

# Brain-damaged man can die after wife wins battle in court

## France

Charles Bremner Paris

A Frenchman in a coma can be allowed to die despite the wishes of his parents, after a legal battle that may set a precedent for others.

The European Court of Human Rights in Strasbourg endorsed withdrawing life support for Vincent Lambert, 38, in a decision supported by his wife. A bitter legal battle raged for two years over the fate of the psychiatric nurse from Rheims, who has been a quadriplegic and unconscious since a road accident in 2008.

His case gained prominence in 2013 as it pitted the right-to-die camp against Catholics and other groups who oppose any deliberate termination of life. France's highest administrative court ruled a year ago that doctors at the Rheims university hospital could end the intravenous food and water that was keeping him alive. The French



**Vincent Lambert is in a vegetative state, doctors say**

judges accepted the view of the Rheims doctors that brain damage had left Mr Lambert in an irrecoverable "vegetative state".

However, his devout Catholic parents appealed to the ECHR to overturn that ruling and maintain his care. Supported by some doctors, Viviane Lambert, his mother, has argued that her son was semi-conscious, responded to stimuli and could recover.

In Strasbourg yesterday, she broke

down and vowed to continue fighting to keep Mr Lambert alive. "It is a scandal, our son has been sentenced to death," she said.

Two siblings of Mr Lambert supported the parents, but Rachel Lambert, his wife and mother of their seven-year-old daughter, has the backing of his six other siblings. "There is no relief or joy to express," she said. "We want his wishes to be fulfilled."

The Strasbourg judges ruled yesterday by a 12-5 majority that French law was sufficiently clear and that there was no infringement of Mr Lambert's rights under existing conventions.

France legalised "passive euthanasia" — the withdrawal of artificial life support — in 2005. In March, parliament fulfilled an election promise by President Hollande, passing a law that allows doctors to place terminally ill patients in deep sleep until they die.

The law also makes "living wills" legally binding on doctors. Rachel Lambert told the courts that her husband had voiced a wish not to be kept alive in the event of permanent incapacitation but had never made a written request.

Jérôme Triomphe, representing Viviane Lambert, demanded that the health ministry allow the transfer of Mr Lambert to another hospital "so that those who want to take care of him can do so rather than leave him on death row."

● A New Zealand lawyer with an inoperable brain tumour died yesterday, days after learning that a judge had rejected her appeal to end her life. Lecretia Seales, 42, had argued that laws denying her access to an assisted suicide conflicted with the Bill of Rights but the high court ruled against her on Tuesday.