

Submission to the Standing Committee on Justice and Human Rights on Bill C-7:
An Act to amend the Criminal Code (medical assistance in dying)

Monday Nov. 09, 2020

Dear Committee Members

I am writing to you today to voice my opposition to MAiD and to express my concerns over the proposed amendments to Bill C-7 which would remove many of the existing safeguards, making MAiD even more accessible. Furthermore, it is disappointing that the Federal Government appears to be moving hastily in the direction of expanding MAiD in the absence of the previously promised 5-year review.

As a professor of Human Resource Management whose research focuses on inequalities in labour markets, I am very concerned about the lack of conscience protections for health care workers in many provinces. I note that the brief submitted by Protection of Conscience Project makes clear suggestions for how the Federal Government can include such protections without infringing on provincial jurisdiction. As I am not a lawyer and such details are beyond my expertise, I will focus my comments here on the potential consequences of failing to ensure conscience protections for all Canadians.

As the committee is well aware, section 2(a) of the Canadian Charter of Rights and Freedoms ensures that all Canadians are guaranteed freedom of conscience and religion. Furthermore, every human rights code in the country, both federally as well as across all provinces and territories, includes provisions for protection from discrimination on the basis of religion/creed within the context of employment. Failing to uphold the Charter and human rights of health care professionals is institutionalizing additional discrimination into the health care system whereby individuals or faith-based organizations are forced to either compromise their sincerely held beliefs or withdraw from the industry. Ultimately, whether for reasons of religion or conscience, these eventualities will have dire consequences for the quality of care available in Canada. The loss of faith-based health care providers would mean the loss of precious health resources, transferring the burden of their absence to the state to compensate for the vacancy. Individual health care workers with conscience objections will leave or decline to enter the field or move to provinces with robust legislative protections. This self-selection based on a lack of conscience protections will result in a fundamental change in the fabric and culture of health care. Noted succinctly by Lamb (2016, 39) "If healthcare providers are not permitted to speak out about issues or care that they perceive to be unethical in practice, then the healthcare professions are at risk of having healthcare providers who do not practice according to conscience."

It is rather unfathomable that a free and democratic nation would allow for a situation in which its own citizens cannot benefit from the legal protections codified in the Charter of Rights and Freedoms as well as the various human rights legislations that exist across the country. The

effects of this are to systematically exclude persons and organizations with conscience and/or faith-based objections from participating in an entire occupational group. If such employment practices were found towards any other protected group, the collective outcry of injustice would be swift and loud. Yet this does not appear to be the case in the present considerations of expanding access to MAiD, which will result in even more healthcare providers and workers being forced into the near-impossible dilemma of choosing between their careers and their conscience. This is unacceptable.

I am very grateful to live in a democratic society where I have the opportunity to voice my concerns on matters of great importance. I appreciate the Committee's time in considering the views expressed herein.

Sincerely

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