



RESPONSE TO PETITION

Prepare in English and French marking 'Original Text' or 'Translation'

PETITION No.: **421-00568**

BY: **MR. ALBRECHT (KITCHENER-CONESTOGA)**

DATE: **SEPTEMBER 21, 2016**

PRINT NAME OF SIGNATORY: **THE HONOURABLE JODY WILSON-RAYBOULD**

Response by the Minister of Justice and Attorney General of Canada

SIGNATURE

Minister or Parliamentary Secretary

SUBJECT

Assisted suicide

ORIGINAL TEXT

REPLY

This Petition calls on Parliament to draft legislation on medical assistance in dying which would include adequate safeguards for vulnerable Canadians, especially those with mental challenges, clear conscience rights protection for healthcare providers and institutions, and protection of children from physician-assisted dying.

Bill C-14, *An Act to amend the Criminal Code and to make related amendments to other Acts (medical assistance in dying)*, received Royal Assent and came into force on June 17, 2016. This legislation was informed by extensive consultations with individuals, groups, and experts from Canada and around the world, including through the External Panel on Options for a Legislative Response to *Carter v. Canada* and the Special Joint Committee on Physician-Assisted Dying. It gives *capable adults* who are on an irreversible decline towards death, and are intolerably suffering from a grievous and irremediable medical condition, the choice of a medically assisted death.

Several robust safeguards were enacted as part of the new criminal law regime, including related to the assessment of capacity, to protect vulnerable individuals and guard against errors and abuse in the provision of medical assistance in dying. The Minister of Health, in consultation with the provinces and territories, will also implement a pan-Canadian monitoring system to collect and analyze data on medical assistance in dying, monitor trends, and provide accurate information to the public.

Nothing in the Act compels a healthcare provider or an institution to provide medical assistance in dying or refer a patient to another healthcare provider. In this regard, the Act recognizes that everyone has freedom of conscience and religion under section 2 of the *Canadian Charter of Rights and Freedoms* and that nothing in the legislation affects these fundamental freedoms. The Government has committed to working with the provinces and territories to develop a coordination system that will balance the conscience rights of medical practitioners with the interests of Canadians seeking access to medical assistance in dying.

The Act also requires the Minister of Justice and the Minister of Health to initiate reviews, by December 14, 2016, on the issues of requests by mature minors for medical assistance in dying, advance requests, and requests where mental illness is the sole underlying medical condition, and to table reports in Parliament no later than two years after the initiation of the reviews.