

Senate changes to Bill C-7 would extend access to assisted suicide

The Senate has voted to open access to assisted suicide even further than what the federal government is proposing.

The Senate passed amendments to Bill C-7 on Feb. 17 that significantly change the bill and which go well beyond what the House of Commons actually agreed to back in December.

The Senate's revised version of the bill, passed by a vote of 66-19, expands access to so-called medical assistance in dying (MAiD) further by allowing people who fear being diagnosed with dementia to make advance requests for an assisted suicide.

It would also open up the possibility of the mentally ill being eligible for MAiD by putting an 18-month time limit on the federal government's ban on mental illness being a valid reason to seek MAiD.

The government has not responded to the revised bill which now goes back to the House of Commons. If the changes are not accepted, it sets up the possibility of there being a clash between the House of Commons and Senate. This could bring further debate to legislation which the government has insisted it will pass before a court-imposed deadline of Feb. 26, which has already been extended twice.

"Our government appreciates the careful consideration that senators are giving to Bill C-7, which remains ongoing at this time," a statement from Justice Minister David Lametti's spokesperson Rachel Rapport said before the Senate's vote on the bill.

"We await the revised bill from the Senate and will respond to the final package of amendments that they have put forward for inclusion."

MPs with the minority Liberal government, the NDP and Bloc Quebecois for the most part supported Bill C-7 in the House of Commons, while the majority of Conservative MPs did not. It is unlikely any Conservative MPs who voted against Bill C-7 will support the Senate's amendments but it is unclear if Liberal MPs and NDP and Bloc MPs will support any changes put forward by the Senate.

Rappaport said that because the amendments likely being proposed by the Senate are "major" in nature, the full federal cabinet needs to review them to determine if the Liberal government will support any of the amendments.

"Because of the nature of the changes, they will have to go to cabinet," she

said, adding that a federal cabinet meeting has been set up to review the on Feb. 18.

MPs from all parties in the House of Commons helped Bill C-7 pass by a two-to-one margin on Dec. 10. Along with eliminating the need for a person's death being reasonably foreseeable, Bill C-7 would also eliminate or ease some of the other safeguards in the law such as lowering the number of witnesses needed when a person consents to MAiD.

The bill would also eliminate a 10-day waiting period to perform an assisted suicide after consent is given, but it clearly states that "mental illness" is not a valid reason to seek MAiD even though many of the government's critics do believe that Bill C-7 opens the door to allowing MAiD for the mentally ill.

Opponents of assisted dying had called upon Canadians to lobby senators to block the passage of Bill C-7, introduced to comply with a 2019 Quebec Superior Court ruling that said an existing requirement that a person's death be reasonably foreseeable was unconstitutional. The federal government did not appeal the Quebec court ruling.

Critics of expanding the MAiD system such as the Catholic Church say that hearings at the committee level in both the House of Commons and the Senate show that there is no real consensus among Canadians, as the federal government claims, to make significant changes to MAiD before a promised five-year review of the legislation and palliative care options in Canada is undertaken.