

Criminal Code

I do not know who that exception is but that letter was signed by the hon. member for Peel South.

What I am really saying is that we should not for one moment believe that the new bill will change the law. The amendment in the bill really is a lot of window-dressing designed to satisfy that group of people who are against abortion while at the same time satisfying those who are in favour of abortion. As Professor Mewett says, this bill really does nothing for the girl who has been raped or for any individual whose case does not fall within the narrow interpretation of health or life.

I do not intend to say anything more on the amendment, but it does not change the law of Canada. It is just a vote-catching part of the bill. There are many other similar parts to which I could refer, but if I did so I would be ruled out of order so I will not go into them this afternoon.

● (3:00 p.m.)

I wish to re-emphasize the co-operation of hon. members during the committee hearings. We co-operated with the Minister of Justice and attempted to state our thoughts to the committee expeditiously. I suggest that the committee members worked in a non-partisan way. Since these amendments were introduced into the house members of the Conservative party have been brief and to the point, and we have co-operated with the minister. In spite of this, the President of the Privy Council has tried to leave the impression that our party has caused delay in the passing of this legislation. Let us have no more of this misrepresentation and fraud on the part of the President of the Privy Council when he talks about this debate or any other. He is always leaving that impression. In this way he creates bad will in the house. That is why he is not a good house leader.

Mr. Gordon Ritchie (Dauphin): Mr. Speaker, in speaking on this amendment in the abortion debate, I am sure that in the future this legislation will be referred to as the long talked of great step forward that resulted in a step backward. The Prime Minister (Mr. Trudeau) in his election promises stated that abortion would be legalized in line with 20th century thinking, and that our abortion laws would be modernized. What has happened? Nothing. There has been absolutely no progress in this respect. The new legislation is a step backward.

Therapeutic abortion has been practised in Canada for many years. Therapeutic abortions have been condoned by the Bourne case of 1938 when Dr. Alex Bourne, an English surgeon, aborted a 14 year old girl who had been raped by soldiers.

The Criminal Code states that therapeutic abortion may be carried out when the life of the mother is at stake. This provision is open to wide interpretation. What is the rate of therapeutic abortion in Canada? A study of non-Catholic, Canadian hospitals shows that in 1967 there was an average of six abortions per 1,000 deliveries or live births. There is no wholesale abortion there.

How is an abortion carried out in Canadian hospitals? It is carried out by the patient's physician in conjunction with a consultant of his or the patient's choice. Now we are to set up a committee, none of whose members will know the patient or will be likely to interview her or her husband. This effectively removes from the patient and her physician the decision to abort.

If the abortion law has to specify indications for abortion, rather than leave the decision to a woman and her physician, as is done in regard to nearly all decisions to carry out a surgical operation, the indications should include all the physical diseases of the mother that would jeopardize her health or that of the baby should the pregnancy continue. It should include obstetrical indications if carrying the pregnancy to full term would be hazardous to either mother or baby. The law should include psychiatric indications where continuation of the pregnancy may result in psychotic episodes or suicidal thoughts.

The law should include provisions to cover the situation where because of an unwanted pregnancy there would be adverse effects on the emotional health of the mother, the existing child or children. It should include provisions to cover cases of rape or incest. A therapeutic abortion should be permitted if there is a reasonable possibility that the child, if born, would be physically and mentally incapacitated. Does the legislation do any of these things? The answer is no.

Another important factor is the safety of the abortion procedure. With a woman less than eight weeks pregnant, D. and C. carries little risk. Beyond eight weeks of pregnancy the chances of complication increase rapidly, especially after the tenth week, owing to the high risk of hemorrhage or perforation of the uterus. Legislation designed to keep down mortality must ensure that the period