

Criminal Code

hospitals in the province of Quebec which must close down soon because they were giving inadequate service. Not that the staff was not well trained, but a 100-bed hospital cannot give the same quality of service as would a 400-bed unit.

Mr. Speaker, this amendment is very important. As a matter of fact, the omnibus bill defines a person who might ask the doctor for an abortion as follows: "A female person who, being pregnant".

Mr. Speaker, no one will deny that this definition must be made more explicit. As a matter of fact, when a pregnant woman asks a doctor for an abortion, it may happen that the doctor is not a responsible one, as there are incompetents in all professions, among lawyers as well as among doctors. What protection does this woman have?

If the doctor says that he will consider the matter,—and the law authorizes an abortion only when the therapeutic abortion committee of the hospital has issued a certificate,—if he submits the case to the therapeutic abortion committee, when the hospital is not authorized to procure abortions, the patient runs the risk of receiving very poor care.

The therapeutic committee may say: My dear man, we can perform an abortion, as the life or health of the patient would or "would be likely to" be endangered. The therapeutic committee will be in such a position that it will have to say yes.

Then the therapeutic abortion committee issues a certificate and the doctor performs the abortion in circumstances that leave much to be desired and could lead to serious consequences.

The patient will have confidence, but she will not know whether those people are quacks or professional killers. She will never know it either if the hospital where she applies does not have the required services.

It is the responsibility of the minister to place the hospitals and the doctors who perform an abortion under the obligation of complying with minimum standards.

Mr. Speaker, this is something essential. It is extremely important, in my opinion, and the minister will have to admit we are right in this regard.

If a person goes to see a lawyer, it is, above all, because he has a problem to solve. He chose that lawyer instead of another, because he trusts him.

If a woman consults a doctor, it is because she has a problem. She is ill, she is suffering

[Mr. Fortin.]

from a momentary or perhaps more serious disorder. Anyway she has a more or less serious reason to go and see her doctor. She has some sort of a problem. Why would she choose this doctor instead of another? There are hundreds of doctors everywhere. Very few communities are without any doctor in Canada. There will always be a shortage of doctors, but they can meet the needs. Every individual has to make his own choice. The minister can choose his doctor. I can choose my own doctor, as well as everybody else.

Why would this patient go to one doctor in particular? It is because she trusts him. Therefore, the doctor must be worthy of that confidence. As relationship based upon trust must exist.

If the doctor is not qualified, if he is not serious or if he is an alcoholic—

Mr. Turner (Ottawa-Carleton): Mr. Speaker, I rise on a point of order.

The Acting Speaker (Mr. Béchard): Order. The Minister of Justice is rising on a point of order.

Mr. Turner (Ottawa-Carleton): Mr. Speaker, the remarks of the hon. member about doctors are very interesting but the amendment deals with hospitals and the number of beds available.

Mr. Fortin: Mr. Speaker, I do not want to play on words uselessly, but it seems to me that what I am saying concerns abortions and the conditions in which they will be performed. I am dealing with the safety, for the patient, at the hospital, such conditions should also concern those who perform the abortion. It is above all a matter of confidence and safety.

Mr. Speaker, as I was saying, the doctor must, through his competence, experience, professional qualifications, and respect for his professional ethics, deserve the confidence of his patient, just as the lawyer must deserve that of his client.

The doctor may be a member of a team of specialists or doctors, in any hospital. Now, to help him, so that he can be sure he can perform the abortion, I feel the doctor will have to perform it in a hospital where the services are adequate.

If a very competent doctor wants to do a good job for his patient, and does it seriously, but finds himself in a small hospital where the equipment is not adequate, etc, it may