

EVIDENCE

THURSDAY, March 3, 1966.

● (11: 10 a.m.)

The CHAIRMAN: Ladies and gentlemen, we now have a quorum present. The meeting will come to order. Today we have as witnesses Mr. Wahn who will speak on his private member's Bill No. C-40; and Mr. Stanbury on his private member's Bill No. C-22.

I ask Mr. Wahn to come forward and present his bill. I think before Mr. Wahn presents his bill he wants to raise a point of order with the committee.

Mr. WAHN: Thank you, Mr. Chairman.

Mr. Chairman and members of the committee, this is really not a formal point of order but I do understand that a decision has been made by the steering committee and the committee as a whole that the clause of the bill dealing with therapeutic abortion will be considered later after the committee has considered the clause concerning the availability and distribution of contraceptives and contraceptive information.

I can understand why the committee might wish to proceed in this manner, because, although the two subjects are closely related, considerations that might apply to the one might not apply to other clauses of the bill.

At the same time, Mr. Chairman, I would like to feel assured by the committee, if that is possible, that the delay in considering the provision relating to therapeutic abortions would not, in effect, result in the matter being put aside completely. In other words, while I realize the matter can be best handled separately I trust it does not mean putting it aside completely. I trust that the committee will deal with it promptly as well because it is an essential part of the bill which has been referred to committee for consideration. It is a matter of extreme importance. Mr. Chairman, without getting into the substance of the provision, I think I should point out that in Canada today there is a general belief that abortions are legal only if it is necessary to preserve the life of the pregnant woman. There are several relatively recent legal decisions in England that indicate that abortions may be legal if necessary to preserve the life of the woman or if necessary to preserve her physical or mental health.

Now, in Canada many doctors believe they can only be performed where it is necessary to preserve the life of the woman. As a result it may well be that women who are entitled under the law to have legal abortions are being deprived of them because of the fact that the law in Canada is not clear. Actually, the purpose of this particular provision in my bill is really primarily to clarify the law along the line of the two English decisions I have alluded to, so as to permit abortions where necessary to preserve the life of the pregnant woman, or where necessary to preserve her physical or mental health while providing for very careful safeguards which would not exist if those two English decisions I have mentioned are sound. In other words, if the law at the present time permits abortions to preserve the physical and mental health of the woman, then there are no safeguards at all.