

**FINDING INTO DEATH WITHOUT INQUEST**

*Form 38 Rule 60(2)*

*Section 67 of the Coroners Act 2008*

I, JACQUI HAWKINS, Coroner having investigated the death of Claire Denice Francis Parsons without holding an inquest:

find that the identity of the deceased was Claire Denice Francis Parsons

born on 9 June 1947

and the death occurred on or about 20 March 2014

at 5 Greenwich Place, Viewbank, Victoria 3084

**from:**

1(a) PLASTIC BAG ASPHYXIA

Pursuant to section 67(1) of the **Coroners Act 2008**, I make findings with respect to **the following circumstances:**

1. On 20 March 2014, friends Claire Parsons and Valerie Seeger, were found deceased in their home in Viewbank, Victoria. Police were alerted by a letter sent to the Heidelberg Police Station by Dr Parsons and Ms Seeger.
2. Victoria Police provided a brief to the Coroner that included statements from Dr Parsons' son, Nicolai Parsons, Ms Seeger's brother, Graham Seeger, witnesses and investigating officers. Copies of all documents left by Dr Parsons and Ms Seeger have been included. I have drawn on all this material as to the factual matters in this finding.
3. Claire Parsons was 66 years old at the time of her death. Valerie Seeger was aged 75. Dr Parsons and Ms Seeger met in 1990 and formed what was described as "a very strong

friendship.” Both started their working lives as registered nurses. Ms Seeger eventually moved into Dr Parsons home after a few years of friendship.

4. At the age of 58 in 1996, Ms Seeger retired due to a heart condition. In March 2013, she was diagnosed with Alzheimer’s disease. In 2012, Dr Parsons had a stroke. She recovered and returned to work in an honorary role at the Florey Institute at Melbourne University. Both Dr Parsons and Ms Seeger lived happy, fulfilling lives. They led distinguished careers and volunteered their time and skills for the Australian Red Cross, they travelled the world and were very supportive of one another in all pursuits.
5. Dr Parsons and Ms Seeger were strong supporters of euthanasia and were members of Exit International. Dr Parsons subscribed to the mailing list of Exit International in April 2010. Exit International’s website states:

*Exit International...is an end of life choices information and advocacy organisation. Exit International was founded in 1997 by Dr Philip Nitschke... Exit sets itself apart from other aid-in-dying organisations in that we take a non-medical approach to a person’s right to determine the time and manner of their passing. Dying is not always a medical process. As such, the dying process does not always need to involve the medical profession. The decision is best left to the individual concerned. Exit’s aim is to ensure the individual is fully supported by family and friends and has access to the best available information.*

6. Nicolai Parsons reported that his mother had requested many times that if she or Ms Seeger were ever in a major accident that they were not to be resuscitated or kept on life support. Dr Parsons expressed that she never wanted to go into a nursing home. Graham Seeger reported that his sister had spoken to him about ending her own life. On different occasions, she told him she did not want to be a burden, did not want to end up like her step mother, who was diagnosed with Alzheimer’s dementia and lived in a nursing home and that she wanted to choose when she died.

### **Surrounding circumstances**

7. On the morning of 20 March 2014, a letter was received at the Heidelberg Police Station, signed by Claire Parsons and Valerie Seeger, alerting police that their bodies could be located

at 5 Greenwich Place, Viewbank. The letter stated *“after long discussion and planning we have taken the step to end our lives.”*

8. The letter, written from the perspective of Dr Parsons, explained that Ms Seeger suffered from heart disease and had been diagnosed with Alzheimer’s dementia, however before being diagnosed with Alzheimer’s, she had decided that *“she would choose to die before life became intolerable, and especially if she ever had a condition where her dignity could be lost.”* The letter explained that Ms Seeger had asked Dr Parsons to assist her and be with her at the time of her death. Dr Parsons *“promised her I would do so”* however she was aware she would face prosecution for assisting someone to end their life so she *“decided that the best way to resolve our problem in the face of an unjust law would be for me to prepare to end my life at the same time.”* The letter instructed police where they could find a key, so they could enter the home.
9. At approximately 9.30am, Detectives Emma Bennett and Luke Bryan arrived at 5 Greenwich Place, Viewbank. They entered the house using the key on the meter box, as described in the letter. In a room immediately to the right of the entrance, they located numerous keys placed neatly on a desk. On the dining table documents, passports and letters were laid out. One letter addressed to police stated *“we have prepared for and have chosen, to die with dignity...or at least as much dignity as the current law will allow.”* A letter signed by Ms Seeger on 5 January 2014 outlined the reasons she chose to end her own life. Also included was a letter dated 5 March 2014 from General Practitioner Dr Stephen Bassar of Mount Street Medical Centre that stated he believed Ms Seeger had testamentary capacity.
10. Prior to ending her life; Dr Parsons sent a letter to Dr Phillip Nitschke explaining that her decision to end her life was *“grounded in science, rather than religion”*. She noted:

*we are also aware that under the current (and we believe outdated) law in this land, the police are obliged to charge me with aiding and abetting a suicide and I am not prepared to undergo the harassment and disgrace of a prosecution. This leaves me no choice but to join my friend at her time of death.*
11. Dr Parsons further noted: *“for us this has been an entirely rational decision, taken in full knowledge of contemporaneous research in the field and experience of working with people who have Alzheimer’s.”*

12. Dr Parsons was located in the first bedroom lying on her bed with a draw string plastic bag over her head. There was a Max Dog Brewing<sup>1</sup> branded nitrogen gas cylinder next to the bed. The gauge on the cylinder indicated it was empty. A clear plastic tube was attached to the cylinder and ran into the bag.
13. Ms Seeger was located in the next bedroom, lying on her bed with the same draw string plastic bag as Dr Parsons over her head. A Max Dog Brewing branded nitrogen gas cylinder was next to the bed which was empty. A clear plastic tube was attached to the cylinder and ran into the bag.
14. Investigations revealed that on 1 April 2013, Dr Parsons sent an email to Max Dog Brewing, seeking information about purchasing two cylinders of nitrogen. On 3 April 2013, Dr Parsons wrote a Commonwealth Bank cheque to pay Max Dog Brewing \$1,518. Two cylinders of compressed nitrogen were delivered to Dr Parsons and Ms Seeger's home on 4 September 2013. The delivery was addressed to Dr Parsons and the sender details were Philip Nitschke on behalf of Max Dog Brewing. In September 2013, Dr Parsons and Ms Seeger attended an Exit International euthanasia workshop in Melbourne.
15. On 17 September 2013, Dr Parsons met with Annette Gillespie, Chief Executive Officer of the Women's Domestic Violence Crisis Service<sup>2</sup> at a café in Heidelberg. The meeting had been arranged by Dr Parsons to discuss a donation she wished to make to the organisation. Ms Gillespie reported that Dr Parsons told her that she would be dead in six months and wanted to leave money to charity. Ms Gillespie did not enquire why Dr Parsons would be dead and spoke to her about the organisation. Approximately two weeks later, Dr Parsons called Ms Gillespie and said that she had decided to bequest approximately \$100,000 to the Women's Domestic Violence Crisis Service. She also said that she and her friend had a number of household items they wished to donate to the organisation. On 4 October 2013, Ms Gillespie attended Dr Parsons home to pick up the donations. She had a cup of tea with Dr Parsons and Ms Seeger. Ms Gillespie recalled Dr Parsons say that Ms Seeger was getting old and not in good health. Dr Parsons told Ms Gillespie when she was leaving that they would not see each other again.

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<sup>1</sup> Max Dog Brewing was registered in Australia on 12 September 2011. The holding company is listed as Northern Analytics PTY LTD. Philip Nitschke is the company Director and Secretary of Northern Analytics PTY LTD.

<sup>2</sup> Now known as Safe Steps

## **Forensic medical investigation**

16. On 20 March 2014, Dr Joanna Glengarry Forensic Pathologist at the Victorian Institute of Forensic Medicine, performed an external examination on the body of Dr Parsons. Dr Glengarry had attended 5 Greenwich Place, Viewbank, reviewed the post mortem computed tomography (CT) scan and the Form 83 Victoria Police Report of Death.
17. Dr Glengarry reported that examination of Dr Parsons' post mortem CT scan showed an intact hyoid bone and laryngeal skeleton. There were no injuries demonstrated. The external examination of the body did not show evidence of additional injury of a type likely to have caused or contributed to death. Post mortem toxicology was non-contributory.
18. Dr Glengarry commented that compressed nitrogen is an inert gas that is not toxic in itself but may be lethal due to asphyxia effects by oxygen displacement.

## **Victoria Police criminal investigation**

19. On 15 April 2015, Victoria Police forwarded a brief of evidence to the Office of Public Prosecution for legal opinion as to whether there was sufficient evidence to support criminal charges against Philip Nitschke relating to the deaths of Dr Parsons and Ms Seeger. In October 2015, the Director of Public Prosecutions advised that there was no reasonable prospect of conviction.

## **FINDINGS**

20. I am satisfied that Dr Parsons and Ms Seeger wished to die together before Ms Seeger's Alzheimer's disease progressed to a stage where she was unable to make an informed decision. I am further satisfied that they each made an informed decision to end their own life. I am unable to determine if, and to what extent Dr Parsons may have assisted Ms Seeger to end her life.
21. I find that Dr Claire Parsons died on or about 20 March 2014 and her cause of death was 1(a) *plastic bag asphyxia*.

## COMMENTS

Pursuant to section 67(3) of the **Coroners Act 2008**, I make the following comment(s) connected with the death:

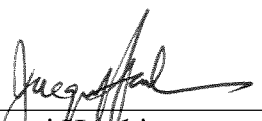
1. The preamble of the Coroners Act 2008 provides for the independent investigation of deaths and fires for the purpose of finding the causes of those deaths and fires and to contribute to the reduction of the number of preventable deaths and fires and the promotion of public health and safety and the administration of justice. It is not the role of a Coroner to comment on the ethical and social issues surrounding end-of-life decisions such as those made by Dr Parsons and Mrs Seeger. I understand the Victorian Parliamentary Standing Committee on Legal and Social Issues is currently conducting an Inquiry into end-of-life choices and that their Report is due to be completed on 31 May 2016. My hope is that some of the social and ethical issues raised by the deaths of Dr Parsons and Ms Seeger may be addressed in the Report. For this reason, I forward a copy of my finding to the Standing Committee for their information.

Pursuant to rule 64(3) of the Coroners Court Rules 2009, I order that the following be published on the internet:

I direct that a copy of this finding be provided to the following:

- The family of Dr Claire Parsons
- Parliament of Victoria, Standing Committee on Legal and Social Issues Inquiry into end-of-life choices
- Coroner's Investigator, Victoria Police; and
- Interested Parties.

Signature:

  
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Jacqui Hawkins  
Coroner

Date: 9 February 2016

