

'Groundswell' of support for conscience rights bill, MP says, but its future is limited

Saskatchewan Conservative MP David Anderson claims his bill to protect the conscience rights of health care professionals has received a great deal of support across Canada.

However, it is unlikely to ever come to a vote before the next election.

Anderson told the House of Commons May 29 his Bill C-418 to protect the conscience rights of health professionals has received a "groundswell" of support.

"There are some bills that really catch people's imaginations across the country," said the MP for Cypress Hills-Grasslands, who has made religious freedom a centrepiece of his public service.

"There are other ones that we really have to work hard to try to get people to pay attention to. It has been surprising to me how people have taken this on."

Anderson, who is not running in the October election, is unlikely to see his private member's bill get its second hour of debate or come to a vote because it has dropped to the bottom of the order of precedence after its first hour of debate May 29 and is unlikely to come up again before the writ is dropped.

Bill C-418 would amend the Criminal Code to make it an offence to intimidate any health care professional in order to compel them directly or indirectly to take part in physician-assisted suicide and to make it an offence to fire or refuse to hire a health professional for their refusal to take part.

Anderson said his bill would "provide the teeth" that were lacking in the Euthanasia Bill C-14 that had a clause saying nothing in the bill would compel someone to provide the service or to assist in it.

"Throughout the legislative process, I have spoken to doctors who feel overt pressure to leave family medicine because of their conscientious beliefs," Anderson said. "I have heard of palliative care doctors in Ontario who have stopped practising altogether."

"Nurses who feel increasingly bullied are choosing to shift their focus or retire early. I have had personal conversations with people who work in old folks' homes who explain they do not want to participate in this but are increasingly feeling pressured to do so," he said. "The pressure on these professionals exists and they are looking for relief."

Anderson also spoke of the [recent Ontario Court of Appeals decision](#) upholding the policy of Ontario physicians' college to compel physicians to provide an effective referral in cases of euthanasia.

"This is in spite of the fact that in this situation in Ontario I am told that the majority of physicians support an allowance for conscientious objections, but the college has not taken that position," Anderson said.

The MP noted the province of Manitoba's legislation protecting conscientious rights shows compulsion is not necessary. He warned against putting additional strain on already scarce medical resources.

"Protecting physicians' conscience rights is not at all a physicians versus patients scenario," he said. "By protecting physicians' conscience rights, patients' rights are enhanced. Bill C-418 is about protecting the fundamental freedom of conscience and religion guaranteed to all Canadians in the Charter of Rights and Freedoms."

Liberal MP Robert Oliphant asked Anderson which right would he choose, that of the patient or that of the physician?

Anderson said there are many options available for patients to get the service, without having to violate conscience rights.

"Our government firmly believes that medical and nurse practitioners, as well as other health care professionals involved in a patient's care team, should not be forced to participate in the provision of medical assistance in dying," said Liberal MP Arif Virani, parliamentary secretary to the Justice Minister and Attorney General.

"Providing medical assistance in dying is a gesture with the most serious of consequences."

Virani, however, did not say whether the government would support Bill C-418. The NDP, however, opposes the Bill.

"We are concerned that it creates a loophole whereby health professionals could deny a referral to a patient seeking medical assistance in dying," said Murray Rankin, the NDP MP for Victoria.

Rankin said he had supported an amendment before the justice committee ensuring conscience rights of health care workers be respected.

"However, what is equally important is that there be the ability, always, for the patient to exercise his or her constitutional right to avail themselves of medical assistance in dying," he said. "In a contest between a physician and that patient, the law is crystal clear. It is the patient's right that must prevail."