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January 25, 2016

**The Honourable Bob McLeod
Premier**

**The Honourable Glen Abernethy
Minister of Health**

**Government of the Northwest Territories
P.O. Box 1320
Yellowknife, NT X1A 2L9**

Dear Premier McLeod, Minister Abernethy:

Greetings to you. This letter addresses the concerns of the Catholic and Anglican communities in the Northwest Territories, in lieu of the recent Supreme Court of Canada four-month extension to pass assisted dying legislation. These concerns are also shared by many peoples that make up the communities of the Northwest Territories. We are aware that doctors and government officials in the NWT will be required to develop guidelines around assisted suicide.

We begin by stating that our communities strongly support increased availability of palliative care. We encourage the Parliament and Government of the Northwest Territories to continue to ensure full and equitable access to palliative care is provided to all residents of the Territories. We are clearly hearing from other faith and ethical traditions, and from peoples of

the aboriginal communities across the Territories, that providing care for the sick and elderly is to be a priority of our health care system. We are also encouraged by the witness of health care professionals who assist people who are dying that palliative care is the most practical and ethical way to ensure that all peoples in our Northern lands can die in a manner that respects human dignity.

We also want to be absolutely clear that the Catholic and Anglican communities do not support suicide, assisted suicide, or euthanasia. We are strongly committed to honouring all human life, and are very concerned about the threat to human dignity by the prospect that it can be taken at will. Please also note that people who profess to be Catholic or Anglican cannot in good conscience support, work toward or promote access to suicide, assisted suicide or euthanasia.

Given the Supreme Court of Canada's decision, the resulting deliberations by the Canadian Parliament and pressure being applied by various jurisdictions, we would like to address several key considerations.

Firstly, we strongly ***encourage open and inclusive consultation***. If laws and regulations governing legalized assisted suicide are going to affect all people of the Northwest Territory, then it is reasonable and important to ensure that consultations would include not only advocacy groups and key stakeholders, but also concerned individuals and communities from across the Territories. This will indeed take time and work. However, such a consultation process is absolutely crucial given an issue that affects the health and well-being of everyone.

The issue of open and inclusive consultation is all the more poignant in the Northwest Territories, which has a population that is over two-thirds aboriginal. The Calls to Action of the recently concluded Truth and Reconciliation Commission, which references the United Nations Declaration of the Rights of Indigenous Peoples, emphasizes the following pertinent themes:

The rights of indigenous peoples to life, physical and mental integrity, liberty, and security of person; (See United Nations Declaration on the Rights of Indigenous Peoples #7; Calls To Action - TRC #18)

The rights of indigenous persons to decision-making in matters that would affect their own rights; (UNDRIP #18, CA-TRC #18)

The right of states to consult and cooperate in good faith with indigenous peoples in all matters that would legislatively and/or administratively affect them; (UNDRIP #19; CA-TRC #43 -44)

The right of indigenous peoples to maintain and develop their own institutions and health-care practices; (UNDRIP, # 20; CA- TRC, #22)

Attention to the needs and rights of elders and indigenous persons with disabilities; (UNDRIP # 22)

The right to be actively involved in developing and determining health programs and outcomes; (UNDRIP #23; CA-TRC, #19)

The right of enjoyment of the highest attainable standard of physical and mental health. (UNDRIP # 24.2)

We acknowledge and are grateful for your recent comments, Minister Abernethy, regarding the intention of the Government for widespread consultation.

Secondly, we are gravely concerned *about the status of elders and vulnerable persons* if assisted suicide is legalized. This will put certain members of our common home at greater risk, including the elderly and persons dealing with certain disabilities and health conditions. The measure of a just society is the extent to which it cares for those who are most vulnerable. While we understand that proposals to ensure that 'safeguards' are put into place to prevent coercion, we are concerned that pressure on vulnerable persons cannot always be avoided.

In particular, we highlight the following potential dangers:

Depression is a leading feature of requests for suicide. Depression is a serious health issue for many people in the North. If the depression is treated, the patient often withdraws the request. Treatment for depression can take time to be effective. Furthermore, the ability to give 'consent' might be compromised by mental illness. Persons struggling with depression need time and treatment in order to make a truly informed decision.

Elder abuse should always be a concern for our families and communities. In communities in many parts of Canada, this has become a serious concern. Neglect and abuse can motivate a vulnerable person to consider suicide. All efforts should be made to mitigate that which would motivate an already distressed elder to lose hope and think that suicide is a 'practical solution.'

'Safeguards' and 'transparent reporting' is problematic. In some jurisdictions where assisted suicide is legal, 'safeguards' do not require clear, transparent, and timely reporting of the status of persons whose lives were terminated, nor the manner in which their death was carried out. This situation can give rise to the slackening of so-called 'safeguards' if assisted suicide were to take place in a home-care setting.

Thirdly, we are concerned about the *conscience rights of all Canadians* – including physicians and other medical and health-care support persons. All Canadians enjoy this right, as recognized in the Charter of Rights and Freedoms.

The protection of the right of conscience must ensure that persons who ethically cannot participate in an assisted suicide suffer no harm to their career or any other form of discrimination. Likewise, institutions that choose not to participate in assisted suicide must be able to participate equitably in the health care system of the Territories.

We have a particular concern about this issue of 'referral.' A serious violation of conscience would occur if an individual or institution that is ethically opposed to assisted

suicide were required to refer to another person or institution. Acts of referral constitute 'complicity.' If medical professionals were coerced to compromise their ethical decision-making, our standards of health and well-being - as well as our trust for our social institutions - would be eroded. The respect of ethical standards of both patients and health-care providers within the Northwest Territories must always be upheld, so that trust of and faith in our health care services are never eroded.

We conclude by underscoring that ***good palliative care always be provided and protected***, and that such care never be confused with suicide or euthanasia. Therefore, it would be important that no palliative care institution be required to provide assisted suicide or euthanasia. Elders and other vulnerable persons in our communities would lose serious trust in our health-care services if they knew that such services were connected to services that could bring about termination of their life. Patients must always be able to access palliative care that can guarantee their right to be treated and supported, and not be killed. This issue is poignant in the Northwest Territories, where consolidation of services is a feature.

We realize that the issues of assisted suicide and euthanasia are highly contentious throughout Canada. The need is difficult but imperative to develop laws and regulations to serve and respect all peoples, families, and communities of this great Northern land. Please be assured of our moral and spiritual support to you and the Government at this time.

We are grateful for the government's efforts and we look forward to mutual cooperation and discernment of the issues and measures that will promote and protect the rights and freedoms of all peoples of the Northwest Territories in respect to this difficult ethical subject.

We take this opportunity to wish you the Creator's blessings and wisdom as you and the Government discern these very important issues.

Sincerely,

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✠ Most Reverend Mark A. Hagemoen
Bishop of Mackenzie-Fort Smith

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✠ Right Reverend David Parsons
Bishop of the Arctic

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✠ Right Reverend Darren J. McCartney
Suffragan Bishop of the Arctic