

# Labour peer 'using Orwellian spin to sell his right-to-die law'

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A NEW attempt to persuade MPs and peers to back a right-to-die law has been branded 'Orwellian' by one of the country's leading lawyers.

Lord Falconer, the former Labour Lord Chancellor, wants to legalise 'assisted dying' for terminally ill patients.

But he has been accused of using 'Orwellian spin' by attempting to distinguish between 'assisted suicide' and 'assisted dying.' Critics say there is no difference between the two.

Among his critics was leading Liberal Democrat peer Lord Carlile, who said that giving doctors power to help terminally ill people to die 'would not pass the public safety test'.

Lord Carlile, a prominent QC, said in a newspaper article: 'Advocates of such a law tell us that they are not talking about suicide. They say that helping people who are terminally ill to end their lives is not assisting suicide because they are expected to die.'

'This is, of course, nonsense. In law, as in the English language, if you take your own life, whatever your state of health, that is suicide; and a doctor or anyone else who supplies you with the means to do so is assisting suicide.'

'Sound lawmaking demands clarity. It cannot be based on euphemisms, verbal evasions or Orwellian spin.'

Lord Falconer was also accused of exploiting the impact of right-to-die court cases involving terribly disabled people to win support for the proposal.

Critics said its timing had been 'carefully planned' to coincide with the hearing of the case of Paul Lamb, 57, a severely disabled

## 'Very dangerous for the disabled and elderly'

former lorry driver, who is seeking permission for a doctor to kill him by lethal injection.

Dr Peter Saunders, a campaigner against euthanasia, said: 'Lord Falconer is using the emotions generated by hard court cases, but his agenda is very dangerous for disabled and elderly people.'

Lord Falconer is planning to table his Private Member's Bill before peers on Wednesday. It will allow adults with six months or less to live to request a doctor's help to commit suicide, and supporters say it is bound around with safeguards to prevent abuse.

His Bill follows a report produced last year under his leadership which made a similar call for assisted suicide for the terminally ill. The report said help to die should be available for anyone with 12 months to live, but following widespread criticism that has been cut down to six months.

It will be the third Parliamentary attempt in seven years to legalise assisted dying. Peers rejected calls for legalisation in 2006 and 2009.

This week, judges in the Court of Appeal will begin hearing Mr Lamb's case, and the case of a man known only as Martin, a victim of locked-in syndrome. Mr Lamb, who is quadriplegic, has taken over the claim of Tony Nicklinson, another

locked-in syndrome victim, who died shortly after losing his case in the High Court last year.

Martin is claiming that assisted suicide laws - which set a maximum sentence of 14 years in jail for helping someone kill themselves - break Article Eight of the European human rights charter, which protects the right to privacy and family life.

Dr Saunders said: 'The timing has been carefully planned. Off the back of media coverage of this case, Falconer, who is being backed by Dignity in Dying, the former Voluntary Euthanasia Society, will argue

that his proposal is modest in comparison.

'Lamb is not terminally ill and wants a doctor to give him a lethal injection. Falconer, however, is only asking for people who are terminally ill to have the right to receive help to kill themselves - assisted suicide.'

Dr Saunders added: 'The last thing we need is a change in the law to put more pressure on people who already feel themselves to be a burden to others.'

Assisted suicide laws were effectively reformed without any Parliamentary vote by Keir Starmer, the

director of public prosecutions, in 2010. Following instructions passed down in one of the last cases heard by the Law Lords, Mr Starmer issued guidelines that said no-one is likely to be prosecuted for helping someone to die if they are a family member or friend, rather than a professional, and if they act out of compassion and not greed.

Between 150 and 200 people are thought to have gone to the Dignitas clinic in Switzerland to be helped to commit suicide. But no family member who helped has ever been prosecuted.



Death at Dignitas.  
Sir Edward  
Downes and his  
wife Joan

## TROUBLING CASE OF CONDUCTOR'S WIFE

JOAN Downes, the wife of one of the country's best-known orchestral conductors, was one of the people Lord Falconer's proposed new law would be designed to help.

Lady Downes, who was 74, suffered from terminal cancer of the liver and pancreas and was thought to have only weeks to live.

In 2009, she travelled to Switzerland, where the law allows assisted suicide, to kill herself in the Dignitas clinic in Zurich.

But her death raised questions over whether such a law could operate in Britain without placing heavy pressure on the elderly who feel they may be a trouble to their families, or opening the sick and disabled to the risk of harm at the

hands of unscrupulous relatives. Her husband, Sir Edward Downes, 85, chose to die in Zurich with her, even though he was not himself dying.

He had been principal conductor of the BBC Philharmonic Orchestra and had conducted for many years at the Royal Opera House. The couple, married for 54 years, had a large house, and a fortune estimated at between £2million and £3million.

Kelr Starmer, the director of public prosecutions, decided against prosecuting their son Caractacus, or his sister Boudicca, in 2010. He said there was no evidence Miss Downes had helped in the deaths and that while Mr Downes stood to inherit a substantial amount from his parents he was 'wholly motivated by compassion'.