



## MINUTES OF PROCEEDINGS

OTTAWA, Wednesday, February 3, 2021  
(12)

[English]

Pursuant to the order adopted by the Senate on Thursday, December 17, 2020, the Standing Senate Committee on Legal and Constitutional Affairs met this day in room C128, Senate of Canada Building, and with videoconference at 10:01 a.m. [ET], the chair, the Honourable Mobina S. B. Jaffer, presiding.

*Members of the committee present:* The Honourable Senator Batters and Boisvenu (2).

*Members of the committee present by videoconference:* The Honourable Senators Boniface, Boyer, Carignan, P.C., Cotter, Dupuis, Gold, P.C., Harder, P.C., Jaffer, Keating, Plett, Tannas, Wallin and White (13).

*Other senators present by videoconference:* The Honourable Senators Gagné, Kutcher, LaBoucane-Benson, Mégie, Martin, Moodie, Pate, Petitclerc and Woo (9).

*Participating in the meeting:* Joëlle Nadeau, Procedural Clerk, Committees Directorate; Julian Walker and Michaela Keenan-Pelletier, Analysts, Parliamentary Information and Research Services, Library of Parliament.

*Also present:* The official reporters of the Senate.

Pursuant to the order of reference adopted by the Senate on Thursday, December 17, 2020, the committee continued its consideration of Bill C-7, An Act to amend the Criminal Code (medical assistance in dying).

*WITNESSES (by videoconference):*

*As individuals:*

The Honourable Senator Marie-Françoise Mégie, Senator;

Dr. Joshua Wales, Palliative Care Physician, Sinai Health;

Spring Hawes, Peer Mentor and recent MLA candidate, Dignity Denied;

Sylvain Le May, Citizen, Welcoming and Support Services for Students with Disabilities, Université du Québec à Montréal;

Andrew Roman;

Albert Gretzky;

Dr. Chantal Perrot;

Dr. Gary A. Chaimowitz, Professor of Psychiatry, Department of Psychiatry and Behavioural Neurosciences, McMaster University;

Dr. Trevor A. Hurwitz, Doctor and Clinical Professor, Department of Psychiatry, University of British Columbia;

Dr. Mark Sinyor, Associate Professor; Psychiatrist, University of Toronto, Sunnybrook Health Sciences Centre;

Dr. Donna Stewart, University Professor, University of Toronto, Psychiatrist, University Health Network, Senior Scientist, Toronto General Hospital Research Institute.

*Dignity Denied:*

Gabrielle Peters, Disabled Writer and Co-founder.

*Delta Hospice Society:*

Dr. Neil Hilliard, Palliative Care Physician.

*Women's College Hospital:*

Dr. Lisa Richardson, Strategic Lead, Centre for Wise Practices in Indigenous Health.

*Ontario Association for ACT & FACT:*

Dr. John Maher, Psychiatrist, Barrie Assertive Community Treatment Team; President, OAAF; Editor-in-Chief, Journal of Ethics in Mental Health.

*Quebec Psychiatric Association:*

Dr. Karine J. Igartua, President.

*Department of Justice Canada:*

Carole Morency, Director General and Senior General Counsel, Criminal Law Policy Section;

Joanne Klineberg, Acting General Counsel, Criminal Law Policy Section;

Caroline Quesnel, Counsel, Criminal Law Policy Section.

*Health Canada:*

Abby Hoffman, Senior Executive Advisor to the Deputy Minister;

Jacque Lemaire, Senior Policy Advisor, Strategic Policy Branch;

Karen Kusch, Senior Policy Advisor, Strategic Policy Branch.

The chair made a statement.

The Honourable Senator Mégie, Dr. Wales, Ms. Peters, Ms. Hawes, Mr. Le May, Mr. Roman, Mr. Gretzky and Dr. Hilliard made statements and answered questions.

At 12:10 p.m., the committee suspended.

At 1:02 p.m., the committee resumed.

Dr. Perrot, Dr. Chaimowitz, Dr. Hurwitz, Dr. Sinyor, Dr. Stewart, Dr. Richardson, Dr. Maher and Dr. Igartua made statements and answered questions.

At 3:05 p.m., the committee suspended.

At 4:04 p.m., the committee resumed.

It was agreed that the committee proceed to clause-by-clause consideration of Bill C-7, An Act to amend the criminal code (medical assistance in dying).

It was agreed that the title stand postponed.

It was agreed that the preamble stand postponed.

It was agreed that clause 1 carry, on division.

It was agreed that clause 2 carry, on division.

It was agreed that clause 3 carry, on division.

It was agreed that clause 4 carry, on division.

It was agreed that the preamble carry, on division.

It was agreed that the title carry, on division.

It was agreed that the bill carry, on division.

The chair asked whether the committee wished to consider appending observations.

After debate, the question being put on the motion, it was adopted on the following vote:

YEAS

The Honourable Senators Jaffer, Boisvenu, Boniface, Boyer, Cotter, Dupuis, Keating, White — 8

NAYS

The Honourable Senators Batters, Carignan, Harder, Plett, Tannas — 5

ABSTENTIONS

The Honourable Senator Gold — 1

At 4:24 p.m., the committee suspended.

At 4:38 p.m., pursuant to rule 12-16(1)(d) the committee resumed in camera to consider a draft report.

The committee discussed proposed observations.

It was agreed that the observations be appended to the committee's report on the bill.

It was agreed that the Subcommittee on Agenda and Procedure be empowered to approve the final version of the observations being appended to the report taking into consideration today's discussion and with any necessary editorial, grammatical or translation changes as required.

It was agreed that the chair report the bill, with observations, to the Senate, on division.

At 5:20 p.m., the committee adjourned to the call of the chair.

*ATTEST:*

Mark Palmer

*Clerk of the Committee*