

Friday, June 10th, 2016

PROMINENT CANADIANS SPEAK OUT FOR THE PROTECTION OF VULNERABLE PERSONS

With the passage of the Supreme Court June 6 deadline, and no federal law yet in place to regulate the practice of assisted death in Canada, many supporters of the Vulnerable Persons Standard are speaking out to urge parliamentarians to remember their moral and legal obligations to vulnerable Canadians. This newsletter highlights the diverse and thoughtful contributions of many VPS advisors that have been published this week and can be shared widely.

On June 8, the Huffington Post published a commentary by Dianne Pothier entitled, "[Assisted Dying Bill Not Perfect, But Far Better Than Alternatives](#)". Professor Pothier refutes many of the legal arguments often heard against limiting assisted dying to persons whose natural death is reasonably foreseeable, and offers a "principled defense" of Bill C-14's constitutionality. "To claim that all that counts is individual autonomy is to deny the social responsibility to protect the vulnerable."

On June 6, Professor Trudo Lemmens reproduced on [his blog](#) Senator Murray Sinclair's powerful speech, reflecting how in the Senator's role as esteemed elder, he offered "a wise caution about the need for legal and senatorial humility, and about the limits of law and legal interpretation".

On June 7, Michael Bach and James Hicks co-authored an editorial setting out the perspective of Canada's disability rights communities, titled "[Bill C-14 Respects And Protects Our Most Vulnerable](#)". They articulate why limiting assisted death to persons who are dying is both appropriate and necessary. "Anyone who is not dying, but who is nonetheless seeking death, is by definition vulnerable. They should get the response, care and support they deserve."

In a [compelling analysis](#) published in the Winnipeg Free Press on June 7, Professor Mary Shariff underscored both the authority and the responsibility of Parliament to establish law to govern the practice of assisted death. She expressed support for a law that would limit the practice to persons at end-of-life. "In addition to respecting both the values of life and autonomy, the limit provides room to encourage the ongoing exploration of life-affirming responses to the wide range of circumstances that shape the individual experience of suffering."

Two important pieces were published by VPS Advisors in Canada's politics and government newsweekly, The Hill Times, this week. Dr. Harvey Chochinov authored an opinion piece entitled "[Without C-14 on the books, Canada will have the most open death hastening culture in the world](#)", and Professor Catherine Frazee contributed an essay that ran under the title "Supreme Court now permits some Canadians to approach death on their own terms: who should those Canadians be?" Although Professor Frazee's essay is available for subscribers only, it has been republished several times and is available for online viewing in Ottawa Life Magazine under the title "[The Last Chapter](#)".

Today, Dr. Catherine Ferrier's thoughtful commentary on why assisted death should not be available by advance directive was published on the bioethics blog, [Impact Ethics](#). On the strength of her 30-year career diagnosing, treating, and caring for people with Alzheimer's disease and other dementias, Dr. Ferrier issues the strongest possible caution against permitting assisted death for persons who are no longer capable of expressing consent, or of confirming or changing the terms of an earlier request. "Elder abuse is rampant. The system is overburdened. If we allow death to be authorized by a written document we're giving abusers another, more definitive, tool."

DID YOU KNOW?

As amendments to Bill C-14 are proposed in the Senate and return to the House of Commons for consideration, supporters of the Vulnerable Persons Standard will continue to advocate for the urgent passage of a federal law that will restrict the practice of physician-assisted death to persons at end-of-life, and be administered in accordance with robust procedural safeguards to protect vulnerable persons from being induced to commit suicide.

Resources and relevant news bulletins will continue to be available [here](#).

The Vulnerable Persons Standard was developed by a group of more than forty advisors with expertise in medicine, ethics, law, public policy and needs of vulnerable persons. The Standard is a series of evidence-based safeguards intended to help ensure that Canadians requesting assistance from physicians to end their life can do so without jeopardizing the lives of vulnerable persons who may be subject to coercion and abuse.

To learn more about the Standard and the many Canadians and organizations endorsing the Standard, please visit us at www.vps-npv.ca.

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