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Advance Requests for MAiD:
Safeguards for People Living with Dementia

OTTAWA, ON—On October 7, 2026, the federal government announced that it will table legislation to decriminalize and permit advance requests for medical assistance in dying (MAiD). As Parliament and its provincial and territorial counterparts consider how such a framework should operate, it is important to confront the reality that people living with dementia may become increasingly dependent on others, and that those relationships of dependence can be exploited. A process that recognizes autonomy but does not adequately protect against coercive control, undue influence, and other forms of elder abuse risks failing to protect people with dementia from being pressured or manipulated into a decision that will result in their death.

An advance request is made by a person while they still have decision-making capacity, with the intention that MAiD be provided later, after they have lost capacity to consent and once specified conditions are met. In March 2025, the United Nations Committee on the Rights of Persons with Disabilities urged Canada not to expand MAiD for advance requests.

As Parliament considers this legislation, Dementia Justice Canada is concerned about whether safeguards can adequately protect people living with dementia from coercive control, undue influence, and other forms of elder abuse.

“Dementia can make a person increasingly dependent on the people around them, while making their daily life less visible to the outside world,” said Dr. Fay Martin, a retired social worker and 2nd Vice-Chair of Dementia Justice Canada. “The person may rely on others for care, communication, transportation, finances, and access to the community. Those relationships can be loving and supportive, but they can also become controlling or abusive. The difficulty is knowing what is happening when fewer and fewer people are apt to see it.”

These risks raise an important question: can safeguards reliably detect manipulation or undue influence within relationships of trust or dependence, particularly when the person with dementia may no longer be able to advocate for themselves?

“A court can undo a will that was unduly influenced,” said Heather Campbell Pope, a lawyer and Chair of Dementia Justice Canada. “But once MAiD is provided, there is no meaningful remedy if we later find that the person was pressured to make the advance request, that they had changed their mind, or that they are going along with it because of pressure or coercion. It is simply too late.”

Before advance requests are decriminalized, these questions must be addressed. We urge Parliament to examine how the risks of coercive control and elder abuse will be identified, assessed, and responded to in practice. People living with dementia should not be left to bear the consequences of safeguards that cannot reliably detect abuse before irreversible harm occurs.

Dementia Justice Canada will continue to bring these concerns to Parliament and other lawmakers as the proposed legislation is developed and considered.

ABOUT DEMENTIA JUSTICE CANADA

Established in 2017, Dementia Justice Canada is a small nonprofit organization dedicated to advancing the rights and dignity of people with dementia. Our mission is to promote access to civil and criminal justice for people with dementia.

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