

Government introduces legislation to provide medical assistance in dying

Proposed federal approach respects personal choice while protecting vulnerable persons

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The federal government recognizes that, for all Canadians, medical assistance in dying is a difficult and deeply personal issue. It is important to defend people's choices and freedoms in a way that protects the most vulnerable, and also supports the personal convictions of health care providers.

Today, the Minister of Justice and Attorney General of Canada, Jody Wilson-Raybould, together with the Minister of Health, Jane Philpott, announced that proposed legislation has been introduced that would give dying patients, who are suffering intolerably from a serious medical condition, the choice of a medically-assisted death.

The proposed legislation has been developed following the Supreme Court of Canada's unanimous decision in *Carter v. Canada* to strike down the criminal laws against physician-assisted dying. It is the result of extensive consultations with individuals, groups and experts, at home and abroad, and takes into account a range of interests, including personal autonomy and safeguards to protect the vulnerable. This is a compassionate approach that considers all these interests.

The proposed approach was carefully designed to recognize and respect the individual choice of a medically assisted death for adults who are suffering intolerably and are on a foreseeable course toward the end of their lives. Safeguards have also been proposed to protect against errors and abuses in the system.

The proposed legislation was developed in line with the *Charter of Rights and Freedoms*. It would ensure a consistent approach to medical assistance in dying across Canada while recognizing the jurisdiction of provinces and territories over the delivery of health care services.

The proposed measures would revise the *Criminal Code* to exempt health care practitioners who provide, or help to provide, medical assistance in dying, from otherwise applicable criminal offences.

Moving forward, the Minister of Justice and the Minister of Health will appoint one or more independent bodies to study how medical assistance in

dying could apply to the issue of advance requests, mature minors, and individuals with mental illnesses.

Quotes

"Medical assistance in dying is a sensitive, complex issue and many Canadians have deeply-held views on the subject. Recognizing the inherent dignity and equality of all Canadians, we are proposing the choice of a peaceful death for patients with a serious medical condition who are irreversibly declining and suffering intolerably. After the Supreme Court of Canada's (SCC) unanimous decision in Carter, it was no longer a question of whether we would have medical assistance in dying in Canada, but how it would be made available. Based on the current evidence, we believe this is the best approach to ensure that dying patients who are suffering unbearable pain have the choice of a peaceful death and that the vulnerable are protected."

The Honourable Jody Wilson-Raybould
Minister of Justice and Attorney General of Canada

"Every Canadian deserves access to timely and high-quality health care, including at the end of life. The Government of Canada is grateful for the work of the Special Joint Committee, and will engage with the provinces and territories to support consistency in the delivery of medical assistance in dying, as well as to develop a pan-Canadian monitoring system to collect and analyze data, monitor trends and publicly report on the new regime. To implement our commitment to support a full range of end-of-life care options, we will continue to work with provinces and territories to improve palliative care as part of discussions on a new Health Accord. We will also explore options to support access to medical assistance in dying, while supporting the personal convictions of health care providers."

The Honourable Jane Philpott
Minister of Health

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