

# Legislation

**Date: March 20, 2020**

**Communiqué #7**



*Care for Our Common Home*

**TO: Provincial Chairpersons of Legislation**  
**CC: National Executive (for information)**  
**FROM: Betty Colaneri, National Chairperson of Legislation**

“Law is not law, if it violates the principles of eternal justice” (Lydia Maria Child).

My sisters in the League,

This communique was drafted on International Women’s Day, so I thought it would be appropriate to include a quote from a woman. Lydia Maria Child was considered one of the most influential 19<sup>th</sup> century female authors as well as being one of the first American women to earn a living from writing. In her day, she was famous for being a crusader for truth and justice. She was also a champion for groups that were excluded from American society, especially Native Americans, slaves and women.

On February 24<sup>th</sup>, the federal government introduced Bill C-7 *An Act to amend the Criminal Code (medical assistance in dying)*, sponsored by the minister of justice. Bill C-7 is the federal government’s response to the September 2019 Superior Court of Quebec’s decision that stated the medically assisted dying law was unconstitutional. The clause that refers to the required patients’ natural death to be “reasonably foreseeable” was the focus of what was considered unconstitutional. Bill C-7 has successfully passed first reading and will no doubt accelerate to the next reading. There are so many that have been rallying for this bill so that their loved ones do not have to suffer from the illness they are facing. There is a major misunderstanding of the effects that will occur by changing the *Criminal Code*. This important information is included in the parish memo, a copy of which is attached for information and for forwarding.

## **Bill C-7 Summary**

This enactment amends the *Criminal Code* to, among other things,

- a) repeal the provision that requires a person’s natural death be reasonably foreseeable in order for them to be eligible for medical assistance in dying;
- b) specify that persons whose sole underlying medical condition is a mental illness are not eligible for medical assistance in dying;
- c) create two sets of safeguards that must be respected before medical assistance in dying may be provided to a person, the application of which depends on whether the person’s natural death is reasonably foreseeable;
- d) permit medical assistance in dying to be provided to a person who has been found eligible to receive it, whose natural death is reasonably foreseeable and who has lost the capacity to consent before medical assistance in dying is provided, on the basis of a prior agreement they entered into with the medical practitioner or nurse practitioner; and

- e) permit medical assistance in dying to be provided to a person who has lost the capacity to consent to it as a result of the self-administration of a substance that was provided to them under the provisions governing medical assistance in dying in order to cause their own death.

On February 25<sup>th</sup>, Cardinal Thomas Collins, Archbishop of Toronto, issued a statement regarding the introduction of Bill C-7. Excerpts from the statement are highlighted in the attached memo. The complete statement can be found on [archtoronto.org](http://archtoronto.org). Cardinal Collins states it beautifully when he says the sick, elderly and disabled “need assisted living, not assisted death” and, “They should never be seen as a burden to our society.” It is imperative for Canadians to “foster a culture of care and love for one another” and strive to accompany friends, family “and even strangers...recognizing the inherent dignity of every person.”

I strongly urge you to read the statement issued by Cardinal Collins and to encourage members to do so as well. It is the perfect resource to use as a reference to clarify this issue and where the League stands.

At the end of March, members of the national resolutions committee were to be in Ottawa to attend question period and meet with ministers of the federal government to discuss the following resolutions:

- 2015.01 Increased Early Access and Intervention to Children and Youth Mental Health Services
- 2016.04 Amend the *Canada Health Act* to Identify Palliative Care as an Insured Health Service
- 2016.05 Amend the *Canada Health Act* to Include Home Care as an Insured Health Service
- 2017.02 Mandatory Age Verification Mechanisms for Adult Pornographic Websites
- 2018.01 Attestation Requirement on Canada Summer Jobs Program
- 2018.03 Legislate Designation of Hospice/Palliative Care Services in Facilities to Exclude Medical Assistance in Dying
- 2019.01 Canada to Honour its Commitment to the United Nations *Convention on the Rights of the Child*

Due to the recent state of emergency, the delegation is unable to travel to Ottawa. Delegates were looking forward to attending question period and meeting with the ministers. Hopefully, meetings will be rescheduled in the not too distant future.

In the meantime, this gives everyone an opportunity to reflect, pray and be with loved ones in the safety of their homes. Please continue to pray for those affected by COVID-19 and for healthcare workers and facilities. May God be with all Canadians here and abroad as the world deals with this terrible virus. May He also be with those who have the virus to comfort and bring them to health.

Sending blessings, prayers and hugs to you and your families to stay safe and healthy.

Respectfully submitted,



Betty Colaneri  
National Chairperson of Legislation