

Media Advisory

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Medical experts and national organizations endorse special safeguards to protect vulnerable Canadians in right-to-die legislation

The Vulnerable Persons Standard is launched today: www.vps-npv.ca

Today community and health organizations from across Canada call on Parliament to adopt a series of evidence-based safeguards designed to protect the lives of vulnerable Canadians.

The Vulnerable Persons Standard has been developed by leading Canadian physicians, health professionals, lawyers, ethicists, public policy experts and national representative organizations for people with disabilities and the needs of vulnerable persons.

The Standard will ensure that policies designed to help Canadians requesting assistance from physicians to end their life do not jeopardize the lives of vulnerable persons who may be subject to coercion and abuse.

"The federal government needs to exercise wisdom in striking a balance between equitable access and appropriate safeguards for people whose physical, emotional, cognitive or social vulnerability may make them more susceptible to suicide," says Dr. Harvey Max Chochinov, Canada Research Chair in Palliative Care and Former Chair of the 'Federal External Panel' on Options for a Legislative Response to Carter v Canada, and an adviser to the Standard.

"The decision to die should not become a default choice for vulnerable Canadians. We need safeguards to ensure that palliative care and relevant support options have been exhausted," says Dr. Balfour Mount, Professor and Emeritus Flanders Chair of Palliative Medicine, McGill University, and an adviser to the Standard.

The Standards requires that:

1. Legislation concerning physician-assisted death must not perpetuate disadvantage or contribute to social vulnerability.
2. The patient face end-of-life conditions with no chance of improvement and has enduring and intolerable suffering as a result of a grievous and irremediable medical

condition.

3. Voluntary and capable request and consent by the patient including immediately prior to death. This prohibits the use of advance directives for physician-assisted death.
4. An assessment of suffering and vulnerability that may arise from psychosocial or non-medical conditions and circumstance.
5. Arms-length authorization be obtained from a judge or independent body with expertise in the fields of health care, ethics and law.

"The recommendations contained in the Joint Parliamentary report on medically-assisted dying should give all Canadians pause. They would remove virtually all restrictions on accessing physician-assisted death and significantly exceed the guidance provided by Canada's Supreme Court," says Tony Dolan, Chair of the Council of Canadians with Disabilities, one of the organizations supporting the Standard.

"This debate highlights uneven access to quality palliative services in Canada. As we recognize the right to physician-assisted death, we must also redouble our efforts to ensure that Canadians have access to adequate palliative care options and other supports for patients and caregivers," says Dr. Susan MacDonald of the Canadian Society of Palliative Care Physicians.

"As the Supreme Court of Canada recognized, permitting physician-assisted death presents inherent risks for vulnerable people. This should be of deep concern to all Canadians. While we believe a complete ban remains the only way to eliminate such risks, the Standard contains important measures to help minimize them, consistent with a 'carefully-designed system imposing stringent limits' as contemplated by the Court," says Derek Ross, Executive Director of the Christian Legal Fellowship.

Joy Bacon, President of the Canadian Association for Community Living, another supporting organization, says "It should be possible for Canadians to access these services without also jeopardizing the lives of vulnerable persons. I hope the Standard will help the federal government to strike a better balance between these important rights."

The Vulnerable Persons Standard will be released publicly during a press conference in the National Press Theatre at Noon EST in Ottawa, and is available at www.vps-npv.ca

Advisers to the Standard include:

- Dr. Harvey Max Chochinov, OC, OM, MD, PhD, FRCPC, FRSC, Canada Research Chair in Palliative Care and Former Chair of the 'Federal External Panel' on Options for a Legislative Response to Carter v Canada
- Dr. Nuala P. Kenny, OC, MD, FRCP(C), Emeritus Professor Dalhousie University, Halifax, N.S., and Former Member, Provincial-Territorial Expert Advisory Group on Physician-Assisted Dying
- Dr. Balfour M. Mount, OC, OQ, MD, FRCS(C), LLD, Professor and Emeritus Flanders Chair of

Palliative Medicine, McGill University

- Dianne Pothier, Professor Emeritus, Schulich School of Law at Dalhousie University
- Mary Shariff, BSc LLB LLM PhD, Associate Dean Academic, JD Program and Associate Professor, Faculty of Law, University of Manitoba

A full list of the almost 30 advisers to the Standard can be obtained at www.vps-npv.ca

Organizations endorsing the Standard include:

Canadian Association for Community Living
Canadian Association of the Deaf
Canadian Council of Imams
Canadian Society of Palliative Care Physicians
Catholic Health Alliance of Canada
Council of Canadians with Disabilities
DAWN-RAFH Canada - Disabled Women's Network of Canada
Physicians Alliance against Euthanasia
Vivre dans la Dignité/Living with Dignity

A full list of endorsing organizations can be obtained at www.vps-npv.ca

Spokespeople available to discuss the Standard:

- Dr. Harvey Max Chochinov, Canada Research Chair in Palliative Care and Former Chair of the 'Federal External Panel' on Options for a Legislative Response to Carter v Canada
- Catherine Frazee, Adviser to the Standard, and Former Member 'Federal External Panel'
- Michael Bach, Executive Vice-President, Canadian Association for Community Living
- David Baker, lawyer, and co-author of model legislation for physician-assisted death
- Rhonda Wiebe, Council of Canadians with Disabilities

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For media availability, please contact:

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