

Dear Members of The Standing Committee on Justice and Human Rights,

The Government of Canada is to be congratulated on the promulgation of Bill C-14 as a good beginning. However, I am writing as a member of the clergy who deals with death and dying, and as a concerned Canadian, urging you to help modify Bill C-14, so that rightful access to assisted dying is not unfairly restricted.

The clause in Bill C-14 limiting assisted death to Canadians whose “natural death is reasonably foreseeable” will deny access to assisted dying to all but the terminally ill. It risks violating the rights of Canadians with advanced degenerative illnesses like ALS who are suffering terribly but whose death isn’t necessarily imminent. This limitation makes Bill-C14 much narrower in scope than the Supreme Court’s 2015 decision in Carter v. Canada and it violates Section 7 of the Charter.

In addition, the bill effectively excludes certain individuals diagnosed with severe illnesses from accessing their right to die with the help of a doctor. Without the option to make advance requests for assisted dying, Canadians with dementia or other degenerative illnesses that rob victims of their competence will effectively be excluded from access. This too goes against the spirit of the Supreme Court’s 2015 ruling. I don’t believe that Kay Carter, whose case helped the Supreme Court of Canada arrive at its decision, would even have qualified for assisted dying under Bill C-14 in its current form.

I believe that it is unethical to hamper in these ways the rights of adults to make their own decisions about when and how to die. I urge you to heed the 85 per cent of Canadians who support the Supreme Court’s ruling, and the 80 per cent of Canadians who support making advanced directives actionable. Please push for amendments to Bill C-14 that will bring it into compliance with the high court’s decision and that that will allow Canadians with devastating conditions to access assisted dying, whether or not death is reasonably foreseeable.

In addition, medical practitioners who do not wish to provide Medical Aid in Dying should not be compelled to do so, but they should be required to refer a patient requesting it to a colleague who will.

Now is the time to make sure the law that is passed will give Canadians meaningful choice in the face of unendurable suffering. Thank you for your consideration.

Yours Sincerely,
Rabbi Karen Levy