

Paralysed man to test law on 'right to die'

A devastating stroke left Tony Nicklinson unable to move or communicate except by blinking. Now, after seven years of 'locked-in syndrome', he wants the right to die – and is ready to fight for it.



PSHE
CITIZENSHIP



Tony Nicklinson was left completely paralysed by a stroke, which damaged his brain stem.

Life,' says 58-year-old Tony Nicklinson, is 'dull, miserable, demeaning, undignified and intolerable.' Now, a legal ruling means he will be able to go to court to pursue his long held dream: to be helped to die.

In 2005, Nicklinson suffered a major stroke that damaged his brain stem, severing the crucial connections that carried nerve signals from his brain to the rest of his body. Ever since, he has had a severe form of paralysis called 'locked-in syndrome,' which leaves patients fully aware and conscious, but unable to move a muscle.

In fact, Nicklinson is among the lucky ones. He is still able to move his eyelids and his eyes, and can communicate – slowly and painfully – by using blinks to pick letters from a 'letter board' held in front of his face or through a special computer controlled by eye movements. In more severe cases, where no movement is left, it can take weeks or months

before doctors realise a locked-in patient is conscious at all.

But although he says he can 'just about cope' with life at the moment, Nicklinson feels he may soon lose the will to carry on. And one thought terrifies him beyond all others: when that moment comes, he may be unable to die.

Nicklinson has two options if he decides to end his life. He can make the expensive journey to the Dignitas clinic in Switzerland, where an 'assisted suicide' might be arranged. Or, he can refuse food, starving himself slowly to death.

Either course, Nicklinson argues, exposes him to unfair and unnecessary suffering. His upcoming court case will attempt to clear a legal path to a third possibility: that, under the right conditions, a doctor could be allowed to kill him.

Lawyers for the UK Ministry of Justice attempted to block the case from coming to court, arguing in preliminary hearings

that Nicklinson was calling for legalised murder. But yesterday, a judge ruled that the case raised 'questions that have great social, ethical and religious significance' and that it should be heard.

THE RIGHT TO DIE

The news was greeted with relief by Nicklinson and his wife, who cares for him. They will argue that everyone should have the right to end their life in a humane manner of their choosing. Confronted by Nicklinson's tragic story many will agree.

But he will face strong opposition from religious groups concerned about the sanctity of life, medical philosophers concerned about the ethics of doctors, and – most importantly – from the UK government. The general prohibition on killing, officials argue, keeps everyone in society safe. That rule should not be broken, or even bent, for the sake of just one man.

Q & A

Q So what happens if Nicklinson wins his case?

A It would be a big step towards the legalisation of voluntary euthanasia and assisted suicide. This court case could set an important legal precedent which could change the way other cases like this are treated for years to come.

Q A legal what?

A While laws in the UK are set by parliament, the way the wording of those laws is interpreted is down to judges. When one judge makes a decision on a complicated issue like euthanasia, that decision becomes an example which others follow. Taken together, these 'precedents' make up what is called 'common law' – very important in many legal systems. That means the

Nicklinson case is hugely important for the thousands of people who may one day find themselves in his tragic position.

SOME PEOPLE SAY...

'Killing someone is always wrong, whatever the circumstances.'

WHAT DO YOU THINK?

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WORD WATCH

Stroke – A stroke happens when blood supply to part of the brain is cut off, usually when a blood vessel ruptures or is blocked. Without blood, affected brain cells quickly die, causing brain damage of varying degrees of severity. Locked-in syndrome, however, is very rare.

Dignitas – Assisted suicide is legal in Switzerland, and many people from other countries travel there to die in the special Dignitas clinic, near Zurich. Patients at the clinic must, however, administer the final lethal overdose themselves, for legal reasons. It is not clear that this would be possible in a locked-in syndrome case.

Sanctity of life – Many different religious groups believe that all human life is sacred. They regard all killing, including suicide, as morally wrong.

Ethics of doctors – One of the guiding principles of medical ethics is 'first, do no harm.' Many doctors feel that being asked to participate in euthanasia violates this important principle.

YOU DECIDE

1. Should a doctor ever be allowed to kill a patient, even when that patient wants to die?
2. If you suffered from locked-in syndrome, would you want to go on living?

ACTIVITIES

1. Devise a system that would help a person communicate using only blinking and eye movements.
2. Write down three points in favour of Nicklinson's argument and three points against it. Which side do you think is stronger.

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 **NOTES**

