NATIONAL CATHOLIC REPORTER
Published on *National Catholic Reporter* (http://ncronline.org)

Britain's chief prosecutor encouraging criminals?

Simon Caldwell Catholic News Service | Dec. 2, 2009

LONDON -- The bishops of England and Wales said Britain's chief prosecutor is encouraging people to break the country's suicide laws.

The bishops said Keir Starmer, director of public prosecutions, was creating categories of people whose lives would be legally considered less worthy of protection than other members of society.

They said his "interim policy for prosecutors" in cases of assisted suicide stigmatized the disabled, the terminally ill, the depressed and the aged and "could encourage criminal behavior" by sending the message that it was acceptable to help such people to kill themselves. They made their remarks in a submission to a public consultation on a clarification of Britain's assisted suicide law.

They criticized Starmer, head of the Crown Prosecution Service -- the organization that decides if criminal charges are to proceed to trial -- for exceeding his powers by ignoring the will of Parliament, which has twice in 18 months rejected attempts to change the law on assisted suicide and euthanasia.

"Given the clear view that Parliament has expressed on the issue, the inclusion in the guidance of the categories of terminal and generative illness and incurable disability as conditions that weigh against prosecution oversteps the role of the director of public prosecutions," the bishops said in their submission, presented to a London press conference Nov. 20.

"The inclusion of certain categories of victim -- such as persons with disability -- and certain categories of relationship, such as a spouse or unpaid caregiver, as weighing against prosecution is highly misleading and could encourage criminal behavior," the bishops said.

The "interim policy for prosecutors," published Sept. 23, set out the circumstances in which a prosecution under the 1961 Suicide Act is likely or unlikely. Under the guidance, someone assisting in a suicide is likely to face prosecution if the "victim" is under the age of 18 years, had a mental illness or was in good physical health. They will also be prosecuted if they assist in more than one case or were paid for their assistance.

Although the clarification does not guarantee anyone immunity from prosecution, it says a criminal action is unlikely to be brought if the victim had a grave illness or disability, was determined to kill themselves and was a close friend or relative of a helper who was motivated by compassion.

Starmer was ordered to produce the guidance following a July 20 ruling in the House of Lords, Britain's highest court, in a case brought by Debbie Purdy, a multiple sclerosis sufferer. Purdy demanded to know if her husband would be prosecuted if he helped her travel to the Dignitas euthanasia clinic in Switzerland to commit suicide.

More than 100 British citizens have killed themselves in the clinic but there has not been a single prosecution of anyone who has accompanied them, although the offense is punishable by up to 14 years in jail.

A Crown Prosecution Service statement given to Catholic News Service Nov. 20 said the "need to protect the vulnerable is absolutely paramount and the interim policy is intended to reflect this." The statement said it was necessary to have compassion for those who find themselves in very difficult situations, adding that the prosecution service "recognizes that having a physical disability or a debilitating or terminal illness does not stop someone from leading a very full and fulfilling life."

"Assisting someone to take their own life must not be confused with euthanasia," said the statement. "Euthanasia is murder or manslaughter and is prosecuted accordingly."

Source URL (retrieved on *07/12/2014 - 10:52*): http://ncronline.org/news/britains-chief-prosecutor-encouraging-criminals