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Dore: "Canada's Bill C-14, which seeks to codify assisted suicide and euthanasia, is a recipe for elder abuse."

"The bill is contrary to the Canadian Supreme Court case, *Carter v Canada*, which envisioned a 'carefully designed and monitored system of safeguards.'"

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Ottawa, ON - Lawyer Margaret Dore, president of Choice is an Illusion, which has been fighting efforts to legalize assisted suicide and euthanasia in the United States, Canada and other countries, made the following statement in connection with Canada's Bill C-14, which seeks to codify assisted suicide and euthanasia into law.

"The bill refers to assisted suicide and euthanasia as 'medical assistance in dying,' but there is no requirement that a person be dying," **said Dore**. "'Eligible' persons may have years, even decades, to live."

Dore said, "The bill is a recipe for elder abuse. The patient's heir, who will financially benefit from the patient's death, is allowed to actively participate in signing the patient up for the lethal dose. There is no oversight over administration." **Dore elaborated**, "In the case of assisted suicide, not even a doctor or other medically trained person is required to be present at the death. If the patient struggled, who would know?"

"The bill is a response to the Canadian Supreme Court decision, *Carter v. Canada*, which found a right to assisted suicide and euthanasia for 'competent' adults who 'clearly consent,'" **said Dore**. The bill, however, does not comply with these requirements. **Dore explained**, "The bill does not even use the word 'competent,' except in the bill's preamble, which does not have force of law. The bill violates *Carter*, which requires that the patient be a 'competent adult.'"

"*Carter* also envisioned a 'carefully designed and monitored system of safeguards,'" **said Dore**. "This would at the very least require oversight when the lethal dose is administered to the patient. The bill does not do so. There is also no required monitoring or investigation after the patient's death."

Dore explained, “The bill contains one reference to ‘monitoring,’ saying that the Minister of Health ‘may’ make regulations ‘for the purpose of monitoring deaths’ under the bill.’ Saying that regulations ‘may’ be made does not constitute a ‘carefully designed and monitored system of safeguards.’ The bill does not comply with *Carter*.”

“Under current law, the Corrections and Conditional Release Act requires that all inmate deaths be investigated,” **said Dore**. “Bill C-14, however, amends the Act to create an exception for inmates who die by assisted suicide or euthanasia, to thereby discourage investigations.” **Dore continued**, “With existing investigations discouraged, the idea of a ‘carefully designed and monitored system of safeguards’ is undermined. *Carter* is once again violated.”

Dore added, “The bill also amends the Pension Act and the Canadian Forces Members and Veterans Re-Establishment Act to deem that any deaths occurring via assisted suicide and euthanasia be treated as a result of an ‘illness, disease or disability.” **Dore said**, “The significance is a legal inability to prosecute criminal behavior, for example, in the case of an outright murder for the money. The cause of death, as a matter of law, is an ‘illness, disease or disability.’ The bill thereby creates the perfect crime.”

“Under the *Charter of Rights and Freedoms*, ‘everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice,’” **said Dore**. “It is not fundamentally just to allow people to be killed for their money or due to another bad motive under a regime that has no required oversight at the death, no required monitoring and which deems deaths to be the result of an ‘illness, disease or disability,’ as a matter of law, to thereby prevent prosecution.” **Dore concluded**, “The bill, which creates the perfect crime, must be a violation of the *Charter*.”

For more information, see:

1. Margaret Dore, Legal/Policy Analysis of Bill C-14, prepared for Prime Minister Trudeau and Members of the Senate and the House of Commons, May 15, 2016. Memo available here: <https://choiceisanillusion.files.wordpress.com/2016/05/memo.pdf> Attachments available here: <https://choiceisanillusion.files.wordpress.com/2016/05/memo-index-final.pdf>
2. Margaret K. Dore, "Death with Dignity: What Do We Advise Our Clients?," King County Bar Association, Bar Bulletin, May 2009, <https://www.kcba.org/newsevents/barbulletin/BView.aspx?Month=05&Year=2009&AID=article5.htm>
3. Nina Shapiro, "Terminal Uncertainty: Washington’s new ‘Death With Dignity’ law allows doctors to help people commit suicide—once they’ve determined that the patient has only six months to live. But what if they’re wrong?" *The Seattle Weekly*, 01/14/09, available at <https://choiceisanillusion.files.wordpress.com/2015/08/terminal-uncertainty-w-o-ad.pdf>

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