

RE: A submission to the Senate Standing Committee on Legal and Constitutional Affairs on Bill C-7
Date" January 21, 2021.

To the Senate Standing Committee on Legal and Constitutional Affairs

RE: Bill C-7

Right from the beginning Bill C-14 has become another way to invalidate the lives of disabled people or people living with body and or mind differences. Both Bill C-14 and Bill C-7 validate the assumptions that life with disability or differences is akin to "suffering, hardship, burden, and a lower quality of life resulting in, for many, a life not worth living. Studies have shown that nondisabled people believe that people with disabilities have a lower quality of life (Fellinghauer, Reinhardt, Stucki, Bickenbach 2012; Ubel, Lowenstein, Schwarz and Smith, 2005; [Lacey, Fagerlin Loewenstein](#) et. Al, 2008). This is in opposition to disabled people's view of their quality of life as "good".

This legislation further perpetuates the long history of oppression, segregation, and violence on disabled people in Canadian society (Burghardt 2018, Malacrida 2017, Yoshida and Shanouda 2015). It is this lack of understanding of the history of disability and the social context (negative discourse or representation of disability) within which this legislation is being produced which makes me very fearful for disabled people, disabled aged people, disabled, racialized people and others minority communities.

Bill C-7 assumes that MAID is initiated by individuals. However, disabled people lives are always questioned, and given "advice" on end of life even when they have not raised it. See Bendall article related to disabled people in health care:

<https://www.thestar.com/opinion/contributors/2020/12/21/stop-telling-people-with-disabilities-they-might-be-better-off-dead.html>

I have also experienced this with my father, who lived with Alzheimer and had to be go to ER one night in some distress. When the attending physician asked how old he was and I said 90, her immediate response was, "well why do anything? Why don't you let him go?" I replied that he wants to live and please do whatever you need. She was not happy with my response.

I am not supportive of the availability of MAID where death is not "reasonably foreseeable as the elimination of this clause opens the floodgates not only for people to consider Maid's as an option, but for practitioners' who think they know best what others, especially people living with a disability, should think about and do.

The safeguards only come into play once someone has agreed to consider or decides they want it. The insidious, overt and covert messaging from others (notably HCP) that disabled people live with about the devaluation of their lives (how can you live like that?), the burden they represent to others and the health care system represents no safeguard to this diverse community.

The inclusion of “disability” in the first place and the significant responses to it , exacerbated by the proposed availability for advance declarations where death is not reasonably foreseeable shows the varying responses from the “various disability community groups”. The Senate must understand that it is problematic to speak about a “disability community”. The community is very diverse and complex with different definitions. A disability rights community encompass those living with long-term conditions who identify their disability as being a result of living in a society that doesn’t take into consideration their body-mind differences. Advocacy organizations, such as ARCH Disability Law Centre, Council of Canadians with Disabilities, Independent living Canada, Canadian Disability Studies Association and Inclusion Canada are all advocacy group that focus on upholding the human rights of disabled people.

Another community may be those people who were healthy and are aging into a long-term condition. These people seem to be some of the “movers” on this advanced declaration and MAIDS in general. I noted in the Toronto Star prior to the holidays of a front page story of a , privileged white man who was diagnosed with early Alzheimer and he was indignant that he would not be able to do an advanced declaration. He felt discriminated. Perhaps he was. Nevertheless, his level of understanding of discrimination is so limited and privileged, that he is really only thinking about himself and not others.

There is a huge challenge of giving reasonable access to MAID for those capable and competent to make this decision (with full knowledge of available ameliorative therapies) and the important need for appropriate safeguards to protect those who will e coerced in such decision-making.

I urge the government to place access to MAID for disabled persons on hold until there has been a general improvement in supports and services available to this community (to ensure that there are a full range of alternative choices). This pause is important, as there has been MAID cases where the disabled person has agree to MAID not because of the suffering from the condition, but the suffering from the lack of appropriate and reasonable housing and attendant service. The five-year review of MAIDs would be important to consider in this regards. While Covid-19 has delayed this review, this does not mean that the government should move ahead on this legislation without more information.

Respectfully submitted,

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