



Urgent Appeal re Bill C-7 amending Medical Assistance in Dying (MAiD)

L'Arche Canada, on behalf of our members with and without disabilities across Canada, joins disability advocates and support organizations in an urgent appeal for *sober second thought* on Bill C-7. This bill will amend Medical Assistance in Dying (MAiD), creating a separate pathway to assisted death for persons who are not dying as long as they have some form of disabling medical condition.

With our partners and allies, we urge our legislators to take whatever measures are necessary to preserve the requirement that a person's natural death be reasonably foreseeable in order to receive MAiD. This requirement is the only safeguard that, if applied in a non-discriminatory way, will protect persons with disabilities from being encouraged to choose assisted death/suicide due to the wide-spread perception that their lives are not worth living and because they do not have the support they need. We add our voices to those advocating for concerted action to help alleviate the real suffering in this community by ensuring the supports and services that these citizens need to live with dignity.

L'Arche stands with persons with disabilities who ask, "Why us?"

"Bill C-7 will legally entrench systemic ableism by enshrining assisted death as an alternative to assistance in living. Policymakers need to wake up to the lethal realities of systemic ableism, and ensure that Canada's MAiD law has adequate safeguards to prevent MAiD from weaponizing ableism."

- Heidi Janz, *Calgary Herald*, October 26, 2020

"As someone who has lived for 67 years with a degenerative medical condition, I am alarmed at how easily, when we are not paying close attention, a human-rights norm can be toppled. Bill C-7 begs the question: Why us?..."

Universality is the bedrock of our healthcare commitments. Why then does Bill C-7 depart so radically, dropping the threshold for MAiD for one social group already known to bear the risk of suicide at rates well in excess of the nondisabled population, but not for others who suffer and die before their time? What is it about disability that makes this okay?"

- Catherine Frazee, *The Globe and Mail*, November 17, 2020

L'Arche experience echoes the cry, "Why us?"

In March of 2020, as Canadians were submerged by the first wave of COVID-19, a man with an intellectual disability in one of the L'Arche communities in Canada, let's call him Joe, patiently waited for the results of a CT scan. It was hard to believe that he had cancer because he was feeling good. In the confusion of those early days of



the pandemic, hospitals were cancelling all but non-urgent procedures. Finally, the oncology team met and a call was set up to review the prognosis and treatment options. Joe had not even met the oncologist in charge of his care. Over the telephone, because both in person and video conferences were banned, the doctor spoke to two members of Joes' support circle prior to Joe joining the meeting. He explained that the cancer was more advanced than they had imagined. With treatment, Joe might only have a few years to live. He then asked, "Given his disability, would Joe even want treatment to extend his life?" His support persons made it clear that Joe was looking forward to the next years of his life and should be given the same treatment options as anyone else. One said, "Disability is not a reason to give a Do Not Resuscitate order." The Doctor, who in his defense had not yet met Joe, explained, "I had to ask."

But why did he need to ask that way? Why preface his question with a reference to Joe's disability, if not because of certain assumptions about the quality of Joe's life, and its value to him. Disability stereotypes often present themselves this way – as an unintended, benign but unsettling undercurrent in the ordinary conversations of our life. Would a doctor assume a person with a disability might not want to treat their cancer? Why would he assume that Joe would not love his life and want the same treatment as everyone else? It's turned out that Joe is doing well several months later, and his doctors have been great. But the questions remain because we see this perception of disability all the time. Why would a doctor ask this question about a person with a disability when they would not approach in the same way a patient who did not have a disability, and was not already close to death? It's the question that haunts many disabled advocates as they consider Bill C-7, and wonder, "Why us?"

<https://calgaryherald.com/opinion/columnists/opinion-we-must-ensure-revised-assisted-dying-law-will-not-threaten-lives-of-people-with-disabilities>

<https://www.theglobeandmail.com/opinion/article-assisted-dying-legislation-puts-equality-for-people-with-disabilities/>