

March 22/2005

To the Supreme Court of Canada

It would be hard to imagine that you have not heard of the Terry Shiavo case, presently taking place in Florida. This situation involving this 41 year old woman is similar to what our situation was when our daughter Tracy was near the end of her life, in some respects. The family in Florida had decided many years ago to have Terry Shiavo fed by a feeding tube. We were told that a feeding tube would be very beneficial in feeding Tracy as early as 1987 when a Dr. Karen Strieland recommended Tracy have a feeding tube cut into her stomach. It was not a decision that was made lightly, but we decided at that time that we would never want to have Tracy fed by a feeding tube.

In the United States it is not really clear at this point whether or not such a decision as to if a person gets a feeding tube or not is up to a family. It can only be hoped that the Courts in the United States do not render some decision, and then feign scientific illiteracy, as was the case with this Court when findings regarding “more effective medication” and “better medication” were made in the decision to imprison me for life. When Justice Binnie claimed that: “Most of the people in law, if not in this room, probably went into law to get away from things like chemistry and physics and mathematics. There is a kind of pride in scientific illiteracy through the profession.” [page 206]

Was Justice Binnie telling us that “scientific illiteracy” causes hallucinations, for this Court was definitely seeing things that were not there when this Court found that Tracy could have been given “a more effective pain medication” or “better pain medication”.

I have repeatedly asked this Court to identify this “more effective pain medication” with no credible response from this Court. Again it is my belief that considering all of the sneaky underhanded tactics used to imprison me, I firmly believe that this Court could take a stab at identifying this “medication”.

So to compare Tracy to Terry Shiavo, because there are very few situations where someone has so many problems, and this poor woman’s problems are being reported in quite detail. Tracy’s problems started when she was born, or slightly before her birth. Terry Shiavo was from most reports quite healthy until the age of 26. I noticed Tracy having seizures 20 minutes after she was born. She had an almost constant twitch in her hand. Some 20 hours later,

the hospital staff in North Battleford decided the twitching in Tracy's hand should be looked at by doctors in a larger, more-well equipped hospital in Saskatoon. Tracy's seizures continued to persist for the rest of her life, although she was relatively seizure free from the age of 3 months to 4 months of age, and then her seizures started up again. Her seizures were twisting her body out of shape. It was her seizures that put a 73-degree curve in her back, and dislocated her hip joint.

I have not heard it reported that Terry Shiavo had a seizure problem. When Terry Shiavo moves her eyes they at times appear to be moving somewhat together, and then at times they do not appear to be moving together that well. Tracy did not move her eyes in tandem. One eye could be looking left, and one eye could be looking right. But we knew that Tracy could see. How well was hard to tell.

When Terry Shiavo's father says there is nothing wrong with Terry Shiavo, it is difficult to agree with that assessment. Is he evil or a bad person for making such a claim? I believe he is saying what he wants to believe, and he should have the right to get a chance to care for his daughter as best he can, if it were true that that is what his daughter really wanted, or her entire family wanted. Obviously this is where this family is stuck. Even within what seems to be a very close family there is disagreement on the future of Terry Shiavo, and what is best for her.

In our situation we knew that Tracy had already had too much medical intervention, and that the proposed surgery, an operation to cut off the top ¼ of her femur was more mutilation, or torture, than acceptable medical treatment, and the feeding tube had been ruled out years earlier.

So when legal authorities such as you people make findings in cases such as the one against me, it would be to your own benefit to be honest and as accurate as possible. Your decisions should be made as if the condition someone is in could potentially, but highly unlikely be a condition you or someone in your family might find themselves in. You have to act in such a manner as to ensure that you understand the situation a person is in, otherwise your input is not valid.

This Court's finding that Tracy could have been given "**a more effective pain medication**" is wrong. If this finding is just a "side issue" [page 206] as Justice Binnie says, then this Court should have no problem eliminating all of the parts of the January 18/2001 decision that are supported by this fraudulent claim.

As the Terry Shiavo case continues it will bring a lot of people a greater awareness of just what some people are living through. As the CNN reports continued the last few days it became clear that doctors were not perfectly clear, or in agreement on what was a “persistent vegetative state” or “wakeful awareness”.

This Court’s January 18/2001 decision stated on line 659, [page160]: “The appellant might have done so by using **a feeding tube** to improve her health and allow her to take **more effective pain medication**, or he might have relied on the group home that Tracy stayed at just before her death. The appellant may well have thought the prospect of struggling on unbearably sad and demanding. It was a human response that this alternative was unappealing. But it was a reasonable legal alternative that the law requires a person to pursue before he can claim the defence of necessity.”

When Canadians read the previous paragraph it will become clear to them that in our country, a feeding-tube is regarded as “a reasonable legal alternative that the law requires a person to pursue”. The Supreme Court of Canada has in their January 18/2001 decision against me made feeding-tubes a required “legal alternative”, not a medical option.

The United States of America would be poorly led if it were to follow our Supreme Court in making feeding-tubes an “alternative” the “law requires a person to pursue”.

If this Court can not identify the “**more effective pain medication**” this Court repeatedly scolds us for not relying on, it is fairly clear that the feeding tube touted by this Court is also in the “**scientifically illiterate**” class of findings by this Court.

When this Court took it upon itself to endorse these medical arguments against us, this Court shirked it’s responsibility to understand the arguments before it.

I don’t think the vast majority of Canadian’s want a couple of jury-rigging perjurers like RCMP officer Nick Hartle, and Saskatchewan Justice Department prosecutor Randy Kirkham as their moral compass.

When this Court knowingly endorses these fraudulent fabrications used against us, it makes this Court just as corrupt as the people making them.