



# Euthanasia Prevention Coalition

## NEWSLETTER

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### PARLIAMENTARY DEBATE REVEALS SIGNIFICANT OPPOSITION TO BILL C-384

On Friday, October 2, 2009, Bill C-384 -- the private member's bill introduced by Francine Lalonde (BQ) to legalize euthanasia and assisted suicide in Canada -- received its first hour of debate in the House of Commons. Parliamentary procedure states that a private member's bill receives two hours of debate before being voted on at second reading. C-384 is tentatively scheduled to receive its second hour of debate on November 16, 2009. Eight Members of Parliament spoke on C-384. Two spoke in favour - Francine Lalonde (BQ), Serge Cardin - (BQ); six opposed the bill - David Anderson (CPC), Hon John McKay (Lib), Jacques Gourde (CPC), Hon Marlene Jennings (Lib), Joe Comartin (NDP), Paul Szabo (Lib).

#### Francine Lalonde

Francine Lalonde (BQ) led off the debate, explaining how C-384 would work.

"... it amends the Criminal code so that a medical practitioner does not commit homicide just by helping a person to die with dignity if ... the person is at least 18 years of age, continues to experience severe physical or mental pain without any prospect of relief or suffers from a terminal illness. The person must have provided a medical practitioner with two written requests more than ten days apart expressly stating the person's free and informed consent to opt to die."



Lalonde then spoke about the experience of legalizing euthanasia and/or assisted suicide in other jurisdictions including the Netherlands, Belgium and Oregon.

Lalonde continued by focusing on the attitude of the Quebec College of Physicians that appears to be considering a change in their position on the issue. She also spoke about recent polls in Quebec that appear to indicate that the majority of Quebecers support her bill.

She then spoke about palliative care and she emphasized that there are cases when palliative care does not adequately relieve a person's suffering. She quoted a palliative care doctor who appears to support euthanasia.

• Continued next page

### Wilberforce Weekend - November 13-14, 2009

The Euthanasia Prevention Coalition and the Manning Centre for Building Democracy are organizing a non-partisan Wilberforce Weekend strategy seminar in Ottawa - November 13-14, at the University of Ottawa - Jack Turcott hall - 85 University St.



Wilberforce

The purpose of the weekend is to bring people together from differing backgrounds to examine the strategies that William Wilberforce employed to

outlaw slavery in England. We will then examine the issues of euthanasia and assisted suicide

within that framework.

The weekend is a national seminar to explore, enhance and transform cultural and public policy advocacy on behalf of people with disabilities, those who are chronically ill, dying, or otherwise medically at risk.

The registration fee is \$99. We encourage all concerned supporters, persons with disabilities, and students to attend.

Hotel accommodations have been arranged with the Novotel Hotel - under

the title: Wilberforce Weekend, Booking Order #15981, call: 613-230-3033. Rate: \$119.

If you are unable to attend this important seminar, please consider donating \$99 to enable someone to attend who might be otherwise unable to.

We are also seeking larger donations of \$500 or \$1,000 to help pay for translation and recording.

Please join us in our quest to build a stronger and more diverse coalition of groups and individuals who oppose euthanasia and assisted suicide.

For more information about the Wilberforce Weekend, go to [www.euthanasiaprevention.on.ca](http://www.euthanasiaprevention.on.ca)

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## SIGNIFICANT OPPOSITION TO BILL C-384

She then challenged the recent article from a group of 100 physicians in Quebec who oppose C-384 and who oppose the possible change in position by the Quebec College of Physicians concerning euthanasia.

### David Anderson

David Anderson (CPC) spoke against C-384, making three main points. His first point was, "... we need to understand that allowing people to die is a far cry from causing their death."



His second point was, "She talked about the fact that choice exists in other countries. While that is true, many of those countries (Switzerland) have developed death tourism, so that people go there to die. That is not in line with what we want either the heritage or the future of this country to be about."

Anderson's final point was, "It is ironic that she claims that an association for palliative care champions euthanasia. Is this not a complete twisting of the commitment that so many palliative care providers across this country believe in? They believe they are doing good work. They do not believe in euthanasia."

Lalonde responded, "It is about determining whether or not we should, by changing the Criminal Code, allow doctors who so wish -- only those who wish to do so -- to medically end the life of someone who wants to die, who has made that choice, who is at the end of life and who is suffering. That is the only question."

**EDITOR'S NOTE:** Lalonde admits that the change to the Criminal Code would allow doctors to end the life of someone. The Euthanasia Prevention Coalition has argued that C-384 is not about a person dying with dignity but rather giving the right to physicians to end a patient's life.

### John McKay

John McKay (Lib) made two points. The first was, "The essential core of this legislation is that it would engage society in the ending of a life. It would engage the doctor and it would engage us as a society."

His second point related to capital punishment. He spoke about how the justice system can make mistakes.

"I would request that the hon. member (Lalonde) respond to the inevitable, the absolute certainty that errors will be made and that therefore she and I and all the rest of us will bear that guilt."



Lalonde responded by speaking about the recent report from Belgium that stated that only people who have requested it and who are suffering are dying by euthanasia.

### Jacques Gourde

Jacques Gourde (CPC) spoke against C-384. He was representing the government in his opposition to the bill. He said,



"Bill C-384 is too broad in terms of its scope. Bill C-384 proposes to amend the Criminal Code to provide an exemption not only to the offence of assisted suicide, but also to the offence of murder. These amendments would represent a substantial change to the current state of the law on a matter that touches on life and death."

His second point was, "The proposed legalization of medical euthanasia and assisted suicide would not only apply to terminally-ill patients, but also to persons who suffer from severe physical or mental pain without any prospect of relief. Therefore, under this bill, persons who suffer from depression could request that a doctor help them to commit suicide. They could also request that the doctor carry out the act itself that would cause their death."

His third point was concerning the lack of safeguards. "In this respect, Bill C-384 contains a number of vague and undefined terms that could lead to interpretation problems and, therefore, potentially to misunderstandings or abuses."

"For example, terms such as 'while appearing to be lucid', 'appropriate treatment', 'severe physical or mental pain', 'without any prospect of relief' have the potential to be interpreted very subjectively."

"Under Bill C-384, the doctor who would assist in a suicide or terminate someone's life would only have to provide a copy of the diagnosis to the coroner after the fact. This bill would give a doctor the authority to terminate life on the apparent consent of the patient."

Gourde's next point was, "I know that other countries have struggled with this difficult issue over the years, both in their legislatures and in the courts. While some countries have amended their laws to permit physician-assisted suicide and/or euthanasia, others have not supported such changes. In any event, regardless of what other countries have done, we have to consider what is right for our society."

He concluded by stating, "I would like to reiterate that I do not support this bill. ... It raises a number of significant legal and policy concerns and, in my view, would not adequately protect human life. Bill C-384 would also have a major impact on current medical ethics and practice. Such substantial changes to the law should not be considered without extensive advance consultations."

### Marlene Jennings

Marlene Jennings (Lib) spoke against the bill by first reading the letter from the Canadian Medical Association opposing C-384. She then argued that the government and previous governments have not followed through on the research studies that need to be done before Canada consider legalizing euthanasia or assisted suicide.



## REVEALED IN PARLIAMENTARY DEBATE

### Joe Comartin

Joe Comartin, the NDP Justice Critic, was the next speaker to oppose C-384. His first argument was in relation to palliative care. He stated, “I want to quote from a statement made by Dr. Balfour Mount, whose name I think everybody in the country would recognize as being a leader in palliative care in Canada.”

“Mount said he is profoundly against euthanasia because it is simply not needed ....”

“What he was saying is that it is not needed in the kind of care he is able to provide and that he has provided for the better part of 30 years, as is the case in my community.”

“We need to look at our system right now. ... At this point, approximately 20% of our population is covered by meaningful palliative care, hospice and a home care system. That is all we have in the country. Then there is another 15% or maybe 17% who are covered by partial assistance at the end of life.”

“However, that is what it is about. It is about providing that system, and we are not doing it.”

Comartin then spoke against the very concept of legalizing euthanasia and assisted suicide. “I know there are disputes over this, but it is the analysis that I have brought to bear, and I think it is an accurate one. In spite of how we build that system, and I say that about the legislation my colleague has brought here, that is not what actually happens. Should we make the mistake of passing this kind of legislation, we are in effect giving our approval to doctors who are willing to do this, to family members who want it and to those individuals who are still capable of making a decision. They will simply figure out ways of working around the legislation.”

He concluded by saying, “I think we do need a fuller debate on this, but not in this context. It has to be in the context of people living out their natural lives, and what we, as a society and legislators, have to do to ensure that can happen.”

**EDITOR’S NOTE:** In other words, Comartin says that we need to discuss how people live out their natural life before we discuss how they die.

### Serge Cardin

Serge Cardin (BQ) supported C-384. He spoke about suffering and the death of his father. He then challenged people who oppose euthanasia based on a faith perspective, by stating, “I can say that in ancient times, the Greeks and the Romans were able to bring the issue of suicide out into the open and ensure that it was part of public discourse and debate. That was in ancient times. They decided to discuss it honestly and openly, to debate the matter. Intolerance of suicide began to take root in the 2nd and 3rd centuries and was heightened under the influence of Christianity. Naturally we do not wish to go against people’s



beliefs.”

Cardin warned the Members of Parliament that if they didn’t deal with the issue, more cases would go before the courts, leading to a judicial decision.

He concluded by stating, “I am not trying to convince the members to say yes so that this bill becomes law tomorrow morning. What I am trying to do is convince them to consider, discuss, debate, and improve this bill. In the end, it is not up to us to choose. It is up to the person to say lucidly that, in the event something should happen, they want to have control over their life and, ideally, their death as well.

**EDITOR’S NOTE:** Cardin’s concluding remarks follow the same point of view of the euthanasia lobby in Canada who have been asking Members of Parliament to vote in favour of C-384 in order to allow it to receive a national debate.

### Paul Szabo

The final speech on C-384 was by Paul Szabo (Lib) who spoke against the bill, making two key points. His first was



related to the nine years he served on the board of the Mississauga hospital. “The issues of informed consent and mental competency, whether the person had all the medical information, or were aware of all the options or if there was coercion by family members or friends, are important issues to take into consideration.”

His second point was about what euthanasia actually is. “The bill goes under the moniker of right to die with dignity, but the amendment to the Criminal Code would give a person the right to terminate a life before natural death. It would not give the right to die with dignity to someone. It would give the right of someone to take a life. That is a subtle difference.”

He concluded by saying, “I hope as many members as possible will get an opportunity to address this. Palliative care workers are concerned about this. Organizations and hospices are doing their very best to give the best possible care in terrible situations. Disabled in our society are obviously concerned about whether their lives are at risk because someone decides they do not live in dignity.”

**EDITOR’S NOTE:** The first hour of debate for C-384 went very well. We will defeat C-384, but we also need to stop the movement to legalize euthanasia and assisted suicide in Canada. C-384 gives you an opportunity to speak to your MP in a clear and convincing manner.

Please write a letter to your MP or ask us to send you the Stop Bill C-384 package and then request a meeting with your MP.

The Euthanasia Prevention Coalition will send you a Stop Bill C-384 information package upon request and we are distributing the Stop Bill C-384 postcards for \$10 for 100 cards + postage.

# Are Internet suicide predators protected by the language of the law?

*Motion 388 receives its first hour of debate*



Harold Albrecht

**H**arold Albrecht (CPC) introduced Motion 388 IN Parliament to encourage the government to clarify Section 241 of the Criminal Code in order to ensure that the law applies to Internet suicide predators.

In March 2008, Nadia Kajouji killed herself after being encouraged and counseled by William Melchert-Dinkel, a licensed practical nurse in Minnesota.

In response to a plea by Kajouji's mother, Albrecht introduced M388 to clarify the assisted suicide law and to address the crime of online suicide counseling, which has led to Nadia and other young people committing suicide after being urged by predators via the Internet.

In his speech at the House of Commons, Albrecht presented several key points.

His first point was concerning the role of Section 241 of the Criminal Code. He stated, "Our society has long recognized that vulnerable people require the protection of the law. That is the purpose behind Section 241 of the Criminal Code which makes it illegal to counsel someone to commit suicide."

He then spoke about the concerns related to depression and the vulnerable person. He stated, "Each of us in this chamber has gone through periods of discouragement and perhaps depression, or at least we have family members and friends who struggle with depression and mental health issues. For some people these downtimes might be a fleeting emotion that lasts only for a few hours or days. For others, it may drag on for weeks, months or even years. In these times of feeling overwhelmed, discouraged or depressed, many have had the thought of ending it all in order to avoid the ongoing pain."

Albrecht then explained Nadia's story. "In March 2008 in Ottawa, Nadia, a Carleton University student, was going through a period of depression when an Internet predator encouraged her to take her life. ... The online friend turned out to be a 46-year-old licensed practical male nurse from Minnesota who allegedly lurked as a predator in online chat rooms. He also admitted to Minnesota police that he coaxed at least five different people to commit suicide using the Internet."

Albrecht then quoted Nadia's mother who stated, "One thing that has now been brought to light is that this predator is not alone. There are many more just like him out there. And when things go wrong in our lives, or in the lives of the people we love, they'll be out there hunting, hunting for the opportune moment."

Albrecht quoted Nadia's mother further by stating, "Stories like this make it necessary to clarify our laws. In our Internet age, we need to make it clear that the use of technology

where one might presume to hide behind the anonymity of the Internet is not a defense against prosecution for very serious criminal offenses."

Albrecht concluded his speech by saying, "My concern is for vulnerable Canadians. The changes called for in M388 are needed in order to provide greater protection to those who are at a very vulnerable point in their lives. Predators must be stopped before they repeat their crime. Their destructive deeds will not be tolerated and predators who choose to ignore the deterrent message need to know that they will face severe consequences."

Serge Ménard (BQ) spoke next, stating that the Bloc supports M388. But he questioned the need for the motion, noting that Section 241 is written in a broad manner.

Albrecht responded by stating that Melchert-Dinkel has not been charged by Canadian authorities and that it is important to give a clear message as a deterrent to those who counsel suicide over the Internet.

Ménard then continued by stating that suicide is the second leading cause of death in Quebec. He then stated, "We believe that it is important to ensure that counselling or aiding and abetting suicide is an offence, no matter the means used - including telecommunications, the Internet or a computer system."

**EDITOR'S NOTE:** This comment is especially interesting considering the fact that the Bloc Québécois supports Bill C-384 that would essentially eliminate the protections in Section 241 of the Criminal Code.

Rod Bruinooge (CPC) spoke in favour of M388 and asked if the motion would act as a push-back to groups attempting to normalize suicide.

Albrecht responded that M388 is only concerned with suicide predators who are taking advantage of vulnerable people, especially youth.

Alan Tonks (Lib) spoke in favour of M388 and expressed his concerns related to the rate of suicide and attempted suicide among youth in Canada.

Joe Comartin (NDP) was next to speak in favour of M388. Comartin was clear in his support by stating, "It is quite appropriate and very timely that this motion is before the House. I believe the government, the Department of Justice in particular, needs to be looking into this area and seeing if there are ways that we can tighten up either under the Criminal Code or in other areas to, as much as possible, prevent this type of predatory activity."

Chris Warkentin (CPC) spoke in favour of M388, but emphasized the importance of maintaining a broad interpretation of Section 241 of the Criminal Code.