

Criminal Code
AFTER RECESS

The house resumed at 8 p.m.

[*Translation*]

Mr. Gauthier: Mr. Speaker, before recess, I was making a few comments on amendment No. 34 moved by the hon. member for Notre-Dame-de-Grâce (Mr. Allmand) who wants to specify a certain detail in the act, of much concern to us, in clause 18 of the bill, by deleting the words:

"or would be likely to endanger her life or health" on lines 4 and 5, on page 43, and by inserting the following words: "endanger her life or seriously and directly impair her health"

As I said earlier, we will vote for this amendment, even if it does not achieve our aims. It is a lesser evil. It specifies the case of an abortion, when the board of a committee appointed will have to make a decision, because the terms of the present act which the hon. member wants to delete make all the difference in the world.

When we write "would be likely to endanger her life or health", I am of opinion that the words "would be likely to" will allow some doctors to go very far, and even, as the hon. member for Montmorency suggested, to allow abortion on request. This is exactly what we are trying to avoid through our amendments. I believe that amendment No. 34 does not go as far as those we have moved, but at least it sets some limits for the committee which will have to make the decision.

The hon. member for Grenville-Carleton as well as the hon. member for Notre-Dame-de-Grâce were sincere this afternoon in their discussion. The latter seemed somewhat sorry to have moved the amendment, though he told us frankly that he did so because he thought some of his constituents wanted him to define more clearly the limits of the legislation. He blamed us for extending this debate on the bill now under consideration.

This extension, Mr. Speaker, if it is an extension, has a purpose. We want to achieve an aim. We wish to draw the attention of the government and stir it up. We probably have not quite succeeded today, by moving that amendment, but the intervention of the hon. member for Gatineau and of the hon. member for Montmorency, whom I would like to congratulate once again, have helped us.

I think that our comments were not entirely lost and if we could carry on, in a few days most of the government members would

[Mr. Deputy Speaker.]

support us, in order to respect the wishes of the people.

Mr. Speaker, as I have little time left, I am going to bring my speech to a close. I would like to appeal to the conscience of all government members—

The Acting Speaker (Mr. Bécharde): Order!

• (8:10 p.m.)

[*English*]

Mr. G. H. Aiken (Parry Sound-Muskoka): Mr. Speaker, I have not previously taken part in the debate on the abortion clause of this bill or the amendments, but this particular amendment seems to be the one which gives an opportunity to make some brief comments. The various stands which have been taken in respect of this amendment indicate how much this whole subject, and the amendment relating to abortion, have been misunderstood.

As a piece of social legislation, I would agree with those who have suggested that this particular part represents a fraud. Current practices in most hospitals go much further and are much more reasonable than this particular amendment would allow. Rather than being a progressive piece of social legislation, this really is a step backwards.

The impersonal hospital committee which is to be set up, busy as it will be, will not meet the situation. The hospital committee which will have to make the decision will not have personal knowledge of the patient, her family background, mental or physical problems. This amendment is intended to permit that committee to give serious consideration to more than just the danger to the life of the patient. For that reason I would support it.

I am advised that at the present time hospital practices in most, if not all, of the provinces take into account many more conditions than those set forth in the bill we are now considering, and many more than those incorporated in the amendment we are now discussing. I should like to outline these considerations by reading from an article which appeared in the April, 1969 edition of *Canadian Doctor*. Those of us who are not medical people must rely upon the opinions of those who are in practice, particularly in respect of what is currently being done in hospitals regarding abortion. Let me read from this article which is entitled "Forum":

If an abortion law has to specify indications for abortion, rather than leave the decision to the woman and her physician as is done with nearly all other decisions to operate, then the indications must include all conditions for which termination