

May 2, 2016



## Submission to the House of Commons Justice and Human Rights Standing Committee

### Bill C-14, An Act to amend the Criminal Code and to make related amendments to other Acts (medical assistance in dying)

---

#### Background

1. The Salvation Army is an international Christian and social services organization that provides a wide range of social, community and faith-based services, particularly for those who are suffering, facing injustice or have been forgotten and marginalized by mainstream society.
2. The Salvation Army's health services reflect the caring philosophy of a movement that has been serving in Canada since 1882. Enveloped in Christian mission, The Salvation Army provides a broad base of care and services for the aged and those with ill health or disabilities.
3. The Salvation Army seeks to provide care, support and advocacy for vulnerable members of society through services such as The Salvation Army Toronto Grace Health Centre's palliative care services and The Salvation Army Rotary Hospice House, Richmond, B.C.
4. This submission has been approved by Commissioner Susan McMillan, the Territorial Commander of The Salvation Army Canada and Bermuda.

#### The Salvation Army Perspective

5. The Salvation Army believes strongly that all people deserve compassion and care. It is important to communicate by word and deed to the sick, the elderly, the dying and other vulnerable members of society that they remain worthy of respect, that they are loved and will not be abandoned at the end of their lives.
6. Respect for the dignity of human life demands quality care for all persons to the end of their lives. The Salvation Army therefore promotes access to palliative services that provide holistic health care when there is no longer medical hope for a cure. We are encouraged by the federal government's recognition of the importance of palliative care in society and its commitment to enhancing its availability across the country.

#### Specific Responses

##### *Consistency of conscience protection across the country*

7. We recognize how difficult it is to balance the rights of Canadians in drafting the proposed legislation. We note, however, that the proposed legislation does not provide protection for the rights of those who do not wish to participate in medical assistance in dying.
8. Bill C-14 leaves the protection of conscience and religious beliefs to be interpreted by provincial and territorial governments and regulating bodies. We encourage an amendment be made to Bill C-14 so as to

include protection of conscience for healthcare and social service providers and facilities<sup>1</sup> so as to ensure that a basic level of conscience protection is consistent across the country. Section 3 of the *Civil Marriages Act* provides an example of the type of protections that may be included in this legislation.<sup>2</sup>

#### *Safe place to die*

9. We note with concern an Oregon Public Health Division annual report which states that forty percent of patients who requested assisted suicide in 2014 did so out of concern about being a burden on their family.<sup>3</sup> Canadian law, like the society it reflects, is largely devoted to protecting human life, particularly vulnerable and marginalized people. We submit that without facilities where patients and their families can be guaranteed that medical assistance in dying will not be available as an option, individuals may experience undue pressure to end their lives early.

#### **Conclusion**

10. The Salvation Army strongly supports an amendment to Bill C-14 to include protection of conscience rights of healthcare and social service providers and facilities.

11. The Salvation Army supports increased resourcing for hospices and palliative care across the country to enable Canadian society to better respond to those nearing the end of their lives.

12. The Salvation Army is grateful for the opportunity to make a submission and be part of this process.

---

<sup>1</sup> By way of example, Oregon's Death with Dignity Act defines a "health care provider" as: a person licensed, certified or otherwise authorized or permitted by the law of this state to administer health care or dispense medication in the ordinary course of business or practice of a profession, and includes a health care facility. (Death with Dignity Act, 127.800 ss1.01(6))

<sup>2</sup> Specifically, we encourage wording like that found in s. 3.1 of the Civil Marriages Act which states: For greater certainty, no person or organization shall be deprived of any benefit, or be subject to any obligation or sanction, under any law of the Parliament of Canada solely by reason of their exercise, in respect of marriage between persons of the same sex, of the freedom of conscience and religion guaranteed under the Canadian Charter of Rights and Freedoms or the expression of their beliefs in respect of marriage as the union of a man and woman to the exclusion of all others based on that guaranteed freedom.

<sup>3</sup> Oregon Public Health Division, Oregon's Death with Dignity Act – 2014 [Annual Report – Year 17] (Salem: Oregon Public Health), 2015.