

*Criminal Code*

by the hon. member for Notre-Dame-de-Grâce (Mr. Allmand), as follows:

"endanger her life or seriously and directly impair her health."

is to avoid future abortions for psychiatric reasons which the act, as it now reads, might legalize.

Mr. Speaker, in my opinion, this is the crux of the matter with regard to this whole clause, because if the word "health" is not qualified, there will be, both medically and legally different interpretations of the legislation as between hospitals, and thus, all kinds of illnesses, even indirectly related ones, will make abortion possible, that is non-criminal.

Mr. Speaker, if I do not agree with the views expressed by the hon. member for Champlain (Mr. Matte) concerning this matter, I respectfully submit to the house that we should qualify the word "health" as proposed in a similar formula, in order to prevent any intervention of psychiatry, and by leaving the general term "health", it might be inferred that, from the medical point of view, since the expression "or would be likely to" has already been added, a mental illness might be sufficient for a hospital therapeutic committee to deliver a certificate authorizing an abortion.

And in this field, Mr. Speaker, I feel that psychiatry has proved that the effect of abortion is absolutely contrary to the patient's purpose.

I think psychiatrists or psychiatry have never been able to determine one way or the other whether abortion had any remedial effects on the person seeking an abortion on psychiatric grounds. The amendment states, and I quote:

—seriously and directly impair—

It is my opinion that doctors who will eventually have to interpret those words could not conclude to the possibility of psychiatric abortions, if it is stated and if it has to be proved, by way of a certificate or through a diagnosis, that this would seriously and directly impair her health. An abortion will then have to be performed.

At that time, with respect to psychiatric abortions, we should think it over seriously so as to leave it to doctors, as suggested by the hon. member for Hull (Mr. Isabelle), to interpret the word "health" which includes

both physical and mental health. Various hospitals throughout the country would give it various interpretations. I think what is good in one part of the country should also be good in another part.

**Some hon. Members:** Hear, hear.

**Mr. Laflamme:** Mr. Speaker, I have had the opportunity of looking into this matter. I personally talked about it to several gynaecologists even within hospital groups, and I sincerely think, as I have already said in my own constituency, that I would be not only agreeable to the bill but also satisfied with it, provided the word "health" is qualified, specified and defined.

And the clarifications brought in by the amendment moved by the hon. member for Notre-Dame-de-Grâce (Mr. Allmand) meet, in my opinion, the real objectives that the legislation should seek, namely to avoid considering in future as criminal acts the medical acts performed at present in a good number of hospitals in this country, and not open the door in such a way that it would be possible from now on to have abortion upon request, on the pretence of psychiatric diseases, even simulated ones, to which a patient could resort, at a given moment, in presence of her doctor, to show that her health would probably be impaired, when we know that this could also include mental health, for if mental health could be impaired, one must nevertheless take into account the life of the individual which must also be protected.

Given those circumstances, I will support the amendment moved by the hon. member for Notre-Dame-de-Grâce, and I agree with the remarks made by the hon. member for Ontario (Mr. Cafik) on that point for, in my opinion, it is essential that the word "health" be defined and described in a way similar or identical to the one proposed.

**Mr. Réal Caouette (Témiscamingue):** Mr. Speaker, I congratulate the hon. member for Montmorency (Mr. Laflamme) for the opinion which he put forth about the amendment introduced by one of his colleagues, the hon. member for Notre-Dame-de-Grâce (Mr. Allmand), removing from the clause the words "or probably" and adding:

"endanger her life or seriously and directly impair her health."