



# Euthanasia Prevention COALITION

## THE QUEBEC GOVERNMENT IS DEBATING BILL 52, A BILL THAT WILL LEGALIZE EUTHANASIA IN QUEBEC

Quebec Bill 52 will decriminalize euthanasia by defining euthanasia as medical treatment with deliberate, confusing euphemisms and ambiguous language.

### Definitions

Bill 52, which is euphemistically entitled “An Act respecting end-of-life care”, defines end-of-life care as: palliative care provided to persons at the end of their lives, including terminal palliative sedation, and medical aid in dying. The bill states that doctors would “administer” medical aid in dying.

“Medical aid in dying” is an euphemism for euthanasia. Euthanasia is a form of homicide. It is the direct and intentional cause of death of a person, by administering a lethal dose.

Bill 52 defines palliative care to include medical aid in dying, (euthanasia). Therefore euthanasia is part of palliative care.

In the bill the definition of terminal sedation is not clear and the “rules” concerning its use are vague. This vague definition of terminal sedation should concern us since euthanasia without consent could be done “under the radar” and reported as terminal sedation.

Dr Marc Beauchamp, President of Vivre dans la Dignité (Living with Dignity), and lawyer Michel Racicot stated in an article published in the *Montreal Gazette*:



*“Bill 52 introduces the concept of “terminal palliative sedation,” a concept not defined in the bill, and one that causes a lot of confusion. In as much as the goal of such sedation is to cause death, and not to relieve pain, it is also another form of euthanasia.”*

Bill 52 creates a “right to receive palliative care.” A right to receive palliative care may appear to be good, except that the definition of palliative care includes medical aid in dying (euthanasia). Thus, the bill creates a right to receive euthanasia.

### People With Disabilities

Euthanasia is not limited to people who are terminally ill. The criteria for euthanasia in the bill is “an incurable serious illness.” Many people are not terminally ill but live with chronic conditions that are incurable and serious.

People with disabilities can die by euthanasia. Bill 52 defines the criteria for euthanasia as having: “an advanced state of irreversible decline in capability”. Many people with disabilities live with an advanced state of irreversible decline.

Amy Hasbrouck - the founder of Toujours Vivant - Not Dead Yet stated:

*“Bill 52 is confusing. It is supposed to be for “end of life patients” but those who want Medical Aid in Dying need only have a serious and advancing illness. That could describe someone with diabetes who loses a leg or a quadriplegic with a major skin breakdown. Having these conditions does not mean life is over.”*

Bill 52 does not protect people with depression or mental illness from euthanasia. The bill defines the criteria for euthanasia as having: “physical or psychological pain which cannot be relieved in a manner the person deems tolerable.” People who live with chronic depression or mental illness qualify for euthanasia, even if they reject effective treatment.



### Ineffective Safeguards

The criteria that a doctor must follow to approve euthanasia is similar to the provisions in the Belgian law. The criteria does not include:

- A waiting period;
- A medical exam by the doctor who receives the request;
- A psychological evaluation; and
- Preventative measures, such as pain control

Doctors are not required to refer a person for euthanasia, but they are required to notify authorities to find a doctor to do it.

Hasbrouck, who is a lawyer and a disability leader commented on the safeguards. She stated:

*“Bill 52 is a recipe for abuse. There are few safeguards or attempts at prevention. There is no established waiting period or psychological evaluation required. The doctor has no obligation to provide information about mental health or social intervention, or to ensure that needed services or supports are in place. An heir can fill out the euthanasia request form (“in case of physical incapacity”) and accompany the person to sign it before the “health or social service professional.”*

The bill states that euthanasia deaths must be reported after the death has occurred.

Since the person is dead before the report is submitted, how can a person be protected from abuse? The report is submitted by the doctor who did the euthanasia death. Will the doctor acting outside of accepted practice self-report technically illegal acts?

The bill establishes a commission to oversee the law. The commission is charged with producing annual and five year reports. However, the bill does not specify what data must be in those reports.

The commission will assess compliance with the law but there is no indication how a physician who is non-compliant would be sanctioned, and the commission has not been given the power to investigate problems.

Dr Beauchamp and Racicot stated in their article in the *Montreal Gazette*:

*“The government also chooses to ignore the warnings against potential abuses. In order to obtain medical aid in dying, a person will have to satisfy certain conditions specified in Section 26 and following sections in the bill. However these conditions do not apply to terminal palliative sedation. Furthermore the conditions are essentially the same as those adopted in Belgium, a country that allows medically assisted death. There is a significant body of international scientific literature demonstrating the ineffectiveness of safeguards imposed in Belgium and in the Netherlands, another country that permits assisted dying.”*

### The Belgian Model For Euthanasia

Quebec is imposing on its people a medical model for decriminalizing euthanasia by using similar definitions found in the Belgian law.

Recent studies concerning the Belgian euthanasia law show that: 32% of the assisted deaths are done without request (CMAJ, June, 2010) and 47% of the assisted deaths go unreported in the Flanders re-

gion of Belgium (BMJ, Oct, 2010). Another recent study found that even though nurses are prohibited from doing euthanasia, nurses are euthanizing their patients in Belgium.

There has never been an attempted prosecution in Belgium even though independent studies prove that abuse of the Belgian euthanasia law is common.

A recent study, that examined data from 363 requests for euthanasia in Belgium, concluded that only 5% of those requests were rejected (J Pain Symptom Management, Nov, 2011).

Recent Belgian government statistics indicate that the number of reported assisted deaths are continually increasing. There were 954 reported assisted deaths in 2010, 1133 in 2011 and 1432 in 2012 in Belgium. It is important to note that these statistics do not include the unreported assisted deaths.

Belgian legislators have responded to the abuses of the euthanasia law, by proposing to change the law to include children with disabilities and people with dementia. By widening the definitions, it becomes less likely that doctors will contravene the law. The proposed changes to the euthanasia law may effect the freedom of conscience for health care workers in Belgium.

The proposed changes to the Belgian euthanasia law, combined with the lack of attempted prosecutions for abuse (in other jurisdictions these abuses would be known as murder), in conjunction with the massive increases in the number of euthanasia deaths, indicate that incremental extensions to the law, also known as a slippery slope, have occurred in Belgium.

A woman with anorexia nervosa recently died by euthanasia. A man wrote a letter about how his depressed mother died by euthanasia. Belgian twins who were born deaf were euthanized out of fear of blindness. In Belgium euthanasia followed by organ donation has become a common practice.

Bill 52 is full of false claims, euphemisms and ambiguous language. **Bill 52 is a very dangerous bill.**

## Conclusion

In order to avoid the constitutional battle with the federal Criminal Code, Bill 52 defines euthanasia as health care and calls euthanasia “medical aid in dying” which is defined as part of palliative care.

Bill 52 decriminalizes euthanasia but not assisted suicide. In response to the Quebec euthanasia bill, the former federal Justice Minister, the Hon Rob Nicholson, stated:

*“The Government of Canada will review the implications of Quebec’s proposed legislation on physician-assisted suicide and euthanasia.”*

*The laws that prohibit euthanasia and assisted suicide exist to protect all Canadians, including those who are potentially the most vulnerable, such as people who are sick or elderly, and people with disabilities.*

*In April 2010, a large majority of Parliamentarians voted not to change these laws, which is an expression of democratic will on this topic.”*

Since then, Peter MacKay has been appointed as the Justice Minister and Attorney General of Canada.

Write to the Hon Peter MacKay asking him to equally protect all Canadians by upholding the Criminal Code prohibitions from assisted suicide and euthanasia.



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