be getting some more evidence and information to him about that choice," Nitschke said.

Rossiter developed spastic quadriplegia after separate accidents in which he fell 30 metres (100 feet) from a building and was then hit by a car whilst riding his bicycle.

"I believe (quadriplegics) should be allowed to exercise their freedom of choice but my choice is to die," he said.

"I can't wipe my own bottom. I'm fed suppositories every three days to induce me to open my bowels and it's a very painful process that can take six to eight hours," he added.

Australia sparked international controversy in 1995 when the Northern Territory's provincial government legalised euthanasia.

Nitschke helped four people to die in the nine months before the national government intervened to overturn the law in 1996, earning the tabloid nickname "Doctor Death".

- AFP/so



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Christian Rossiter (C) leaves the Supreme Court of Western Australia in Perth.

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