

MEDICAL ASSISTANCE IN DYING

MAiD

Catholic Perspective

HISTORY

- In February 2015, the Supreme Court of Canada ruled in *Carter v. Canada* that parts of the *Criminal Code* would need to change to satisfy the *Canadian Charter of Rights and Freedoms*. The parts that prohibited medical assistance in dying would no longer be valid. The Supreme Court gave the government until June 6, 2016, to create a new law.
- In June 2016, the Parliament of Canada passed federal legislation that allows eligible Canadian adults to request medical assistance in dying (Bill C-14)

BILL C-14

Bill C-14 sets out the criminal rules surrounding the provision of medical assistance in dying. It would be available to a person who meets all of the following criteria:

- adult (at least 18 years old) who is mentally competent to make health care decisions for themselves;
- having a grievous and irremediable medical condition;
- making a voluntary request for medical assistance in dying which does not result from external pressure;
- giving informed consent to receive medical assistance in dying; and,
- being eligible for health services funded by a government.

A grievous and irremediable medical condition is defined as:

- having a serious and incurable illness, disease or disability; and,
- being in an advanced state of irreversible decline in capability; and,
- experiencing enduring physical or psychological suffering, due to the illness, disease, disability or state of decline, that is intolerable to the person and cannot be relieved in a manner that they consider acceptable; and,
- where the person's natural death has become reasonably foreseeable taking into account all of their medical circumstances, without requiring a specific prognosis as to the length of time the person has left to live.

BILL C-7

- On October 5, 2020, the Minister of Justice and Attorney General of Canada introduced former Bill C-7: *An Act to amend the Criminal Code (medical assistance in dying)* in Parliament, which proposed changes to Canada's law on medical assistance in dying.
- Canada's medical assistance in dying (MAiD) law was revised in March 2021, in response to the Superior Court of Québec's 2019 *Truchon* decision, in which it found the "reasonable foreseeability of natural death" eligibility criteria in the *Criminal Code*, as well as the "end-of-life" criterion from Québec's *Act Respecting End-of-Life Care*, to be unconstitutional.

BILL C-7

- On March 17, 2021, Parliament passed former Bill C-7 to revise eligibility criteria for obtaining MAiD and the process of assessment. These changes took effect immediately.
- Changes to the law in March 2021 included eligibility for persons whose death is not reasonably foreseeable but meet all other eligibility criteria, new and strengthened procedural safeguards, and provisions to allow for the waiver of final consent in specific circumstances. The revised law also included delayed eligibility for two years - until March 17, 2023 - for persons suffering solely from a mental illness.

RECENT UPDATES

BILL C-39

- On February 2, 2023, the Government of Canada introduced legislation (Bill C-39) to extend the temporary exclusion of eligibility for medical assistance in dying (MAiD) where a person's sole medical condition is a mental illness until **March 17, 2024**. On March 9, 2023, Bill C-39 received Royal Assent and immediately came into effect.

CANADIAN CONFERENCE OF CATHOLIC BISHOPS

- The Canadian Conference of Catholic Bishops has been advocating against Medical Assistance in Dying (Bill C-14) ever since it was brought forward and passed in 2016. At that time, it was only accessible to those whose death was reasonably foreseeable.
- The teaching of the Catholic Church and the stance of the Catholic Bishops of Canada affirm the sacredness and dignity of human life. Suicide and euthanasia are contrary to the most profound natural inclination of each human being to live and preserve life. Furthermore, they contradict the fundamental responsibility that human beings have to protect one another and to enhance the quality of health and social care which every human life deserves, from conception to natural death.

CCCB

CONTINUED

- Bill C-14, no matter how it may be amended, is an affront to human dignity, an erosion of human solidarity, and a danger to all vulnerable persons – particularly the aged, disabled, infirm and sick who so often find themselves isolated and marginalized. Moreover, it is a violation of the sacrosanct duty of healthcare providers to heal, and the responsibility of legislators and citizens to assure and provide protection for all, especially those persons most at risk. The passage of Bill C-14, occasioned by the seriously flawed Carter decision, will have devastating effects on the social fabric of our country that cannot be predicted today.

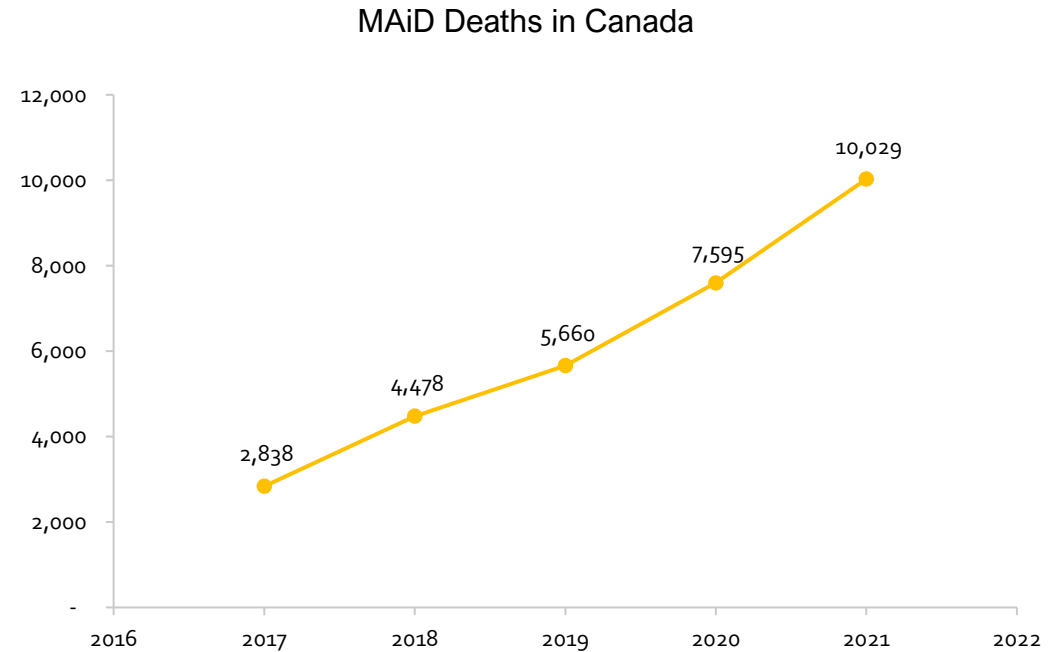
May 2, 2016

MAiD STATISTICS

Year	MAiD cases	Increase since last year	% of all deaths
2019	5,660	26.1%	2%
2020	7,595	34.2%	2.5%
2021	10,029	32.4%	3.3%

From Government of Canada
"Annual Report of MAiD in Canada"

MAiD STATISTICS



The chart is based on full-year statistics from Government of Canada websites. It reveals the disturbing trend in MAiD deaths across Canada during five consecutive years from 2017-2021. Given the rising stats and decreasing eligibility requirements since MAiD was legalized in 2016, it is disconcerting to think about the future stats. How many Canadians will needlessly lose their lives through MAiD on a long-term basis?

ACTIONS

Encourage everyone to communicate their opposition to all levels of government regarding the ever-expanding inclusion of MAiD to those most vulnerable in society. Request that the current legislative pause to include mental illness as criteria for MAiD be made permanent.