

To the House Justice and Human Rights Committee

I am writing to express my concern about Bill C-14 and advocate for the following changes.

As a nearly 70 year old in good health, I am deeply opposed to restricting assisted dying to those people for whom death is “reasonably foreseeable”: The Supreme Court did not require that a patient have a terminal illness. The requirement in the bill that “natural death” be reasonably foreseeable could mean that even some individuals whose situations were before the court in the Carter decision might be excluded from being able to have an assisted death, like Kay Carter. The failure to allow advance requests for assisted dying will likely result in a violation of patients’ *Charter* rights. Physicians should be able to act on advance patient declarations requesting assistance in dying when people are capable. There is no reason why a person who is competent cannot make a decision now as they may no longer be competent or able to communicate when near death. People with a diagnosis of dementia and other degenerative medical conditions may not have the ability to give informed consent. Consequently, while still able, those diagnosed will be faced with a cruel choice: take their lives too early or die a horrific death.

I know the pressure is on the Government to quickly put together a bill but the present wording of the bill does not reflect the Carter decision. I advocate that **lawmakers should use the language of Carter in the legislation**, as this will ensure that the law is compliant with both Carter and the Charter of Rights and Freedoms. If, for legitimate reasons, it cannot be done now, there should be a firm commitment that it will be done with a year of enacting the legislation.

The bill suggests that the patient must be **competent** at the time of request and the time of the assisted death. If someone is scheduled to have an assisted death on one day but loses competency a few days before the scheduled date, for example, due to a coma or sudden stroke, then they would no longer qualify. Or, if they lose competency during the mandatory 15 day waiting period, they would also not be able to receive an assisted death. I urge you to amend the bill to not go back on the approved request so long as the patient’s agreement clearly states that there is to be no change in their request for assisted death if they lose competency before the scheduled date.

The Carter decision states that irremediable “does not require the patient to undertake treatments that are not acceptable to the individual.” Irremediable, however, is not qualified in the proposed legislation but I advocate that it should be.

Yours sincerely,

Ms Melody Mason