

*Criminal Code*

versions, to bring them into accord in the sense of the English version "would or would be likely" by way of clerical correction by parliamentary counsel. I want to assure the hon. member that I will look into it again, but it would merely involve a clerical comparison of both versions.

As to the substance of the amendment, which in the English version seeks to delete the words "or would be likely to", and which in the French version seeks to eliminate the words "ou probablement", I would have to recommend to the house the rejection of the amendment. If the words were removed, the therapeutic abortion committee would be restricted to the prognostication of certainty only. We would be asking for an opinion of medical certainty from a committee of doctors that the life and health of the mother would be in danger. Such certainty would be virtually impossible to achieve.

I recall the speech on second reading of the hon. member for Hull (Mr. Isabelle), who is a medical doctor and who dealt with this very point. The most that can reasonably be required of a professional medical judgment is an honest and competent prognosis of the likely or probable medical consequences. I do not think we could expect anything more from a medical judgment, and I think we could expect less from a legal opinion. The realm of certainty is beyond the limitation of professional judgment, which is what the hon. member is asking from the medical profession if those words are eliminated.

There is one final point which the hon. member made that is not quite pertinent to his amendment and which has to do with the definition of "health". The earlier house committee on health and welfare, the committee on justice and legal affairs, the Canadian Medical Association when it appeared before the earlier committee, and the Canadian Bar Association were all unable to arrive at a satisfactory definition of health. This is a question that is left to medical judgment. Certainly it has to be taken in a global sense. You cannot isolate physical from mental health; they interact and react each upon the other. In that sense health is incapable of definition, and this will be left to the good professional judgment of medical practitioners to decide.

For these reasons and subject to the clerical problem that I outlined, which is clerical only and can be remedied by parliamentary counsel if that is necessary, I would have to recommend to the house that it reject the amendment.

[Mr. Turner (Ottawa-Carleton.)]

[Translation]

## PROCEEDINGS ON ADJOURNMENT MOTION

SUBJECT MATTER OF QUESTIONS TO BE  
DEBATED

**The Acting Speaker (Mr. Béchard):** Order. It is my duty, pursuant to Standing Order 40, to inform the house that the questions to be raised at the time of adjournment tonight are the following:

[English]

The hon. member for Hillsborough (Mr. Macquarrie)—Transport; the hon. member for Cape Breton-East Richmond (Mr. MacInnis)—Industry; the hon. member for Vegreville (Mr. Mazankowski)—Agriculture.

## GOVERNMENT ORDERS

### CRIMINAL CODE

#### REPORT STAGE

The house resumed consideration of Bill C-150, to amend the Criminal Code, the Parole Act, the Penitentiary Act, the Prisons and Reformatories Act and to make certain consequential amendments to the Combines Investigation Act, the Customs Tariff and the National Defence Act, as reported (with amendments) from the Standing Committee on Justice and Legal Affairs, and motion No. 26, Mr. Clermont.

**Mr. Rynard:** Mr. Speaker, I was very glad to hear the Minister of Justice (Mr. Turner) admit that there had been an error in the drafting.

**Mr. Turner (Ottawa-Carleton):** Mr. Speaker, on a point of order, I did not admit that at all. I said that we would look into the matter again and that if it were a mistake the two versions could be reconciled clerically.

**Mr. Rynard:** There certainly is an error because there is no certainty. A doctor could not be certain.

**Mr. Turner (Ottawa-Carleton):** I admitted that.

**Mr. Rynard:** Then there is an error in clarification, if you want to put it in that way.

**Mr. Turner (Ottawa-Carleton):** Mr. Speaker, I think we are talking about two different