

Ten Cases of concern:

Medical Assistance in Dying & the Inducements of Social Deprivation

### 1. Archie Rolland



- Eighteen months before his death by MAiD, Archie Rolland was transferred against his will from a residence that provided highly specialized care to a geriatric long-term care facility in Lachine Québec.
- Without staff adequately trained to communicate with him and provide essential care, he spent the remaining days of his life documenting the suffering that this caused and advocating for humane and capable care.
- When he began to lose hope and found continued life under these conditions intolerable, he made his request for MAiD, which was readily approved.
- At the time, Rolland told the Montreal Gazette that “it wasn’t the illness that was killing him. He was tired of fighting for compassionate care.”

SOURCE: <https://montrealgazette.com/news/local-news/life-in-long-term-hospital-unbearable-montreal-man-with-als>

and <https://montrealgazette.com/news/local-news/saying-goodbye-to-archie-rolland>

## 2. Sean Tagert



- A devoted father, Sean Tagert had pieced together suitable care arrangements in his own home, including extensive personal supports and highly sophisticated communications technology.
- Although he required 24-hour care, he received only 15 hours of care daily from Vancouver Coastal Health. This left him with a shortfall of \$263.50 daily, and a “constant struggle and source of stress”.
- Once his personal savings were exhausted, Tagert’s only option was to move to a Vancouver residential care facility, more than 4 hours away from his home in Powell River. Such a move would have required him to leave much of his communication technology behind, and effectively curtailed his relationship with his 10-year-old son, who spent weekends with him in Powell River as part of a shared custody arrangement.
- In 2019, exhausted from years of battling to secure funding for life-sustaining home care, Tagert chose to die by MAID.
- In a final Facebook post chronicling his struggle Tagert wrote: “I know I’m asking for change. I just didn’t realize that was an unacceptable thing to do. Hundreds of British Columbians are dying horribly every year.” He described the funding decisions and institutional offerings advanced by the local health authority as “a death sentence.”

SOURCE: <https://www.cbc.ca/news/canada/british-columbia/als-bc-man-medically-assisted-death-1.5244731> and <https://bc.ctvnews.ca/we-need-a-public-outcry-b-c-father-with-als-ends-life-after-struggle-to-stay-at-home-1.4543983>

### 3. Mother of Jennifer Turton-Molgat



- In a Facebook post written in August 2020, Jennifer Turton-Molgat wrote: “My mom, the most positive, resilient, loving person I know has requested an assisted suicide. She wants to end her life, not because she is in pain or intolerable discomfort, but because she is being held prisoner in her long-term care home and has lost her will to live.”
- Prior to the severe Covid-era restrictions in her long-term care home, Turton-Molgat wrote that her mother’s “only enjoyment in life was feeling the sunshine and fresh air on her face and spending time with her family. And that was enough for her. Despite [her significant disabilities] she would often say, ‘I’m so lucky’.”

SOURCE: <https://www.facebook.com/jturtonmolgat/posts/1015723622225925>

#### 4. Yvan Tremblay



- For over a decade, Yvan Tremblay lived independently in his own apartment with many customized adaptations to accommodate his significant disability.
- When new fire regulations deemed that he could not be safely evacuated from his apartment, he received notice of eviction.
- With his alternative housing options extremely limited and certain to curtail his independence and quality-of-life, he made multiple attempts to protest this judgement and retain his apartment.
- When these attempts failed, Tremblay committed suicide in September 2014. Although it was not an option at the time, under the proposed amendments to the current law, Tremblay would be eligible to receive MAiD.

SOURCE: [https://plus.lapresse.ca/screens/8d84a4bb-79fd-4cef-9a87-f8311d3a3160%7C\\_0](https://plus.lapresse.ca/screens/8d84a4bb-79fd-4cef-9a87-f8311d3a3160%7C_0)  
and <https://www.lavoixdelest.ca/actualites/ils-lui-ont-tout-enleve-en-une-journee-b3e3846d3a221c56fa4c7cc5a8bbdbdf>

See also: Beaudry, Jonas-Sébastien, *The Way Forward for Medical Aid in Dying: Protecting Deliberative Autonomy is Not Enough* (June 30, 2018). First published in the *Supreme Court Law Review*, Second Series, Vol. 85., Available at SSRN: <https://ssrn.com/abstract=3189417>

## 5. Gabriel Bouchard



- Gabriel Bouchard was a 57-year-old man with lifelong disabilities. As his disabilities progressed in late adulthood, he found it necessary to resign from his employment as a social service professional that had been a great source of pride and satisfaction for 35 years.
- He then faced an existential question: “Would you prefer to leave this life as a man who gladly, proudly gave 35 years to social service? Or after another 15 or 20 years, leave a life of degradation? I have no one in my life, no family, I’m alone, I would have ended up on welfare. I would have ended up in a nursing home, and I had no desire to do that, I know too well the quality of life in there — or the lack of quality! Or to go out with the memory of a job well done. The choice was easy for me.”
- Bouchard chose to die by voluntary starvation, while being provided comfort care in hospital.
- When asked in a video recorded interview what might have made his life worth living, he responded “If I had good service, a livable income – welfare is not livable... Yes, if it were possible, but it’s a dream!” He explained that he had declined provincially available services “because although the people were good, they weren’t paid fairly.”
- At the end of his interview, he muses “People with disabilities are costly, right? I’ll be one less expense, right?”

SOURCE: <https://youtu.be/onthese/duEC3TqpsV4>

## 6. Raymond Bourbonnais



- When Raymond Bourbonnais was no longer able to manage all his personal care needs at home, he was relocated to a Québec nursing home. During the 13 months that he lived in this facility, he filed multiple complaints about inadequate staffing, unbearable temperatures due to a lack of proper ventilation or air conditioning, and stressful and unwelcome interactions with older residents with dementia with whom he could not avoid contact.
- With conditions in his residence only deteriorating and his complaints seeming to go unheard, Bourbonnais hoped for a cure for his disease. When a physician confirmed that no cure was possible, she broached the subject of MAID, and Bourbonnais is reported to have “jumped at the chance”.
- In a farewell video in which he recorded a final “crie de coeur”, Bourbonnais spoke of a “constant degradation of services” at his long-term care facility, and pleaded for others to “do everything possible to put pressure on the government” to address the deplorable conditions in these facilities.
- Before dying by MAID, Bourbonnais said that he was “very happy to forget this bad part of my life”.
- Raymond Bourbonnais died by MAID in December 2019.

SOURCE: <https://www.latribune.ca/actualites/denoncer-avant-de-mourir-video-6b5b5b9901c42d9660ec5ba19a0eda78?fbclid=IwAR0y-ihHsHkge1fONPqix2Qxte0YXzNWXu3MWqH7csvg3FFyegEtCU16e0>

And <https://youtu.be/fyAIPID7c40>

## 7. Roger Foley

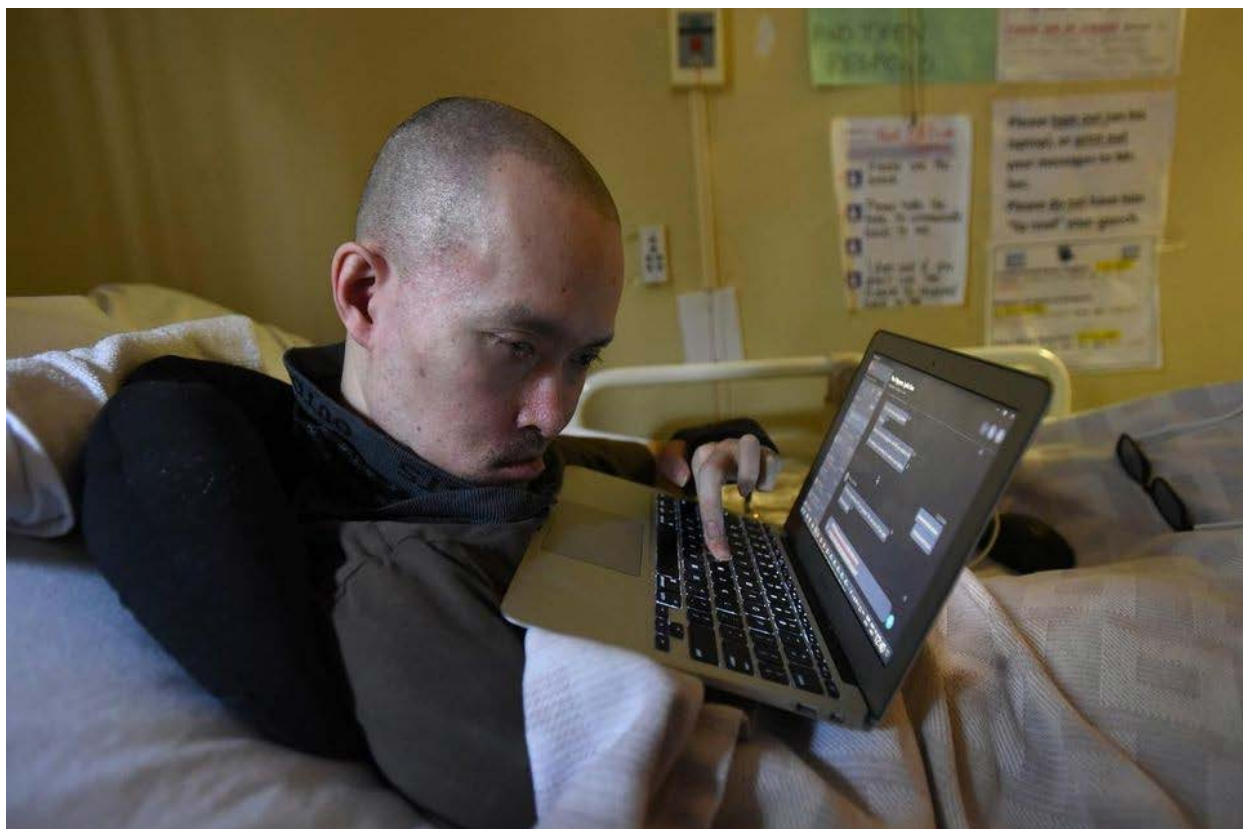


- Roger Foley is 42 years old and has significant disabilities that require 24-hour care. He seeks to receive that care at home, rather than in a London Ontario hospital where he has lived for at least 2 years.
- Foley has advocated forcefully that his discharge from hospital must be to his home environment, with a commitment to provide the care that he requires in his home.
- Foley has said that he is “always thinking I want to end my life” because his demands for appropriate care at home have been denied. He asserts that he is being pressured to end his life.
- Foley publicly released audio recordings of hospital staff offering him an assisted death and outlining how much it costs to keep him in hospital instead of getting the home care he desires and requires.
- His case attracted the attention of the UN Special Rapporteur on the Rights of Persons with Disabilities, Cataline Devandas Aguilar, when she visited Canada in spring 2019. Following her visit to Canada, she issued a statement that she had "received worrisome claims about persons with disabilities in institutions being pressured to seek medical assistance in dying." She urged the federal government to investigate and prevent such cases.

SOURCE: <https://www.ctvnews.ca/health/chronically-ill-man-releases-audio-of-hospital-staff-offering-assisted-death-1.4038841>

And <https://www.ctvnews.ca/health/barely-hanging-on-to-life-roger-foley-shares-his-fight-for-home-care-with-un-envoy-1.4378334>

## 8. To Phat “Tommy” Sec



- Tommy Sec was 41 years old and had been living his life from bed for several years, stuck in a nursing home. His wife had divorced him, and he had lost custody of his only child.
- Increasingly isolated from family and friends, he described himself in an autobiographical film as being “in a rage”, feeling “hatred towards everyone”.
- Alert and articulate but with significant physical and sensory impairments, Sec described his life as “like being trapped in a coffin and buried alive”. Although he was able to communicate through his computer, he said that “no one listens”.
- Sec was informed of his eligibility for MAID in May 2019.
- After media attention to his plight, Sec began to have more visitors from local Vietnamese and Cantonese communities, and according to a reporter who helped bring his story into the public domain, this social contact elevated his spirits.
- In November he was reported to be demanding to be moved out of his nursing home into a private residence with a live-in caregiver. As well, he was taking steps to repair his relationship with his estranged family, particularly his teenage son.
- Tommy Sec’s current status is unknown.

SOURCE: <http://jane-finch.com/articles/whyamistillalive.htm>

And <https://www.thestar.com/news/gta/2019/11/18/confined-to-a-toronto-nursing-home-bed-24-hours-a-day-tommy-sec-wants-to-die.html>



## 9. Jonathan Marchand



- Jonathan Marchand is 43 years old and fiercely independent but forced to live in a nursing home for the elderly in Québec. Because he relies upon a ventilator to breathe, he requires 24-hour care. With no appropriate supports available in the community, a long-term care facility was his only choice.
- In a recent short documentary profile for the series “Tales from Pandemic”, Jonathan describes the loss of freedom, independence and privacy, as inescapable conditions of institutional living.
- Marchand describes a satisfying life with good relationships and personal and professional success until he “hit the wall” of requiring government-funded assistance to support his life.
- Marchand argues that “increasingly, euthanasia is offered as a solution to institutionalization. The idea is that if you don’t want to die slowly in a long-term care facility, we are going to help you kill yourself. Those ideas are based on false assumptions about people with disabilities and seniors with disabilities, like our lives are not worth living...”
- By his own account, Marchand had friends who killed themselves rather than go into long-term care. He “decided that I would not go ahead with euthanasia, but I would fight to get out of this place.”
- To draw attention to his circumstances, and to force the government to provide the support that he needs to live independently in the community, Marchand set up a large cage outside the Québec legislature, where he lived for 5 days and 5 nights, in protest of the intolerable conditions of his life.
- As a result of this extraordinary effort and the significant media attention that it attracted, the Québec government set up a “working group” to advise on alternatives to institutionalization.


SOURCE: <https://www.cbc.ca/listen/live-radio/1-15/clip/15793158?fbclid=IwAR2pDbx4bJRpVXtLLC7WLweoYvYUQrQrhfTr6DsaX-Mc6r13JcPyVXAG30A&share=true>  
 And [https://youtu.be/MLvMh45I\\_Zc](https://youtu.be/MLvMh45I_Zc)

## 10. Kim, and countless other ODSP recipients



- Kim has significant disabilities and lives in a rented 300 square-foot RV in Ontario. She has received notice of eviction. She relies upon ODSP payments for the necessities of her life.
- In a recent investigation of how Covid 19 affects people with disabilities, Kim declared “It’s like I’m being punished for being born disabled, like I committed some kind of crime.”
- Kim has considered applying for MAiD. She says “I have no dignity left... I don’t feel like I’m worth anything to anyone anymore.”
- Kim reports knowing of many people in similar circumstances who have applied for MAiD, and has personally “lost six friends to suicide since [the beginning] of COVID.... They don’t want to live this way anymore, there is no safety net at all for people that are disabled.”
- The same investigation described how others in similar circumstances have sought MAiD for relief from intolerable poverty. A Twitter posting from one woman read “I’ve enrolled in MAiD, seeing as I can no longer afford to live, nor can I afford the food & medicine I need to get better.”

SOURCE: <https://toronto.citynews.ca/2020/09/02/odsp-covid19-pandemic/>

**CityNews**  **TWITTER**

**@ALYSM745**

“I’ve enrolled in MAiD, seeing as I can no longer afford to live, nor can I afford the food & medicine I need to get better. @fordnation is killing me slowly, but not just me, which is why I had to wait over an hour the first time I called.  
@OntHumanRights #ODSP #ODSPoverty”

COVID-19  
PANDEMIC

FEARS ODSP RECIPIENTS ARE TURNING TO ASSISTED DYING

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