

BBC News

German court legalises euthanasia with patient consent

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The question of patient consent is crucial in "right to die" cases

A top German court has ruled that it is not a criminal offence to cut off the life support of a dying person if that person has given their consent.

The Federal Court of Justice acquitted a lawyer who had advised the daughter of a comatose woman to cut off her feeding tube.

Earlier the patient had expressed her wish not to be kept alive artificially.

The lawyer appealed to the federal court after a lower court had given him a nine-month suspended sentence.

The mother, in her seventies, fell into a coma in 2002 and had been in a vegetative state for five years when her daughter removed the feeding tube.

After the daughter's action hospital staff reinserted a feeding tube, against the children's wishes, but the patient died of heart failure two weeks later.

Germany's Justice Minister, Sabine Leutheusser-Schnarrenberger, said the Karlsruhe federal court ruling brought clarity to cases involving terminally ill patients.

The ruling does not legalise active assisted suicide, which is punishable by up to five years in prison in Germany, the news website Spiegel Online reports.

The ruling applies to passively assisting death through the removal of artificial life support. It makes this legal if the patient has given clear consent.

