

Pursuant to Standing Order 30(6), the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS

[English]

EUTHANASIA

TERMINALLY ILL PATIENTS

Mr. Ian Waddell (Port Moody—Coquitlam) moved:

That, in the opinion of this House, the government should consider the advisability of introducing legislation on the subject of euthanasia and, in particular, of ensuring that those assisting terminally ill patients who wish to die not be subject to criminal liability.

He said: Mr. Speaker, those of us who enjoy good health have difficulty contemplating life as an incurable invalid. In pain perhaps and worried that we might be a burden on family and on society, without hope and even without dignity. We say when and if we reach that stage they will pull the plug, won't they?

But who are they? How will they know how to do it? How will they do it? What if one's family or someone else objects? What is it: withholding food and water, withholding treatment, withdrawing treatment, administering poison?

In medical ethics and bio-ethics classes, in legislatures just last week, for example in the Dutch Parliament, in editorials and letters to the editor columns, in hospitals and in hospices, these questions are being asked more than ever before. The reason is the ability of modern medicine to extend life.

People used to die at home mainly of communicable diseases. They received good palliative care from concerned family and friends. Now people die in hospitals surrounded by batteries of life saving equipment. Seventy-five per cent of deaths are caused by chronic, degenerative diseases such as cancer, heart disease, AIDS, strokes and Alzheimer's disease.

These illnesses are different from the killers of the past in part because they cause extensive physical and emotional suffering prior to death. Also new technology gives us the ability to extend life well beyond the point when death was confined to the home.

Private Members' Business

Most people know of some family member, neighbour or friend who has died after battling, with the help of the latest technology, a long illness. We are beginning to ask ourselves: I hope to God that I do not have to go through all that. The question is whether the quality of life in these last days is worth the effort to keep the patient alive.

Canadians just over a year ago saw Nancy B go to court and successfully assert her right to refuse life sustaining treatment. Perhaps members recall the case on the news. This is often called passive euthanasia.

As I speak, Sue Rodriguez, a woman from North Saanich, British Columbia, with ALS, amyotrophic lateral sclerosis, which is also called Lou Gehrig's disease after the great baseball player who died of it, is now in court seeking the right to have another person assist her in ending her life. This is called active euthanasia.

Suicide is no longer illegal in Canada, although I remember when it was illegal to take one's own life. It is still a crime in Canada to assist a suicide. In section 241 of the Canadian Criminal Code it says: "Every person who (a) counsels a person to commit suicide or (b) aids or abets a person to commit suicide, whether suicide ensues or not, is guilty of an indictable offence and is liable to imprisonment for a term not exceeding 14 years". It is illegal to assist a person to commit suicide. If one actually administers a fatal injection, for instance, with the intent of killing a person, one could be liable to a charge of first degree murder.

Last week by a vote of 91 to 45 the Dutch Parliament guaranteed physicians immunity from prosecution if those doctors follow strict guidelines for mercy killings. In Holland however euthanasia is still punishable by up to 12 years in prison. The Dutch guidelines specify that euthanasia can be applied only to a patient suffering a "perpetual unbearable and hopeless" condition who requests it repeatedly and while lucid. A second medical opinion must be obtained. The doctor must document the entire decision-making process including why euthanasia was chosen and how it was carried out and submit it to the district coroner's office after death.

I am not advocating the Dutch system. I am just pointing out there is a system in place in law in a western European country by a vote of the Dutch Parliament last week.