

Alberta MP warns federal government to slow down changes to Medical Assistance in Dying

An Alberta Conservative MP wants the federal government to ask the courts for more time to make changes to Canada's medical assistance in dying regulations as a court-imposed deadline this summer looms.

Dane Lloyd, the MP for Sturgeon River- Parkland, said making changes to Canada's MAiD system that will make it easier for Canadians to legally kill themselves with the help of a doctor is too important an issue to rush into as the opportunity for debate in the House of Commons has been severely curtailed since early March because of the COVID-19 pandemic.



MP Dane Lloyd

"There is no way they can push this through in the House and in the Senate and have any meaningful debate on such an important issue and make that deadline. It would be inappropriate to push this through at this time," Lloyd said.

The federal government has a July 11 deadline to make Canada's MAiD system fall in line with a Quebec court decision that ruled that one of the key aspects of the existing MAiD system is unconstitutional because it is too restrictive.

In a June 1 interview, Lloyd said the number of deaths related to COVID-19 across the country at long-term care homes for seniors has exposed an issue that must be part of the debate surrounding MAiD going forward.

“We need to know why some people think their only option is an assisted suicide. We need to review the situation,” Lloyd said, adding that the situation at some long-term care homes in Canada is “compelling” evidence that the way Canadian society treats and cares for seniors can be a factor that drives some people to use the MAiD system.

“It calls into question that if at the end of their lives they really see (MAiD) as their only real option, or is it the case of being relegated to live in a form of hell.”

Lloyd noted the “tragic situation” that some seniors find themselves in which has been exposed by the death toll and shocking conditions in some Canadian care homes over the past few months.

The federal government already asked for and was granted an extension to bring Canada’s MAiD system in line with a 2019 Quebec court ruling, but Lloyd said the minority federal Liberal government must ask for another extension because of the impact the COVID-19 pandemic has had on the ability of parliament to address the issue.

“I don’t think any court would deny such a request under the circumstances,” he said, adding “we need to slow down on this.”

The proposed changes to the existing regulations surrounding MAiD – which was itself a reaction to a previous Supreme Court of Canada ruling – follows in the wake of a Quebec court decision in 2019 that declared one of the key aspects of the existing law, that a person’s death must already be reasonably foreseeable to qualify for a medically-assisted death, to be unconstitutional.

Both the federal and Quebec governments decided not to appeal that ruling and the federal government said it would bring Canadian law in line with the Quebec court decision.

While the federal government put forward proposed changes to MAiD in Bill C-7, which went through First Reading in the House of Commons on Feb. 24, it asked for and was granted a four-month extension of the timeline to comply with the Quebec court ruling.

Quebec Superior Court Justice Christine Baudouin agreed to the extension request on March 2, giving the federal government until July 11 to make changes to the national MAiD system. But that was before the COVID-19 pandemic shuttered the House of Commons for five weeks in March and parliament has been functioning on a limited basis since then.

As of June 1 the federal government had yet to decide how to proceed, whether to move forward in the House of Commons quickly to meet the deadline or seek another court extension, said Rachel Rappaport, spokesperson for federal Justice Minister and Attorney General David Lametti.

"We are very much aware of the time sensitivity here," Rappaport said. "We are examining all the different options. We understand this is a very important issue and remains a top priority.

"There is no doubt that the COVID-19 pandemic has led to unprecedented challenges, including the disruption of the current parliamentary session. No decision has been taken at the present time."

The federal government's proposed changes to MAiD put forward in Bill C-7 would set up a two-tier system for those who's death is reasonably foreseeable and those who's death is not.

It would also allow a waiver of final consent for those who's death is reasonably foreseeable but "who may who may lose capacity to consent before MAiD can be provided." And it specifically states that it excludes "eligibility for individuals suffering solely from mental illness."