

Dutch doctor acquitted in controversial euthanasia case

A Dutch court acquitted a doctor involved in a controversial euthanasia case who had been accused of breaching the consent requirements for ending a woman's life.

A district court in The Hague issued a decision on Sept. 12.

Judge Mariette Renckens said the now-retired doctor – whose name was not given – did not need a final consent for the euthanasia of a 74-year-old woman because of the severity of the patient's dementia. The doctor instead relied upon a desire for euthanasia expressed four years earlier.

"We conclude that all requirements of the euthanasia legislation had been met. Therefore the suspect is acquitted of all charges," said Renckens, who presided over the case.

"We believe that given the deeply demented condition of the patient the doctor did not need to verify her wish for euthanasia," she said, according to the *Guardian* newspaper.

Euthanasia was legalized in the Netherlands in 2002. The procedure is available for terminally ill patients who experience unbearable suffering and face no foreseeable improvement. Under the *Termination of Life on Request and Assisted Suicide Act*, patients are required to give consent in writing and persistently over time.

The patient in question suffered from Alzheimer's disease and was euthanized in 2016. When she was diagnosed with the disease four years prior, she requested the procedure occur at a time she deemed appropriate and before she was placed in a nursing home.

"I want to be able to decide (when to die) while still in my senses and when I think the time is right," she told the public broadcaster NOS, according to Courthouse News.

Before the patient was moved to a nursing home, the Dutch doctor initiated the euthanasia process. The doctor confirmed her decision with two other medical professionals.

On the day of the patient's euthanasia, the doctor gave her a sedative to put her to sleep. However, the patient woke up, and her daughter and husband had to restrain her while the procedure was completed.

Prosecutors said the doctor violated the Netherlands' law by not ensuring the

consent of the patient, who might have changed her mind, the BBC reported. They said that a more in-depth discussion should have taken place.

“A crucial question to this case is how long a doctor should continue consulting a patient with dementia, if the patient in an earlier stage already requested euthanasia,” said Sanna van der Harg, a spokeswoman for the prosecution.

According to the BBC, the court said it was impossible to further identify the patient’s consent, since the elderly patient no longer understood the definition of “euthanasia.” The court ruled that a decision made during a time of sound judgment is valid even after the patient loses their mental capacities.

Religious freedom and pro-life advocates decried the court’s decision and emphasized that legal euthanasia has dangerous consequences for society, the *National Catholic Register* reported.

“With regulators and euthanasia campaigners closely intermingled, this case shines a spotlight on the weakness of safeguards and review procedures, as well as, frighteningly, on the whole culture around attitudes to end-of-life care in the Netherlands,” said Gordon Macdonald, CEO of Care Not Killing.

“The case in the Netherlands exposes the threat that legalizing euthanasia poses to individuals and the society as a whole,” said Andreas Thonhauser, spokesman for Alliance Defending Freedom International.

“Once a country allows euthanasia, as in the Netherlands, there is no logical stopping point.”