

**What COVID-19 Hospital No-  
Visitor Policies and the Ever-  
Expanding Eligibility for MAID  
Reveal About What and Who is  
Considered “Essential” in Canada**

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# INTRODUCTION

- ◆ 2020 and the advent of COVID-19 ushered in a time of new peril for disabled people in Canada.
- ◆ Government and public health officials repeated their daily mantra: “We’re all in this together,” while at the same time creating policies and legislation which made it clear that disabled Canadians are not part of the “we.”
- ◆ Provinces quietly developed Critical Care Triage Protocols that would prohibit many disabled people from receiving critical care...
- ◆ And at the national level, government pushed through an expansion of Medical Assistance in Dying (MAID) despite overwhelming opposition from major disability rights organizations, scholars, activists, and United Nations human rights experts.







# In my panel presentation today

- ◆ I will demonstrate that Canada's COVID-19 response, particularly the implementation of hospital no visitor policies, and its concurrent expansion of eligibility for MAID, are symptoms of the systemic ableism that afflicts Canadian society.
- ◆ I will conclude with a consideration of the enduring danger that eugenic ableism, disguised as autonomy, poses for people with disabilities.





# What is Ableism?

- ◆ Ableism can be defined as prejudice and discrimination against people with disabilities, based on the belief that typical abilities are superior.
- ◆ Like racism and sexism, ableism classifies entire groups of people as 'less than,' and perpetuates harmful stereotypes, misconceptions, and generalizations about people with disabilities







# Evidence of Ableism

- ◆ Buildings are built to exclude people who do not walk or see.
- ◆ Students with disabilities are taught that it's better to look, move, and behave as much like their nondisabled peers as possible.
- ◆ Terms associated with disability are used as insults in common parlance.





In the words of Canadian disability scholar,  
Gregor Wolbring:

**Ableism remains one of the  
most societally entrenched  
and accepted isms.**







# Systemic Ableism

- ◆ Ableism becomes systemic as patterns of discriminatory and exclusionary practices against people with disabilities are entrenched in sectors which are fundamental to societal membership.
- ◆ Limited access and opportunities in one of these key sectors, such as education, often automatically leads to further restrictions in employment opportunities, which, in turn, limits housing options.





# Field Notes from my Pandemic Solo Adventures in Hospital





## Lasting Implications Beyond the COVID-19 Pandemic

The widespread creation and implementation of hospital No Visitor policies during the COVID-19 pandemic is clear evidence that, despite all the lip-service Canadian policymakers pay to inclusivity as a core ethical principle, the needs of old, ill, and disabled people can be summarily deemed excessive.



MAID  
COMPLICATED BY  
MEDICAL ABLEISM



# MEDICAL ABLEISM AND ASSESSMENT FOR MAID



- ◆ As healthcare professionals, MAID assessors are not immune to the prevalent influence of medical ableism rooted in eugenic logic.
- ◆ Studies consistently demonstrate that healthcare professionals who provide care to disabled individuals are often more pessimistic and upset about their charges' prognoses than the affected individuals themselves.



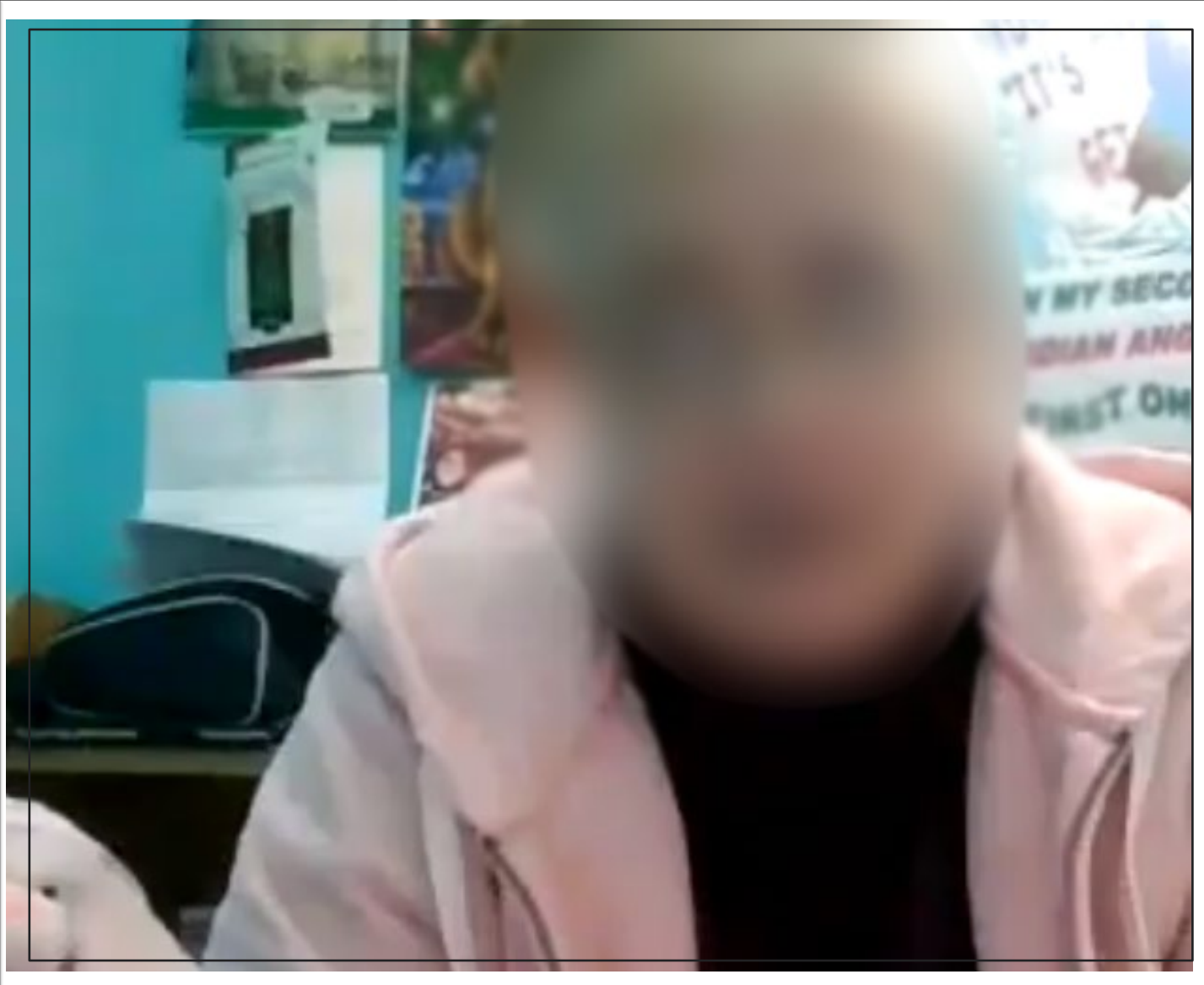
# MEDICAL ABLEISM AND ASSESSMENT FOR MAID



- ◆ MAID assessors are tasked with determining “the greatest source of suffering” that is prompting a person’s request for MAID.
- ◆ MAID assessors afflicted with undiagnosed ableism are likely to automatically view the existence of disability, in and of itself, as the greatest source of a person’s suffering.







Sophia's story:  
"Choosing"  
death after losing  
years'-long fight  
to receive  
supports to live



## Avis Favaro of CTV news reports:

She died after a frantic effort by friends, supporters and even her doctors to get her safe and affordable housing in Toronto. She also left behind letters showing a desperate two-year search for help, in which she begs local, provincial and federal officials for assistance in finding a home away from the smoke and chemicals wafting through her apartment...







# Avis Favaro of CTV News reports:

Four Toronto doctors were aware of Sophia's case and they also wrote to federal housing and disability government officials on her behalf. In that letter the doctors confirmed that her symptoms improved in cleaner air environments and asked for help to find or build a chemical-free residence.

“We physicians find it UNCONSCIONABLE that no other solution is proposed to this situation other than medical assistance in dying,” they wrote.





## A personal postscript to Sophia's story

Taped to the wall by my computer at home is a letter that Sophia wrote to me three days before her death by MAID. In the letter, she thanked me for my efforts to advocate on her behalf, apologized that she did not have the strength to fight on, and asked that I continue to tell her story in the hopes that, one day, people with disabilities in Canada who find themselves in situations similar to hers will not be driven to seek MAID as their only option when they no longer have the strength to fight for their right to live.







## A personal postscript to Sophia's story

I keep Sophia's card where I can see it every day to remind myself of what, and who, is at stake in the ongoing disability-rights advocacy work to stop the so-called "right to die" from nullifying people with disabilities' right to life.



Conclusion: What the COVID-19 Pandemic and the Expansion of Eligibility for Medical Assistance in Dying Reveal about Systemic Ableism in Canada



- ◆ The Parliamentary and Senate Committee studies of Bill C-7, the proposed expansion of eligibility for MAID, took place in the fall and winter of 2020-2021, while the entire country was under pandemic lockdown.







◆ Ironically, at the very time when government and public health officials were urging Canadians to make sacrifices for the sake of protecting the lives of vulnerable people, some of these same government officials were pushing through a bill which would make many of these vulnerable people eligible for a state-sanctioned death.





◆ The kind of logical and ethical contortions that this required had to be of Olympic caliber, matched only by the logical and ethical contortions that it took to quote from the UN Convention on the Rights of Persons with Disabilities in the Preamble to Bill C-7, when three UN Human Rights experts declared Canada's MAiD regime to be in violation of that very Convention.







◆ Thus, it is clear that systemic ableism in Canada is, not just alive, but thriving, with the passing of Bill C-7, and current efforts to further expand eligibility for MAID to include people with a sole diagnosis of mental illness and so-called “mature minors,” including kids with disabilities.





As someone who had most of my K-12 education at a school for kids with physical disabilities, I find this latest impending expansion of eligibility for a state-sanctioned death particularly chilling. Roughly half of the kids in our school had life-limiting conditions like Muscular Dystrophy, which, at that time, had a life-expectancy of 14-18 years.







◆ Every student in that school grew up knowing that some of us would live longer than others. But we also knew that all of us would live with the best quality of life possible, until we died.





- ◆ This is not the message that Canadian kids with disabilities growing up in this Brave New World of MAID for “mature” minors will receive.
- ◆ Instead, they are more likely to hear, “Well, it’s only natural that you’re depressed and tired of your life, you’re disabled. Maybe you should just go get MAID.”





# Will future Canadians owe the disabled an apology for euthanasia?



By Charles lane, *Washington post*

"One of the most haunting aspects of the Canadian Indian Residential School system was that one of Canada's worst historical crimes was managed and defended by people who fervently believed they were doing the right thing for 'the Indian,'" Tristin Hopper wrote in the [National Post](#) last year.

- ◆ As they expand euthanasia today, Canadians should bear in mind that they, too, are subject to the law of unintended consequences and to the judgment of future generations.





# The law of unintended consequences

- ◆ Indeed, there is an urgent need for Canadian policymakers to consider “the law of unintended consequences” as growing numbers of disabled Canadians are being driven to end their lives through MAID when systemic ableism prevents them from getting the supports they need to live.
- ◆ COVID-19 may be waning, but systemic ableism, turned lethal through MAID, continues to spread.







THANK YOU FOR YOUR ATTENTION!



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