

*Government Orders*

Is it the pleasure of the House to adopt the motion?

**Some Hon. Members:** Agreed.

Motion agreed to.

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## GOVERNMENT ORDERS

[English]

### CRIMINAL CODE

#### MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Lewis that Bill C-43, an Act respecting abortion, be read a second time and referred to a legislative committee.

**Ms. Dawn Black (New Westminster—Burnaby):** Mr. Speaker, I rise today to speak against Bill C-43. This is an act to recriminalize abortion.

I feel that this bill is the very height of government hypocrisy. The bill would jail medical doctors for two years for performing a medical service, unless vaguely defined health criteria enshrined in criminal law are met. Women are also liable for criminal penalties under Section 21 of the Criminal Code for aiding and abetting in the commission of a crime. Abortion under circumstances described by several Supreme Court justices as valid reasons to have an abortion will now be one such criminal offence.

I understand the pressure that the government is under. Some people have called for criminal legislation in this area. The Leader of the Official Opposition, the Leader of the Liberal Party, has called for criminal legislation in this area. Several ministers and backbenchers have called for criminalization on abortion.

Some think that this bill should be a free vote because they say that it is a matter of conscience for the members of this House of Commons to decide. I believe that it is a matter of conscience for each individual woman to decide, not for the members of this House.

The Minister of Justice in his justifications for this bill said this legislation would prevent people who are not doctors from performing an abortion. This is an example of the hypocrisy that I have spoken about.

The Criminal Code already deals with the performance of surgical procedures. No one can practise medicine in Canada without a licence. There already are penalties in the Criminal Code.

The Minister of Justice was quoted in *The Globe and Mail* on November 4 as saying that a deliberate decision was made to legislate by an amendment to the Criminal Code. Only by using the criminal law power can the federal government ensure a national approach to the question of abortion.

This bill does not provide a national approach to the issue. It allows provinces to pass restrictive laws to block access to abortion services just as we now see happening in the province of Nova Scotia. It does not set a national standard for accessibility.

The federal government sets standards for accessibility for other medical procedures through the Canada Health Act. The Minister of Justice cannot get away with saying that accessibility to health services is not a federal matter. The Canada Health Act is a federal statute that guarantees accessibility to medical services under threat of partial or complete withdrawal of federal funding for health care to the provinces. The Canada Health Act has already been used to guarantee that Canadians across this country could not be extra billed. The only national standard that this bill sets is the threat of criminal charges being brought against Canadian doctors for performing an abortion.

• (1520)

In the province of Prince Edward Island no abortion has been legally performed since 1982. Women from that province must go to Nova Scotia or another province to obtain an abortion. The Morgentaler clinic in Montreal has served women from as far away as Newfoundland. In Newfoundland there is only one doctor who is willing and allowed by a hospital board to perform abortions. When this doctor is ill or away on vacation no safe medical abortions are available in the province of Newfoundland.

Access to clinics in cities are physically blocked by protesters who harass women in an attempt to intimidate them. Women who have made probably the most difficult and the most agonizing personal decision of their lives are the targets of verbal abuse.

Those who say that there is already abortion on demand in Canada or that this law stands for something called abortion on demand are ignorant of the lengths that many Canadian women must go to to obtain an