



Ontario Provincial Council of The Catholic Women's League of Canada Legislation Standing Committee

Inspired by the Spirit, Women Respond to God's Call

Directive #5

Pages: 2 (Attachments: 3)

September 11, 2018

To: Diocesan Legislation Standing Committee Chairpersons
From: Karen McDonald, Provincial Legislation Standing Committee Chairperson
cc: Provincial Officers, Diocesan Presidents, Legislation Sub-Committee
Chairpersons and National Legislation Standing Committee Chairperson

*"Eye has not seen, ear has not heard what God has ready for those who love him;
Spirit of love, come give us the mind of Jesus, teach us the wisdom of God."*

(Eye Has Not Seen – hymn by Marty Haugen)

This hymn came to mind when our priest asked us to find the miracles in our lives ... to let our eyes be opened like the blind man who was healed and to listen as the deaf man whose ears were healed. Our provincial focus on **homelessness** has helped me to see and hear the miracles that I take for granted ... we are so blessed!

Scavenger Hunt

The provincial legislation *team* reminds you to participate in the **Scavenger Hunt**. A copy is available at <http://www.cwl.on.ca/directives/27/legislation> (Directive #3). We have already received completed surveys. I am on a team, are you?

71st Provincial Convention (in Toronto)

My first provincial convention as a member of *team* OPC was an amazing experience, especially assisting with resolutions. Learning the process (review meeting in May, preparing and participating in the dialogue, assisting in presenting the resolutions) gave me a greater appreciation as to why the League is respected for its resolutions.

It was wonderful to meet many of the diocesan legislation chairpersons who attended. Such creative work is being done in our councils ... thank you for your service on the legislation committee. Though the seasons change (Fall is my favorite time of year), we must remain vigilant by monitoring current laws, bills, and proposed legislation.

My oral report is found at <http://www.cwl.on.ca/directives/27/legislation> (Reports). Provincial Resolutions Chairperson Colleen Martin provided the **three resolutions** passed at convention (Directive #5 dated August 9, 2018 is on provincial homepage) and an **Urgent Bulletin** regarding Resolution ON.18.02. It is our task to follow up on the Action Plans associated with each resolution. Please review these.

98th National Convention (in Winnipeg)

I attended this convention and it was exciting! The strategic planning presentation was very informative. Effective January 1, 2019, the new national theme will be, "**Care for our Common Home**". Elections were held and I am pleased to advise **Betty Colaneri** (from Ontario) is the **national legislation chairperson**. I look forward to working with her in my second year as provincial legislation chairperson.

In Betty's first communiqué, she stated, "*As chairpersons, it is our responsibility to monitor and study federal government legislation. It all begins with a concern or issue a member or someone they know may have or had to deal with. One such serious issue was adopted at national convention under the legislation standing committee:*

2018.03 Legislate Designation of Hospice/Palliative Care Services in Facilities to Exclude Medical Assistance in Dying

The action plan encourages members to do the following:

- 1. Write to the prime minister, ministers of justice and health, and their member of parliament urging the federal government to legislate designation or hospice/palliative care free from medical assistance in dying.*
- 2. Educate members on keeping hospice and palliative care free from medical assistance in dying.*
- 3. Where hospices are performing medical assistance in dying, withdraw all funding. Write to the board of directors of hospices stating the reason for the withdrawal of donations.*
- 4. Monitor the federal government's response to the request contained in the resolution.*

House of Commons will reconvene sitting on September 17, 2018. This information can be found at www.parl.gc.ca/housechamberbusiness/chambercalendar."

Attached is Resolution 2018.03, the Brief, Works Cited and the Action Plan.

The provincial delegation hopes to meet with Premier Ford this Fall (a request was made) and we will be highlighting the concerns of members ... in letters and petitions sent, phone calls and visits to MPPs, and our resolutions. We cannot do everything but we are expected to do something. Let's continue to keep our eyes and ears open!

Lots of love,

Karen

**Legislation
B.C. & Yukon Provincial Council**

**2018.03 Legislate Designation of Hospice/Palliative Care Services in Facilities
to Exclude Medical Assistance in Dying**

Whereas, Bill C-14 *An Act to amend the Criminal Code and to make related amendments to other Acts (medical assistance in dying)* changed the provision of health care from “do no harm” to legalizing medical assistance in dying; and

Whereas, medical assistance in dying is being imposed on some hospice/palliative care facilities contrary to their philosophy and purpose which is to provide comfort care during a person’s final days; and

Whereas, Bill C-277 *Framework on Palliative Care in Canada Act* was legislated by the federal government; and

Whereas, hospice/palliative care as defined by the World Health Organization neither hastens nor postpones death, making it incompatible with medical assistance in dying; therefore, be it

Resolved, that national council of The Catholic Women’s League of Canada in 98th annual national convention assembled urge the federal government to legislate the designation of hospice/palliative care services in facilities to exclude medical assistance in dying; and, be it further

Resolved, that this resolution be forwarded through the national executive to the provincial councils, encouraging them to become aware of this issue as it pertains to their province/territory, and to act on it, as deemed necessary/prudent.

BRIEF: Legislate Designation of Hospice/Palliative Care, Free From Medical Assistance in Dying

Bill C-14 *An Act to amend the Criminal Code and to make related amendments to other Acts (medical assistance in dying)* changed the dynamic of health care from “do no harm” to legalizing medical assistance in dying. The Supreme Court of Canada in *Carter v. Canada* stated that “Complex regulatory regimes are better created by parliament than by the courts” (McLachlin, et al). Also, Bill C-277 *An Act providing for the development of a framework on palliative care in Canada* was passed into law on December 12, 2017 (Canada), the federal government could pass legislation on the designation of hospice/palliative care to be free from medical assistance in dying.

BC Fraser Health Authority is mandating that medical assistance in dying be available in hospice/palliative care contrary to the philosophy, policy and purpose of hospice/palliative care. “All health authorities in BC, including Fraser Health, support the provision of medical assistance in dying in all settings... We will be proceeding with the final phase of implementation in hospice and palliative care settings” (Sinclair). Bill C-14 section 241.2(9) states, “For greater certainty, nothing in this section compels an individual to provide or assist in providing medical assistance in dying.”

Hospice and palliative care are incompatible with medical assistance in dying. The definition according to the World Health Organization and the International Association of Hospice and Palliative Care state that hospice and palliative care:

- Provides relief from pain and other distressing symptoms.
- Affirms life and regards dying as a normal process.
- Neither hastens nor postpones death...

Hospice/palliative care has always been a safe environment providing comfort care, addressing all aspects of patient care to live life well until natural death. In his address to a conference hosted by Anscombe Bioethics Centre in the United Kingdom, a doctor from Belgium cited “a palliative care centre where the director became known for being very welcoming to euthanasia requests. The centre began to get referrals simply for euthanasia and this changed the pattern of practice and the character of the centre such that a number of staff subsequently left” (Gately and Jones).

“There are also implications for palliative care: Those seeking euthanasia may be referred first to a palliative care centre for assessment, with agreement contingent upon the outcome. This has led to confusion among some patients as to the nature of palliative care” (ibid).

“Some patients are afraid to go to their doctor or hospital. Some carry cards requesting they not be euthanized. There are concerns that doctors will too quickly accede to a request for euthanasia and fail to facilitate the exploration of alternatives” (ibid).

The Catholic Women’s League of Canada urges the federal government to legislate a designation of hospice/palliative care, free from medical assistance in dying.

Works Cited

1. Canada, Parliament of, *An Act providing for the development of a framework on palliative care in Canada* December 12, 2017, <http://www.parl.ca/DocumentViewer/en/42-1/bill/C-277/royal-assent>
2. Canada, Statutes of, June 17, 2016, Bill C-14, *An Act to amend the Criminal code and to make related amendments to other Acts (medical assistance in dying)* <http://www.parl.ca/DocumentViewer/en/42-1/bill/C-14/royal-assent>
3. Gately, Pauline MA and Professor Jones, David Albert, Report from “*Euthanasia and Assisted Suicide: Lessons from Belgium*” A conference hosted by Anscombe Bioethics Centre, Scotland, November, 2014.
4. International Association of Hospice and Palliative Care, IAHPC Manual of Palliative Care 3rd Edition, <https://hospicecare.com/what-we-do/publications/manual-of-palliative-care/>
5. McLachlin, Beverly, et al, *Carter v. Canada (Attorney General)*, February 6, 2015, <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/14637/index.do>
6. Sinclair, Jim, Chairperson, Board of Directors, Fraser Health Authority, letter to Ms. Nancy Macey, Executive Director, Delta Hospice Society, December 19, 2017.
7. World Health Organization, definition of palliative care, www.who.int/cancer/palliative/definition/en/

Action Plan

1. Write to the prime minister, ministers of justice and health, and your member of parliament, urging the federal government to legislate designation of hospice/palliative care free from medical assistance in dying.
2. Educate members on keeping hospice and palliative care free from medical assistance in dying.
3. Where hospices are performing medical assistance in dying, withdraw all funding. Write to the board of directors of hospices stating the reason for the withdrawal of donations.
4. Monitor the federal government’s response to the request contained in the resolution.