

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

Thank you for allowing me, as a Canadian citizen, to have my voice heard on 29 October at second reading of Bill C-7, an Act to amend the Criminal Code to provide for “medical assistance in dying.” I will first share with you my views on the entire bill from the perspective of freedom, following which I will focus on the amendments it brings to the Act.

As I watched the 3 November 2020, session of the Standing Committee on Justice and Human Rights, I was able to hear the views of several individuals representing a variety of associations, or even speaking as private citizens, on the amendments in Bill C-7. One element that I saw as being important in the debate is freedom. We want to be free and responsible for our choices, even at the end of our lives. Under no circumstances do we want anyone to decide for us, particularly in situations where we have lost most of our quality of life. Bill C-7 ensures that we have the choice to decide whether or not we want to end our lives. The bill seems to go hand in hand with this freedom that we value and so zealously seek.

Unfortunately, that is not the case. Choosing to end one’s life is not an act carried out in true freedom. We act in a truly free manner insofar as these acts are in the service of good. Doing good does good and sets us free, while doing evil does evil and imprisons us. Yet, you may say to me, can’t the person who wishes to die, and has full control of their faculties, choose the date and time to end their suffering, or that of their loved ones, and stop being a “burden” on the healthcare system? Isn’t this a good act for the good of the suffering person? In fact, it is only an apparent good, because a true good is one that gives life in abundance and not death. Some will say that the person died freely and with dignity, but what do dignity and freedom have to say about themselves when they no longer exist?

How many suffering people have fought to live over the centuries, and they are our examples today. We admire them. We admire their perseverance, their strength, their courage and their will to live. The struggle is worthwhile, because it is often through struggle that the strength of our family unites to support the person in need. When all seems lost, there is still life, and where there is life, there is hope. We should be cultivating hope rather than encouraging an abrupt end to a life, because the consequences are enormous, not only for the person asking for death and their loved ones, but for the entire population. We are creating a culture, a culture of death. Indeed, we are encouraging death rather than supporting life. This is what we are doing as a society, in the name of the appearance of freedom. And what about

the medical staff who will have the responsibility and the heavy burden of ending the lives of some patients who ask for it? I hope that they will be able to freely choose not to adhere to this practice, which is not about care.

After briefly outlining my views on Bill C-7 in general, I would just like to say a few words about the amendments to the Act that are being considered. In the event that the Government of Canada persists in moving ahead with such legislation, I would reiterate the recommendations that many citizens have already made to you:

- Reinstate the 10-day cooling-off period for those whose death has been deemed “reasonably foreseeable;”
- Reinstate the original requirement that a person give consent to the end-of-life procedure immediately prior to its being administered;
- Reinstate the original requirement for the signature of two witnesses who are not providing personal care to the person seeking to end their life;
- Require healthcare professionals to make every effort to enable the person to access life-affirming services to relieve suffering other than medical assistance in dying;
- Accommodate people with communication problems by clarifying the “refusal or resistance” to administration to medical assistance in dying.

For my part, these recommendations do not represent a door being opened in favour of Bill C-7, but rather a way to limit the damage of its implementation and allow individuals to reconsider their choices. I understand that a person may choose to end their life for a variety of reasons and I am far from judging those people. I respect their choice, because I am aware that good is never imposed, but it can be desired, accompanied, supported and loved.

Thank you for your attention,

Hugues Gagnon Boisvert

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