

Re: Bill C-14

Dear Honourable Members of the Standing Committee on Justice and Human Rights,

We sincerely thank you for serving as representatives of this country and on this committee, especially with the very hard topic of assisted killing.

We feel very strongly about the wellbeing of Canadians, but find the organization ARPA to be more articulate than we. All the following suggestions come from their work. ¹

1. “Replace “their natural death has become reasonably foreseeable, taking into account all of their medical circumstances, without a prognosis necessarily having been made as to the specific length of time that they have remaining.” to “their illness is terminal with a prognosis of not more than 3 months.” – the physician must be sure that the specific illness the patient has will cause the patient's death within 3 months. a. Rationale: The current wording is so vague as to have no limits. Natural death is reasonably foreseeable for every human being. b. Parliament has the freedom to precisely define the term “grievous and irremediable”. Precise terms, including a confirmed diagnosis and prognosis, is crucial for limiting assisted suicide. Failure to do so leaves it open to subjective and contradicting standards which could include thousands of Canadians who suffer from chronic illness, psychiatric illness, or long-term disability. c. A requirement for life expectancy of less than three months, with diagnosis and prognosis confirmed in writing by more than one doctor, protects against abuse and the expansion of the availability of suicide as a means to avoid being a “burden” on society or on family. 3. 241.2(2)(c): remove the words "or psychological".”
2. “Add to s. 241.2(2) the following: “(e) a mental illness or psychiatric disorder is not a grievous or irremediable medical condition for the purposes of this section.” a. Rationale: psychological suffering on its own cannot qualify a person for euthanasia/assisted suicide. Psychological suffering categorically invalidates the free and informed consent of a patient because psychological suffering renders the judgement of the patient impaired. b. The Carter decision noted that “Complex regulatory regimes are better created by Parliament than by the courts” (par.125). Psychological suffering is inherently subjective and difficult to measure. Permitting assisted suicide for psychological suffering will result in far more deaths and is particularly susceptible to abuse. c. The Oregon Death with Dignity Act provides the following safeguard: “If in the opinion of the attending physician or the consulting physician a patient may be suffering from a psychiatric or psychological disorder or depression causing impaired judgment, either physician shall refer the patient for counseling. No medication to end a patient's life in a humane and dignified manner shall be prescribed until the person performing the counseling determines that the patient is not suffering from a psychiatric or psychological disorder or depression causing impaired judgment” (Oregon Death with Dignity Act 127.825 s3.03)”

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3. "Remove section 241(5) which provides an absolute exemption from criminal liability for any person who helps a person self-administer a prescribed poison. a. Rationale: There is absolutely no supervision here. Prosecution for abuse would be extremely difficult, if not impossible. Further, taking the poison prescription home to self-administer at any time is also problematic. How can it be determined whether or not somebody did pressure/force/fool the deceased into taking them? Where is the oversight as to whether the safeguards found in section 241.2 are being followed?"
4. "Add conscience protection language akin to the Civil Marriage Act to C-14 in order to protect the best practices of medicine. We recommend adding to the body of C-14 the following: Conscientious Protection Physicians and other health practitioners are free to refuse to participate in or refer for assisted suicide and euthanasia in accordance with their professional medical opinions or sincerely held religious beliefs. For greater certainty, no person or organization shall be deprived of any benefit, or be subject to any obligation or sanction, under any law of the Parliament of Canada solely by reason of their exercise, in respect of refusal to participate in or refer for an assisted suicide or euthanasia, of the freedom of conscience and religion guaranteed under the Canadian Charter of Rights and Freedoms."

Thank you for listening to our suggestions. We wish you the best.

Sincerely,

David & Lydia

Hamilton, ON