

Palliative care funding becomes more urgent as courts chip away at assisted-suicide safeguards

The Catholic Church is doubling down on its efforts to encourage increased government and societal support for palliative care as the best way to help Canadians experience a “dignified natural death” as a barrage of Canadian court decisions continue to chip away at the existing safeguards surrounding assisted-dying in the country.

“There has been minimal (government support) for palliative care,” said Winnipeg Archbishop Richard Gagnon, the new president of the Canadian Conference of Catholic Bishops (CCCB). “There is a great need in Canada for more palliative care, be that of a religious nature or not.”

Gagnon said palliative care and assisted dying are not two equal options for Canadians nearing the end of life – one, palliative care, respects the dignity of human life, and the other, assisted dying, does not.

“You can assist a person in their last days of life to die with dignity in a supportive way that respects the importance of life (with palliative care),” Gagnon said. “The very notion of euthanasia is contrary to that.”

The Catholic Church has been at the forefront of advocating for more societal support for palliative care options in Canada.

The CCCB participated in 2018 public consultations on palliative care coordinated by Health Canada in response to the passing of Bill C-277, *An Act providing for the Development of a Framework on Palliative Care Canada*.

One of the issues with palliative care in Canada is that while the federal government establishes a framework for health care in the country, it is the province’s that provide health services in Canada which has led to major differences in how palliative care is funded in healthcare budgets across the country and how palliative care services are delivered.

The CCCB’s submission, developed with the Catholic Health Alliance of Canada and the Canadian Catholic Bioethics Institute among others, emphasized the importance of the spiritual care dimension in palliative care, and “strongly emphasized that palliative care is not to include euthanasia or assisted suicide, or what is being called in Canada ‘Medical Assistance in Dying’ (MAid),” the CCCB statement said.

The CCCB is further emphasizing the importance of palliative care as a means to turn Canadians away from what in essence is legally sanctioned medically-

assisted suicide by emphasizing palliative care's importance at the parish level across the country.

Edmonton Archbishop Richard Smith said a CCCB ad hoc committee is working with other Catholic institutions and social agencies to develop information tools and knowledge about palliative care that can be shared at the parish level and then potentially with school and healthcare providers in the future.

"We have done a lot on this issue," Archbishop Smith said, adding that what the CCCB is trying to do is create easy to understand information at the local parish level about the Church's position on the importance of palliative care.

"We want this to encourage them in the advocacy of palliative care," he said, adding at this point the CCCB hopes to have palliative care kits available by 2021 across the country.

All of this is happening at a time when court decisions, most recently in Quebec this September, have been eroding the "foreseeable death" requirements for medically-induced suicide that has been part of Canadian law since the federal government allowed for medical-assisted death as a health care option in Canada following a previous Supreme Court of Canada decision.

Quebec Superior Court Judge Christine Baudouin struck down the requirement in federal law that a person's death be "reasonably foreseeable" to qualify for euthanasia on Sept. 11. She also struck down a similar clause in Quebec's euthanasia law that requires an illness to be terminal.

Her ruling said the existing 2016 federal law infringed on Canadians' fundamental rights and the judge allowed requests by two people to have a doctor end their lives despite the fact that neither are terminally ill but suffer from incurable and painful medical conditions.

The Quebec government has indicated that it will not appeal the ruling, while the federal government has stated it is reviewing the ruling.

Alex Schadenberg, executive director of the Euthanasia Prevention Coalition, told the Catholic Register at the time of the decision that the federal government had planned a five-year review of its euthanasia laws by June of 2020.

"What's the purpose of a review if courts think it is their purview to strike down portions of the law?" he said.

Opening up euthanasia to those with psychiatric conditions was among three areas to be reviewed, but the court has effectively paved the way for this by removing the requirement death be reasonably foreseeable, Schadenberg said at the time.