

*Government Orders*

practitioner has reached the opinion that her life or health is threatened as defined in this bill.

I would like to address the role of medical practitioners in this legislation. There may be some concern that they are subject to criminal liability, and indeed they are unfairly given undue responsibility in this legislation. However, doctors have onerous responsibilities in relation to decisions on abortion, but I would like to point out why and how this legislation adds to these responsibilities only in the most reasonable way possible.

First, the government has decided that there should be legislation and that it should balance the rights of the woman and society's interests in the protection of the foetus. To do this, the federal government must legislate under its criminal law power in order to establish this balance in a way that applies across the country.

In looking at how to legislate, the government decided, first, that abortion is a medical act and that doctors must perform or direct that act. Second, that if the balancing mechanism were to reflect the interests of the woman through a health determination, again doctors must make that determination. No one else could.

Having so reasoned, the government then ensured that the responsibilities of the doctor would resemble, as closely as possible, the responsibilities that he or she already exercises and that no extraneous administrative procedures or outside opinions would be required by the legislation. The doctor is as free as possible to decide on whether or not to induce an abortion, how and where to do so, and whether or not to seek outside opinions for medical reasons. In making his or her decision the doctor would do so in accordance with generally accepted medical standards. All that is added by the proposed legislation is a provision for criminal liability if the legislation is not followed.

• (1230)

This is mainly aimed at persons who are not medical practitioners but carry out abortions in unsanitary and unsafe conditions. Medical practitioners are only liable under the proposed legislation if they do not in good faith apply the health standards.

Here is the question. Should someone else, such as a judge or a committee, be added to determine the balance, to take this responsibility? I think this would clearly be unwise because all these decisions are medical.

Moreover, any additional procedures and procedural requirements would add delay and would immeasurably add to the stress on the woman and on the doctor-patient relationship and thereby violate the charter. Clearly this result would be worse for the doctor and for the woman and of no benefit to society. We have every confidence that the doctors of Canada and women will carry out their responsibilities fully and in good faith.

After tabling this legislation last Friday, I returned to Orillia late Friday evening because I wanted to find out just how my constituents would react to this bill. I deliberately moved on Saturday through the market, the bank, up the main street, through the mall. I went to a fiftieth wedding anniversary and a hockey banquet. On Sunday I went out to a rural church where it was the hundredth anniversary of Orillia Central Presbyterian Church. I was engaged by the people of my riding *vis-à-vis* this bill.

I did not know when I went home just exactly what the reaction would be. Certainly I had seen the reaction from certain parties on either side of the spectrum. But I can tell you, Mr. Speaker, that there was overwhelming support from the people I represent. It is not that there were not people on either side who objected to the bill but there was overwhelming support in my area as I was approached from people of all ages and all economic and social backgrounds.

They realize that a compromise was necessary, and they encouraged me to go forward. And we are going forward.

[*Translation*]

Canadians would prefer to see the need for abortions disappear.

However, we all agree that abortion has been practised in the past, is still being practised today and will continue to be in the future, irrespective of any legislation the government may pass.