

Federal government asks for more time to change rules on assisted suicide

The federal government is now conceding it can't change the rules around assisted suicide before a court-imposed deadline of July 11.

It is asking a Quebec court to give it until Dec. 18 to make alterations to its medical assistance in dying (MAiD) legislation that will make it easier for Canadians to access a state-sanctioned suicide.

The government is blaming the ongoing COVID-19 pandemic and its impact on how Parliament functions as the reason for asking Quebec Superior Court for a second time to extend the deadline to bring Canadian law into line with a 2019 Quebec court ruling that struck down a key aspect of the federal law that was created in 2016.

In a joint statement released by federal Justice Minister David Lametti and federal Health Minister Patty Hajdu on June 11, the federal ministers said a motion to seek the court extension has been filed with the Quebec court.

"A five-month extension of the ruling's suspension period is needed to provide sufficient time for Parliament to properly consider and enact this proposed legislation, which is of importance to many Canadians and families across the country," the statement from the ministers said.

The proposed changes in Bill C-7 follows in the wake of what is known as the Truchon decision in 2019 that ruled the restriction that a person's death must be reasonably foreseeable to qualify for a medically-assisted death was unconstitutional because it was too restrictive.

Both the federal and Quebec governments decided not to appeal that ruling and the federal government said it would change Canadian law to respect the Quebec court decision.

The decision by the federal government not to appeal the Quebec court ruling has been denounced by euthanasia opponents, including the Canadian Conference of Catholic Bishops (CCCB).

The federal government's proposed Bill C-7 went through first reading in the House of Commons on Feb. 24. However, the federal government asked for and was granted a four-month extension of the timeline to comply with the Quebec court ruling soon after that.

Quebec Superior Court Justice Christine Baudouin agreed to the extension request on March 2, before the COVID-19 pandemic shuttered the House of Commons for five weeks. Parliament has been functioning on a limited basis since then.

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

It would also allow a waiver of final consent for those whose death is reasonably foreseeable but "who may who may lose capacity to consent before MAiD can be provided."

It specifically states that it excludes "eligibility for individuals suffering solely from mental illness."

The federal government conducted an online survey for Canadians to express their views on the changes in January and has said they were given overwhelming support.

Public opinion polls have also consistently shown that a majority of Canadians support the MAiD system, but critics of euthanasia dismiss the government's online survey as being biased and argue that issues of life and death should not be determined by public opinion polls.

"It is very troubling that the introduction of Bill C-7 was justified on the basis of a highly questionable, biased and rushed online survey, which took place over just two weeks," a statement from the CCCB released on Feb. 26 said, adding that "the questions in this survey were framed in a manner which presupposed agreement with euthanasia and assisted suicide, including its broadening, without giving Canadians who are opposed an equal voice."

"The Catholic Bishops of Canada with Catholic faithful as well as innumerable other Canadians – religious or otherwise – remain opposed to euthanasia and assisted suicide in any form because of their interest in protecting and promoting human life, because it is always wrong to take the life of an innocent person, and because medical science and compassionate care have provided effective ways of easing pain and suffering without having to resort to direct killing," the CCCB statement said.

In an interview with the Canadian Catholic News on June 1, Alberta Conservative MP Dane Lloyd said any changes must be thoroughly debated because the COVID-19 pandemic has exposed issues related to how Canadian society looks after the elderly.

"We need to know why some people think their only option is an assisted suicide," he said.

Rachel Rappaport, Justice Minister Lametti's press secretary, said a court extension will give Parliament the time needed to debate the proposed changes.

"It will provide sufficient time for Parliament to properly consider and enact this important legislation," she said.