

February 22, 2021

Dear Members of Parliament,

We write to urge you to reject Bill C-7 as amended by the Senate.

We have already expressed deep concerns about Bill C-7, [along with 145 Canadian lawyers and law students](#). We reiterate these concerns, many of which were since affirmed by [United Nations experts](#). To our dismay, the Senate has voted to drastically expand Bill C-7, exacerbating these concerns greatly. We are especially alarmed by the following:

1. **Bill C-7 will see MAID offered as a solution for mental illness within eighteen months.**

Offering MAID to those struggling with mental illness undermines suicide prevention efforts by suggesting that death is a viable solution to suffering caused by depression, anxiety, and other mental health challenges.

Careful consideration must be given to the rigorous study of the Council of Canadian Academies (CCA) on [The State of Knowledge on Medical Assistance in Dying Where Mental Disorder is the Sole Underlying Condition](#). Despite their inability to reach final consensus on this issue, the CCA expert panel identified a number of concerns associated with expanding MAID in this way, including the fact that “having a mental disorder is strongly correlated with certain social, economic, and environmental inequalities, such as poverty, unemployment, homelessness, social isolation, stigma, and discrimination” and that “people with mental disorders face impediments to accessing appropriate mental healthcare in Canada.”

2. **Bill C-7 could allow MAID to be administered on an incapacitated patient, whose death is not foreseeable, based on an advance request they made before any diagnosis.**

Nothing in the *Carter* or *Truchon* judgments require this change. To the contrary, the *Truchon* decision presumed a number of safeguards, including the requirement that a “patient remains competent [...] until the very end.” Bill C-7 removes this safeguard, and will thus contradict itself by purporting to implement *Truchon* while simultaneously removing an important protection relied on in that decision.

In addition, the CCA [expressed a number of concerns](#) about allowing advance requests for MAID, including “the risk that a person will receive an assisted death against their wishes” – a risk that *no* safeguard can remove entirely.

3. **Bill C-7 would allow a physician to initiate a conversation about MAID with a disabled patient who is not dying or near death.**

In singling out life with a disability as the only existence deserving state-sanctioned termination, Bill C-7 perpetuates ableism in a most dangerous way. As recently stressed by [UN experts](#), this

contradicts Canada's international human rights obligations and could create a "two-tiered system in which some would get suicide prevention and others suicide assistance, based on their disability status and specific vulnerabilities".

4. **Bill C-7 prioritizes MAID as a viable option for patients, even as palliative care and disability supports are lacking, without requiring that patients first have meaningful access to appropriate care.**

It has been [confirmed](#) that MAID is *already* being administered where medical supports are needed, but have not been received by the patient. In 2019 alone, at least [87 patients](#) died by MAID who required disability support services but did not receive them, and at least [91 patients](#) died by MAID who needed, but did not access, palliative care.

This was so *prior to* Bill C-7's expansion, and nothing in Bill C-7 will require that medical supports be *provided* before MAID (just that they be "discussed" in certain cases). As a result, Canadian medical and legal experts Prof. Trudo Lemmens, Prof. Mary Shariff, and Dr. Leonie Herx are [rightly concerned](#) that Bill C-7 has "elevated MAID as a first line medical treatment on demand", rather than "an irreversible last-resort option when all other reasonable options available according to the standard of care have failed".

Bill C-7's impact on the meaning and delivery of healthcare in Canada, particularly for those living with disabilities, will be nothing short of tragic. You can prevent this potential tragedy now, by rejecting this Bill and demanding the Government of Canada take meaningful steps to realize its international commitments as expressed in the UN experts' recent statements and recommendations. You are the last line of defense for marginalized Canadians in this matter: we implore you to take a stand with and for them.

Sincerely,

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