

*Oral Questions***ORAL QUESTION PERIOD**

[English]

**CRIMINAL CODE****DATE AND TERMS OF PROPOSED INQUIRY INTO ABORTION PROVISION**

**Hon. Robert L. Stanfield (Leader of the Opposition):** Mr. Speaker, I should like to ask a question of the Minister of Justice arising out of his suggestion in the House the other day that the whole subject of the operation of the abortion law might be inquired into and some announcement made shortly, and his indication outside the House that an inquiry in depth into this issue would be conducted by the government. I should like to ask the minister about the terms of reference of the proposed inquiry. Is it intended to include in the terms of reference the grounds upon which a legal abortion may be carried out or is it his intention to confine the inquiry to questions related to the administration of the legislation?

**Hon. Otto E. Lang (Minister of Justice):** Obviously my answer in the House the other day indicated that a decision had not yet been taken and in these circumstances no announcement as to the details can possibly be made. Any statement which seemed to go beyond that outside the House represented, really, a rather distorted view on the part of the newsmen rather than anything I said.

**Some hon. Members:** Oh!

**Mr. Stanfield:** In view of what I know to be the minister's longstanding concern over various aspects of this legislation and my assumption that he has been giving this matter a good deal of thought for some time, is he in a position, now, to tell us in approximate terms when he can announce the decision of the government in regard to such an inquiry? Can we expect such an announcement within a week, or within a month, or is it to be made in the distant future?

**Mr. Lang:** It is always difficult to indicate when a decision will be taken because the process of making a decision can itself be a complicated one depending upon the nature of the issue under consideration. The Leader of the Opposition is correct, however, in assuming we are conscious of the importance of this issue and we shall be examining it with great thoroughness in order to find the right kind of solution, one which will develop approaches to or changes in the law and practice and which will meet the problem rather than simply appearing to meet it.

**CONCLUSIONS TO BE DRAWN FROM ABORTION STATISTICS**

**Mr. J. R. Holmes (Lambton-Kent):** Mr. Speaker, I have a supplementary question for the Minister of Justice. On December 12, in reply to a question by the hon. member for Edmonton-Strathcona, the minister said he was giving particular attention to a study of the reasons the abortion rate is highest by far in the three wealthiest provinces, British Columbia, Ontario and Alberta. Can he now state his findings and do they confirm that these provinces are loosely interpreting a badly worded federal law, forcing us

[Mr. Speaker.]

to the conclusion that the law must specify that abortions will only be permitted in medically indisputable cases?

**Hon. Otto E. Lang (Minister of Justice):** I think the conclusion to be drawn from the figures can be drawn by anyone. It seems to me fairly obvious that interpretations and applications do vary significantly from place to place. This, of course, is the very kind of question we must look at in examining the way in which the law is operating and how it can be made more effective in terms of the spirit intended by parliament in 1969.

**SUGGESTION PROPOSED COMMITTEE OF INQUIRY BE EMPOWERED TO SUBPOENA RECORDS OF HOSPITAL COMMITTEES—MINISTER'S INSTRUCTIONS TO PROVINCIAL ATTORNEYS GENERAL**

**Mr. Douglas Roche (Edmonton-Strathcona):** My supplementary arises from the fact that the largest petition ever brought into parliament was presented today, signed by one million Canadians from the Atlantic to the Pacific, and asking for much faster action than the Minister of Justice seems to imply will be forthcoming.

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

**Mr. Roche:** I should like to ask the minister, as he considers what kind of examination this question will be given and when, whether he would specifically consider the empowering of a committee to be set up to subpoena the records of hospital abortion committees to see whether cases are found in which abortions were permitted when the life or health of the mother was not in danger and, if so, whether charges will be laid and by whom?

**Hon. Otto E. Lang (Minister of Justice):** Mr. Speaker, the power to examine how hospital committees operate was in fact put into the Criminal Code and entrusted to the hands of the provincial ministers of health in the various provinces. I am impressed that many of the persons who appear to applaud the last question, and might applaud any other question if they thought it appropriate to do so on a given day, apparently have not been pressing their provincial colleagues to take some action in this regard.

**Mr. Roche:** A final supplementary question, Mr. Speaker. I should like to ask the minister, with reference to provincial actions, what instructions or advice he is giving the attorney general of Quebec in light of the reported ignoring of the abortion law by 103 doctors who have admitted performing or helping women to obtain illegal abortions?

**Mr. Lang:** Mr. Speaker, this issue is very much a matter for the provincial attorneys general; and of all the provincial attorneys general, the one who seems least to need advice from me is the one for the province of Quebec.