



**Council of Canadians
with Disabilities**
A VOICE OF OUR OWN

**Conseil des Canadiens
avec déficiences**
CETTE VOIX QUI EST LA NOTRE



**Canadian Association
for Community Living**
**Association canadienne pour
l'intégration communautaire**

Diversity includes. On se ressemble.

FOR IMMEDIATE RELEASE

Toronto and Winnipeg: February 6, 2015

Assisted Suicide Decision Changes Landscape, Makes Disability a Defining Issue

Today's decision of the Supreme Court fundamentally alters end-of-life for all Canadians. The Council of Canadians with Disabilities (CCD) and the Canadian Association for Community Living (CACL) are profoundly disappointed by today's ruling and extremely concerned about the implications of the ruling.

An immensely important discussion must now begin with Canadians and politicians at all levels, with civil society, health professions and the legal community. We start from the premise that the lives of Canadians with disabilities are worthy of the utmost respect. Such respect, regrettably, cannot be taken for granted.

To begin this critical discussion, we offer the following questions, reflections and commitments:

1. As we each near the end of our lives, at the time when we are likely to be most vulnerable to despair and fear, we have now lost the protection of the Criminal Code. Where shall we now find that protection? CCD and CACL caution that our collective response to this question must go far beyond the technical exercise of so-called "safeguards".
2. In the final stages of a terminal illness, at the time when grief and fear may be most powerfully present in our lives, Canadians must now decide for themselves whether life is worth living. Among them are the most vulnerable Canadians, those who are dependent on others, and who are relegated to the margins of social and economic participation. We must not allow them to be diminished again in the coming discussions about their own end of life options.
3. At the time when our physical powers fail us, every Canadian will now be obliged to calculate how much love and support is too much to ask of others. How shall we ensure that the needs of the dying are not by default secondary to the well-being of the living?
4. As we contemplate the changes about to unfold in the wake of this decision, our elected officials must take notice of the pressing questions that are of urgent concern to Canadians with disabilities. To what extent do conditions of poverty, exclusion and lack of support actually restrict autonomy, and erode the human will to live among dependent Canadians? Will our governments stand firm in maintaining and expanding home care

services and supports for community/independent living? Will our national commitment to suicide prevention extend to persons with disabilities and degenerative conditions? Most critically, will access to palliative care become a universally available health care service to provide needed support and choice at the end of life?

What happens now? In the days ahead, members of CCD and CACL will review the judgment in detail, seeking to grasp its full implication and to comprehend the Court's dramatic departure from a legal precedent established 22 years ago in *Rodriguez v British Columbia*. And in the months and years to come, we will redouble our efforts to secure conditions of equal respect and robust citizenship for all Canadians with disabilities. The stakes are higher now than ever before.

Debate leading up to this legal decision has too often been polarized and divisive. CCD and CACL know that Canadians wish to be compassionate. CCD and CACL are resolved to work creatively and in good faith to build solidarity among justice seeking communities as we embark upon the journey invoked by today's Court's ruling.

There are difficult days ahead. The Canadian disability movement remains united in our claim that the lives of people with disabilities matter. We speak with one voice in our condemnation of all forms of discrimination and abuse. We affirm together our entitlement to live good lives in places and conditions of our choosing. Consistent with our long history of fearless and principled advocacy, we now join with fellow citizens across the full spectrum of views on end-of-life in an urgent call for universal, unencumbered access to the highest possible standard of palliative care in Canada.

In the dialogue to come, we urge respect, openness and assurance that Canadians with disabilities and our representative organizations can fully participate, in full confidence that our experience, voices and knowledge are valued. We seek wise decisions guided by the values of diversity and inclusion that define us and underpin our Canadian society.

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For the CCD/CACL Factum to the Supreme Court of Canada see
<http://ccdonline.ca/media/humanrights/carter-factum-ccd-cacl-14-08-28.pdf>

CCD and CACL representatives will be available for comment following the Supreme Court decision Friday:

Jim Derksen, CCD Ending of Life Ethics Committee 204 781-4187

Catherine Frazee, CACL 902 818-2812 (for her Op-Eds on this topic see

<http://fragileandwild.com/supplementals/end-of-life/>)

Dean Richert, Chair CCD Ending of Life Ethics Committee 204 951-6273

Amy Hasbrouck, Not Dead Yet (bilingual) 450-370-8195

Laurie Larson, President, CACL Ph: 306-948-7341

Michael Bach, Executive Vice-President CACL Ph: 416 209-7942

Laurie Beachell, National Coordinator CCD Ph. 204 981-6179

Carmela Hutchison, Disabled Womens' Network 403 935-4218

Nancy Hansen, CCD Ending of Life Ethics Committee 204 474-6458

Heidi Janz, CCD Ending of Life Ethics 780-431-2061 email hjanz@ualberta.ca

Tony Dolan, CCD Chairperson 902 569-2817