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# Laws must change to give people right to die

Former chief prosecutor calls for end to injustice

Frances Gibb Legal Editor

The law must be changed so that people can be helped to take their own lives without having to "traipse off to Switzerland", a former director of public prosecutions has said.

Sir Keir Starmer was responsible for drawing up guidelines that spelt out how people who acted with compassion might avoid prosecution for assisting a suicide.

He is now convinced that it is time for a new law to save dozens of Britons every year from making their way to the Zurich clinics of Dignitas to end their lives.

Sir Keir, who became Labour MP for Holborn and St Pancras this year, has always declined to give his view of the law, but he has decided to go public before the Assisted Dying Bill returns to parliament next month.

"The law needs to be changed," he told *The Times*. "The important thing is to have safeguards."

Crown Prosecution Service guidelines "simply don't deal with the problem of people wanting to end their lives in this country, medically assisted, rather than traipse off to Switzerland", he said. "The present guidelines have in-built limitations, which mean that there can be injustice in a number of cases."

One of the key problems was that doctors were not allowed to help, which

meant that chronically ill people might have to rely upon friends or relatives to help them to die.

Since he issued draft guidelines in 2009, the CPS has received files on assisted suicides in 110 cases — 70 were not proceeded with by prosecutors and 25 were withdrawn by police. The others are still being considered or have been referred for prosecution. Only one, in 2013, was prosecuted. Assisted suicide is punishable by up to 14 years in jail.

"In my time as DPP, there was only one prosecution — of someone who provided petrol and a lighter to a vulnerable man said to have suicidal intent, who subsequently suffered severe burns as a result," Sir Keir said.

An analysis from the Dignity in Dying campaign group shows that 166 Britons went to Dignitas to take their lives in the six years to last December. Assisted suicide and euthanasia are illegal in every country in Europe apart from Belgium, Luxembourg, Switzerland and the Netherlands.

Sir Keir believes that the law does not "strike the right balance" between allowing those with a "voluntary, clear, settled and informed wish to die to be assisted by someone acting out of compassion" and protecting those who are vulnerable to being pressurised to take their lives.

Concerns over the vulnerable are Continued on page 2, col 3



A rose by any other name Tamsin Greig performs on a new app that promotes Shakespeare by highlighting parallels between his plays and hip-hop lyrics. Page 3

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# Time to remember the forgotten dead of the Merchant Navy



**Roger Hoeffling**

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The Merchant Navy is the fourth Service but it is also the forgotten service; it has not been unknown for the “MN” lapel badge to be worn inverted to signify “Not Wanted”.

In an attempt to change this, September 3 — the anniversary of the outbreak of the Second World War when the first merchant ship was sunk less than nine hours into the conflict — was selected as annual Merchant Navy Day. Across the UK, the Merchant Navy Association and the Honourable Company of Master Mariners’ branches will join with Seafarers UK to mark the occasion, hoisting the Red Ensign, as will almost 200 other organisations, local authorities and port operators. Tower Bridge and Liverpool’s Royal Liver building will be among the landmarks flying the ensign, as will St Dunstan and All Saints church in Stepney as it has done every day since 1620 when it was the Royal Navy’s principal ensign. The day is also marked in Canada, Australia and New Zealand.

The 70th anniversary of VJ-Day reminded us of the “Forgotten Army” and the Far East prisoners-of-war. Indeed, to a generation born after the last major commemoration in 1995, it was perhaps all new. This year, however, even less was heard of the Royal Navy’s British Pacific Fleet, the “Forgotten Fleet”, and nothing of the Merchant Navy ships and crews out there in support. This was true too of the VE-Day commemorations and the 75th anniversary of the Battle of Britain, yet it was the Merchant Navy that brought in the petrol for the RAF, for example, and made possible the build-up for D-Day.

The First World War centenary recalled the Western Front and, this year, Gallipoli. What though, of the merchant ships that transported troops from throughout the Empire and beyond? In both world wars and later, the civilian, merchant seafarers were in the front line alongside their naval counterparts facing the enemy while always at the mercy of the sea. In short, they were keeping Britain fed, fuelled and fighting in times of war.

From its unveiling in 1919, the Cenotaph has carried the Red Ensign, when the merchant service was still the Mercantile Marine, and in 1928 King George V announced that, in recognition of its service and sacrifice, it would henceforth be known as the Merchant Navy. At the same time, the King conferred upon Edward, Prince of Wales, the title of “Master of the Merchant Navy and Fishing Fleets”, an appointment now held by the Queen.

Yet it was not until 2000 that the men and women of the Merchant Navy were allowed to join the official march past at the Cenotaph on Remembrance Sunday. Admiral Lord Mountevans wrote:

*“Those of us who have escorted convoys in either of the great wars can never forget the days and especially the nights spent in company with those slow-moving squadrons of iron tramps - the wisps of smoke from their funnels, the phosphorescent wakes, the metallic clang of iron doors at the end of the night watches which told us that the Merchant Service firemen were coming up after four hours in the heated engine rooms, or boiler rooms, where they had run the gauntlet of torpedo or mine for perhaps half the years of the war. I remember so often thinking that those in the engine rooms, if they were torpedoed, would probably be drowned before they reached the engine-room steps...”*

At least 35,000 British merchant sailors were killed in the Second World War, a greater proportion of the Merchant Navy's strength than was lost by the other three services. Postwar, the UK merchant fleet declined; there are now only 22,000 British merchant seafarers. Nevertheless, the necessity for the merchant service in war has been shown again in recent conflicts, notably in 1982, when 52 Merchant Navy ships with 3,000 crew members were used in support of the Falklands campaign.

Merchant Navy Day was also instituted in 2000 with the aim of improving awareness of the UK's reliance on the sea. The Merchant Navy is still at sea around the clock, around the world. Some 95 per cent of volume and 75 per cent by value of the UK's trade is carried by sea.

The annual Merchant Navy Day service is on Sunday, September 6, at the national memorial on Tower Hill, London, over which the Red Ensign permanently flies. In the care of the Commonwealth War Graves Commission, the memorials there to the First and Second World Wars and the Falklands campaign record the names of 35,772 men and women for whom there is no grave but the sea. Two were 74, the oldest British seamen lost, while 57 were aged 14, with one, a cook aged 13, the youngest.

Who of those seeing the poppies in the Tower of London's moat realised that 11,896 of them were named on the Merchant Navy Memorial across the road? Even the makers of London's best-known map, the A-Z, have overlooked the memorial, an omission that will be remedied in future editions. Two more reasons therefore why September 3 is Merchant Navy Day.