

May 28, 2008

**Statement in opposition to Bill C-484
the “Unborn Victims of Crime Act”**

Last March, Bill C-484, the *Unborn Victims of Crime Act*, passed second reading in the House of Commons. This bill seeks to amend the *Criminal Code* and to create a separate offence for causing the injury or death of an “unborn child” when a pregnant woman is the victim of a crime.

This amendment would not protect pregnant women, and would do nothing to respond to violence against women. The Criminal Code already recognizes that spousal violence is an aggravating factor in sentencing. And judges already recognize pregnancy as an aggravating factor in sentencing. What is really at stake here is the legal recognition of the fetus’ right to life and the possible re-criminalization of abortion. Indeed, recognizing the murder of a pregnant woman as a “double murder”, would be tantamount to recognizing that the foetus is a human being.

The adoption of Bill C-484 would introduce a major change in our law, that would undoubtedly result in massive intrusions in the lives of pregnant women, as has been the case in those states in the U.S. that have adopted similar legislation. Some women have been criminally charged, and have been imprisoned for having a stillborn baby after refusing a caesarean, or for using drugs while pregnant.

Last January, we celebrated the 20th anniversary of the Morgentaler decision that struck down the Criminal Code provisions that made abortion a crime in Canada. This historic Supreme Court decision recognized that women’s constitutional rights to security of the person, autonomy and freedom include the right to end an unwanted pregnancy without state interference.

The CLC is committed to the protection of women’s reproductive rights and freedom of choice, and for this reason we are opposed to the adoption of Bill C-484. We call on the federal government to ensure that quality public health care abortion services are fully accessible to all women who need them, and that effective measures to eliminate violence against women are adopted, in consultation with women’s groups.

***This is a question that goes to the heart of women’s equality,
dignity and human rights.***