# ONTARIO SUPERIOR COURT OF JUSTICE (Ottawa)

BETWEEN:

# **CAMPAIGN LIFE COALITION and MAEVE ROCHE**

	- and -	Applicants
PARLIAMENTA	RY PROTECTIVE S	ERVICE
		Respondent
AFFIDAVIT Swa	OF rn April 16, 2025	Respondent
follows:	, in the	SOLEMNLY AFFIRM as

I am a practicing medical doctor and educator specializing in gynecology and obstetrics, 1. including abortion care.

- 2. I received my medical degree from the University of Western Ontario (UWO) in London, Ontario in 2003. I completed my 5-year residency in obstetrics and gynecology at the UWO in 2008. I practiced in various hospitals in Ontario as an obstetrician/gynaecologist from 2008-2010. Since 2010, I have been an academic physician. I was first an assistant professor, and then associate professor, in the department of Obstetrics and Gynecology at the UWO Schulich School of Medicine & Dentistry. I have also been an active member of clinical staff since 2010 at the London Health Sciences Centre teaching hospital.
- 3. As an academic physician, I am involved in resident and medical student training both in the classroom and in the hospital. I am currently the Division Head of general obstetrics and gynecology at the UWO Schulich School of Medicine & Dentistry. I have received numerous awards for excellence in teaching. Most recently, I was awarded the Western OBGYN Golden Forceps Award at UWO, awarded to the consultant deemed to be most influential in teaching and guidance to the graduating resident class.
- 4. I have been actively involved in abortion care since 2010. I have facilitated abortion procedures both medical (using pills) and surgical (both suction and extraction) consistently as part of my practice since 2010. I have provided abortions up until the fetal age of 24 weeks and 6 days. I have been involved in the Pregnancy Options Program at the London Health Sciences Centre since 2010. I am currently the Director of the Pregnancy Options Program and have been since 2017. Medical and surgical abortion education and training is a part of what I teach at UWO and the London Health Sciences Centre.
- 5. I attach my current CV as **Exhibit "A"** to my affidavit. The black boxes on pages 13 and 14 represent redacted student names.

## **Expert Declaration**

- 6. I have not acted as an expert in a court proceeding before. I have provided an expert opinion once before in a College of Physicians and Surgeons of Ontario proceeding.
- 7. I understand the role of an expert in a court proceeding. I swear that any evidence I give as part of this Court proceeding, including this affidavit, will be impartial, independent, and unbiased. I will only provide opinion evidence in this case related to matters within my area of expertise as a medical abortion-care provider and educator.

### Medical accuracy of the three posters at issue

8. I have been asked to provide my medical opinion on the accuracy of the images on three posters at issue in this case. I attach the images of the posters I referred to for the purposes of my affidavit as **Exhibit "B"**. Poster 1 is alleged to show an 8-week aborted embryo. Poster 2 is alleged to show a 10-week aborted fetus. Poster 3 is alleged to show an 11-week aborted fetus.

### A. Poster 1 – "8-week aborted embryo"

9. The image of a fetus shown on Poster 1 is inconsistent with an 8-week aborted fetus. It is not possible to see that level of detail — bones, ribs, fingers, toes, and eyes — with the naked eye in an 8-week fetus. An 8-week fetus does not have the extensive bone structure shown in the image. Fetal bone formation generally begins around 10 weeks. It is possible that viewing an 8-week fetus through a high-powered microscope would show the beginning of bone formation. But this image is not what a fetus looks like through a high-powered microscope. If this image is a real aborted fetus, it is approximately a 10-week fetus, not an 8-week fetus.

- 10. The image is furthermore not representative of an abortion done in Canada and may not be real. It appears that the fetus has been aborted through a surgical abortion using a suction tool, which is why parts of the fetal tissue have separated but is somehow suspended in 3D pool or still inside a woman's body. Once a surgical abortion procedure is done, the fetus is outside the woman's body, not inside. I do not understand how this picture could show a surgical abortion while the fetus is still inside the woman's body. The only post-abortion clinical procedure I am aware of that would involve viewing the fetus in liquid is transillumination. Transillumination involves thoroughly washing the fetus off after it is removed from the woman's body and then floating the fetus in a couple centimetres of water on a glass Petrie dish. Transillumination would not look like this 3D pool. The fetus and surrounding liquid in this image also appear very bloody, which is not how the procedure is performed. There is also an odd light at the back of the photo, which is inconsistent with viewing specimens in transillumination.
- 11. I have attached an article published by *The Guardian* in 2022 that shows what transilluminated abortion specimens from the first trimester actually look like as **Exhibit** "C". Based on my experience, the transilluminated specimens shown in the article are representative of the size and development of aborted fetuses of 5 9 weeks gestation viewed with the naked eye.

### B. Poster 2 – "10-week aborted fetus"

12. The image of a fetus shown on Poster 2 is inconsistent with a 10-week aborted fetus. The thickness of the skin on the abdomen, the highly developed spine, and the well-developed intestine would not be seen in a 10-week fetus. For example, intestines in a 10-week fetus viewed with the naked eye would look like tiny threads. The size of the hand and the length of the upper limb also appear too big for a 10-week aborted fetus, although it is possible this could be seen through

transillumination. It is difficult to tell the size of this fetus because it is so bloody and mutilated, but the body appears too long for 10-weeks. If this image is a real aborted fetus, it is approximately a 14 or 15-week fetus, not a 10-week fetus.

13. The presentation of this fetus is not representative of abortion practices in Canada. It appears the bloody fetus is resting on glass, maybe a Petrie dish. I am not sure what type of medical procedure this depicts, but it is not one that would be typically done in Canada. There is an upsidedown V incision on the abdomen that must have been done post-abortion with a knife. This type of incision could not happen with surgical abortion, done by suction, or medical abortion, done by pills. These are the only two methods of abortion used for termination of a pregnancy in the first trimester. Neither use sharp tools. I am not aware of any legitimate medical reason to cut open an aborted fetus like this other than to take tissue for medical research that the patient had given consent for. Furthermore, the presentation is extremely bloody, which is not the way a medical practitioner would examine a fetus after an abortion through transillumination. A fetus does not even contain this amount of blood at 10 weeks. This blood, if real, would be maternal blood. The metal forceps are also curious. It is unclear what they are trying to grab near the oral cavity, as a 10-week fetus's oral cavity would not open. Whatever procedure is being depicted is not representative of a medical or surgical abortion procedure I have ever seen or that is routinely used in Canada.

#### C. Poster 3 – "11-week aborted fetus"

14. The image of a fetus shown on Poster 3 is inconsistent with an 11-week aborted fetus. The size of the visible leg and arm appear too long for an 11-week fetus. As well, the amount of blood apparently spilling out of the fetus is medically impossible because a fetus at 11 weeks does not

contain that much blood in its whole body. Based on the stage of development, if this image is a real aborted fetus, it is approximately a 14 or 15-week fetus, not an 11-week fetus.

15. The presentation here again is not representative of an abortion done in Canada. The image appears to show a surgical abortion (using suction) because the head is missing. With a medical abortion (pills), the fetus comes out intact. But the tissue at the neck shown is not representative of tissue disruption from suction. There is blood clotting at the neck that is not medically accurate because the fetus does not have that much blood in its body. Although uncommon to see, it is possible the blood at the neck is a maternal blood clot that has not been washed off. The abdomen has also been sliced open under the ribcage. A surgical or medical abortion would not cause such a clean cut because no sharp tools are used. I am not aware of any legitimate medical reason why a practitioner would cut open a fetus like this after an abortion other than to take tissue for medical research that the patient had given consent for.

## Educational value of the posters

- 16. I have never seen aborted fetuses as shown in Posters 1-3. The images are not medically accurate of the fetal age suggested on each poster. The images on the posters are likely not real aborted fetuses or have been manipulated either physically after an abortion or photoshopped in some way. It is also possible these posters show abortions carried out in an unsafe, non-Canadian abortion practice with sharp instruments.
- 17. Regardless of whether the images are real, none are representative of abortions done in Canada at the stage of fetal development they purport. I have never seen images like these used for education purposes in my approximately 15 years as a medical educator and practitioner. I would not use these photos, or recommend they be used, for medical education purposes or to

educate the public on abortion because they are out of context, medically inaccurate, and misleading.

Sworn virtually at the in the in accordance with O.

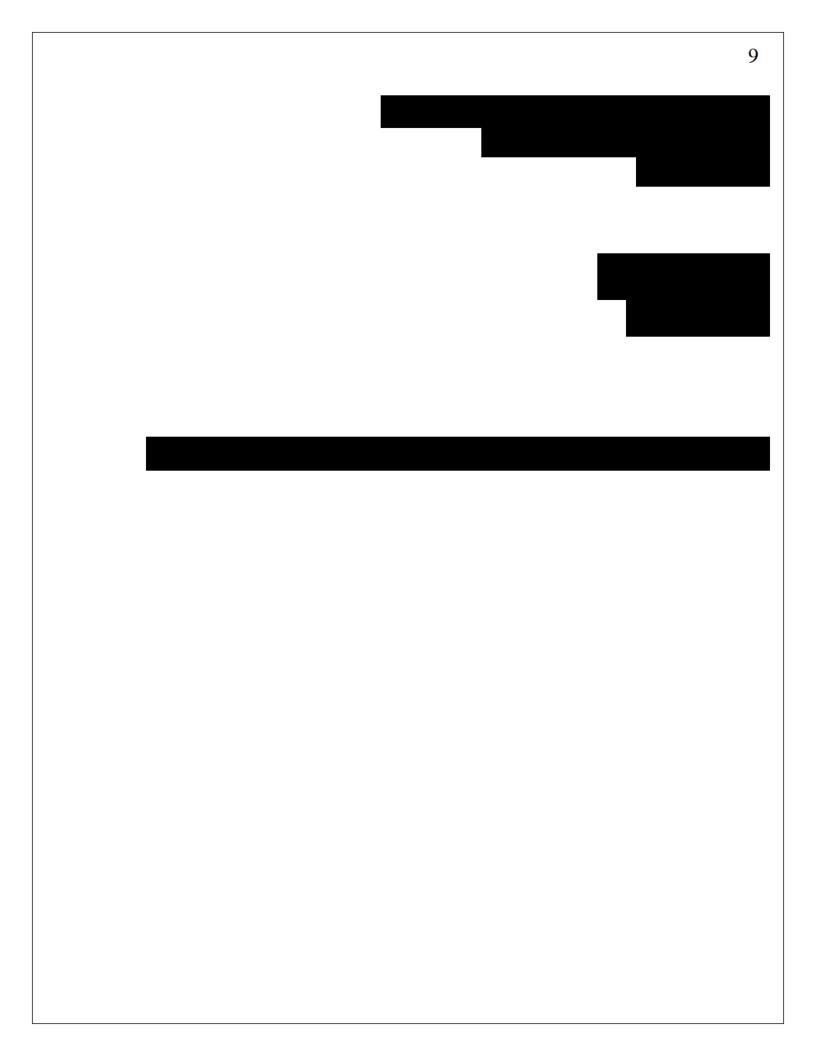
Reg. 431/20, Administering Oath or

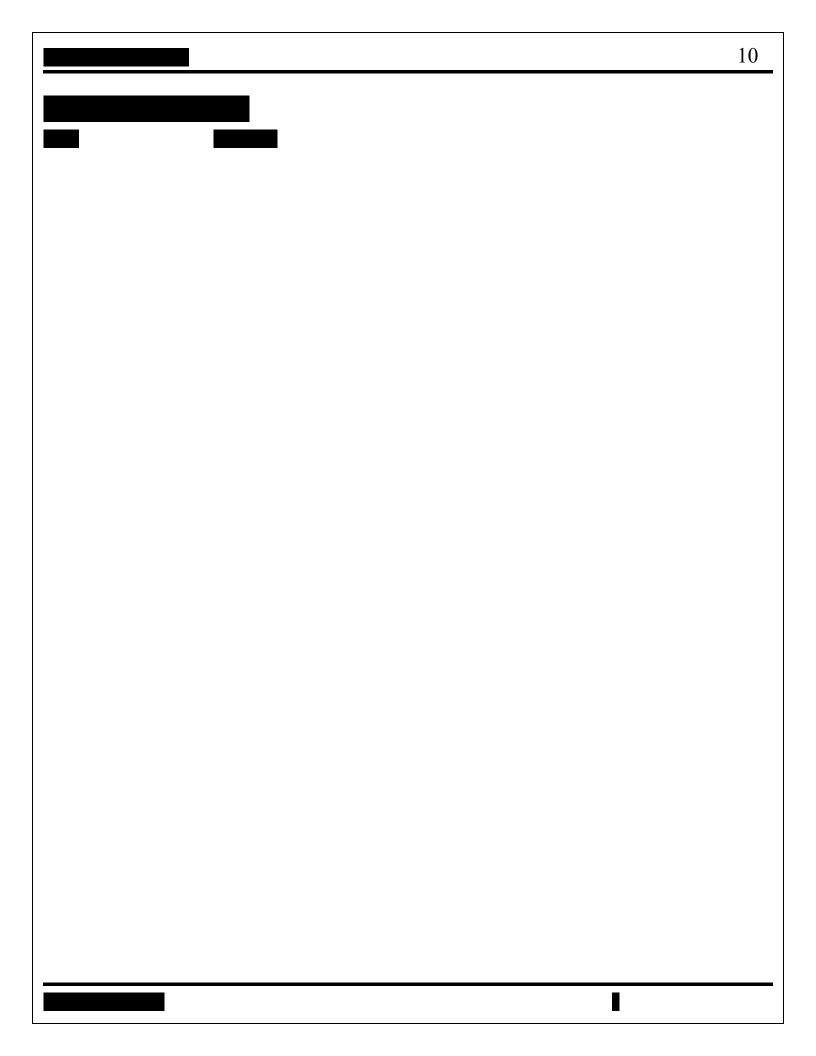
Declaration Remotely before me at the this 16th day of April, 2025.

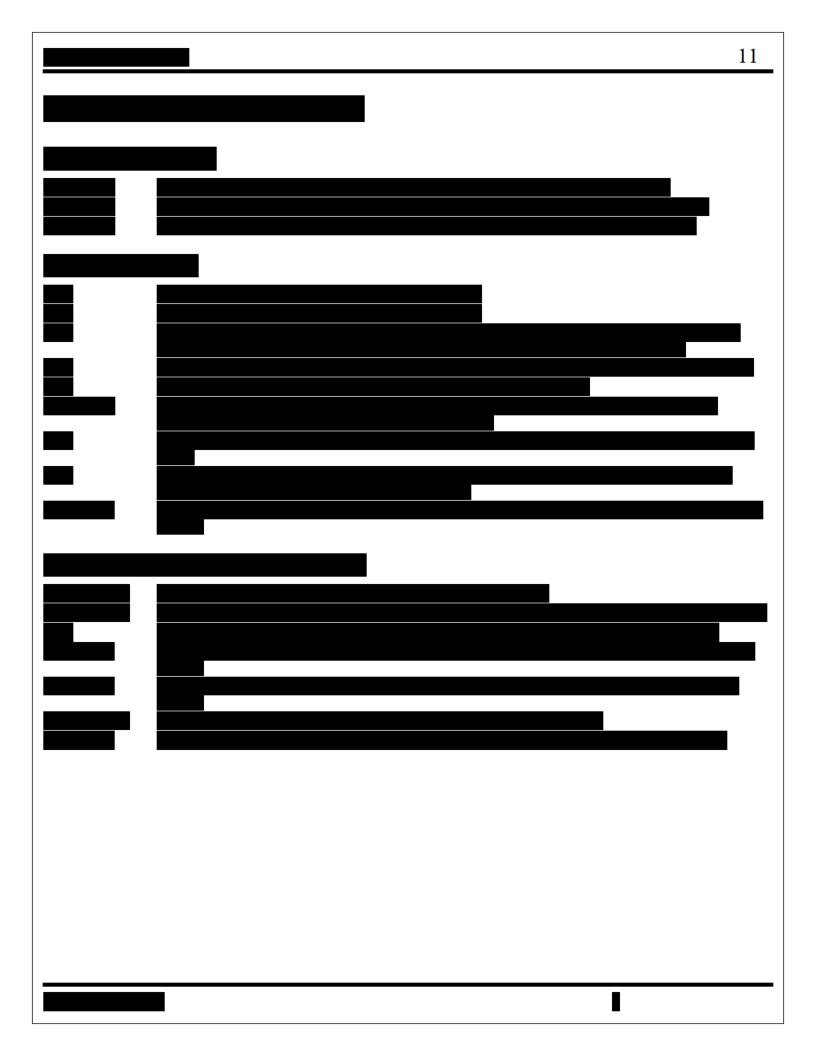
Jocelyn Rempel, a commissioner of oaths (LSO#: 82895Q)

This is **Exhibit "A"** referred to in the Affidavit of sworn remotely before me this 16<sup>th</sup> day of April, 2025

Jocelyn Rempel, a commissioner of oaths (LSO#: 82895Q)

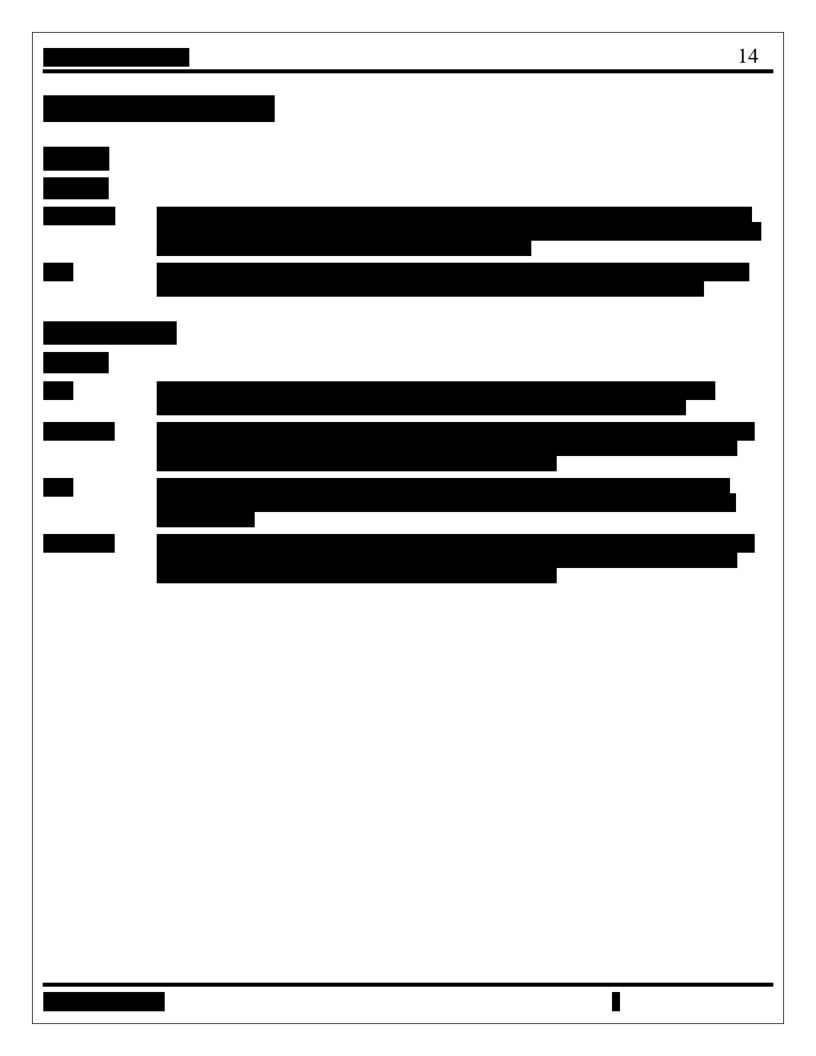


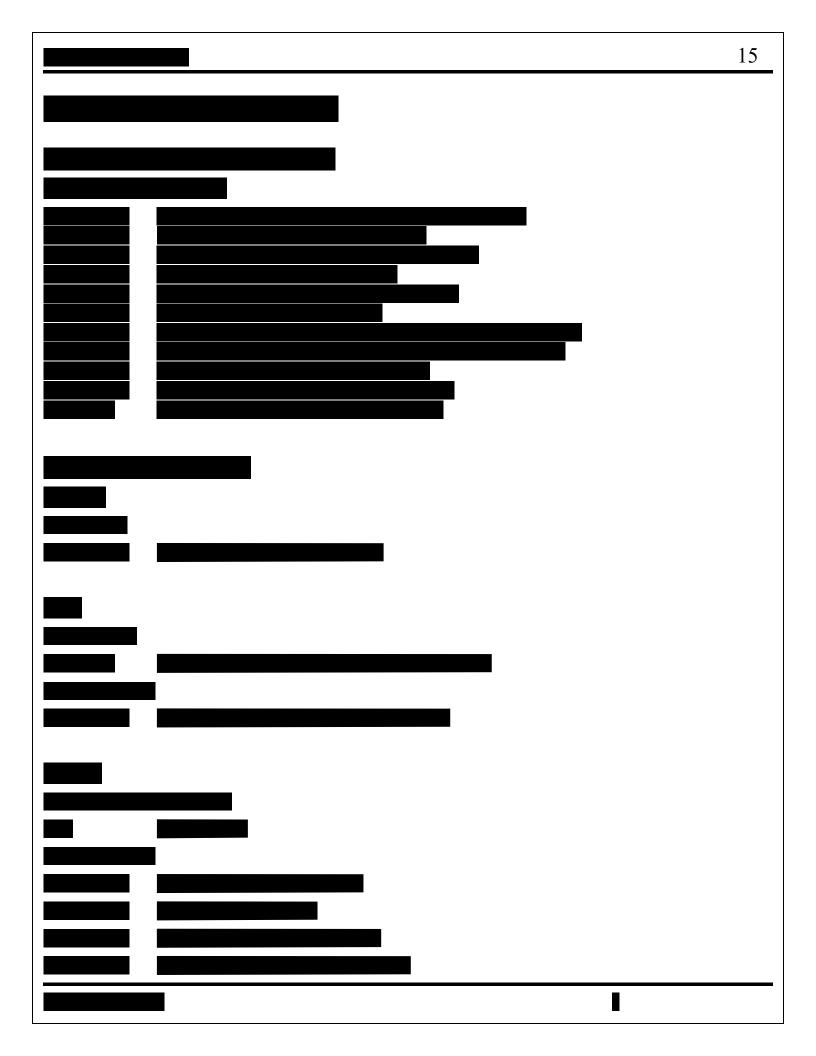


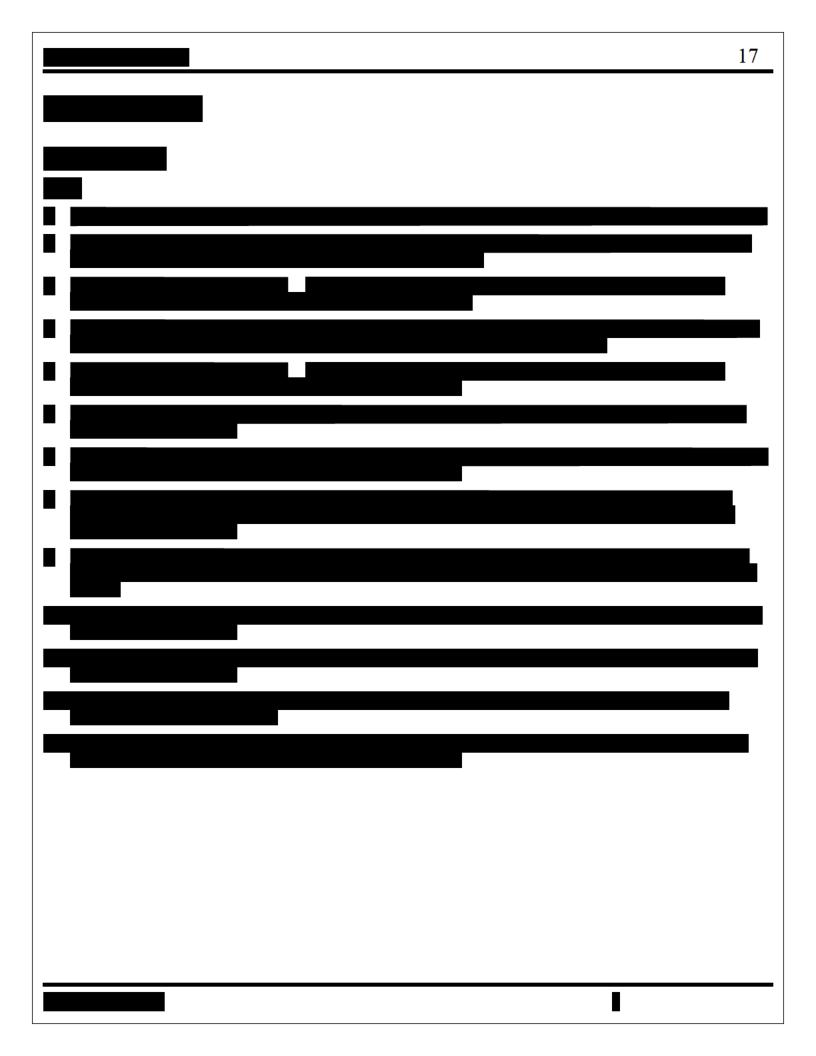


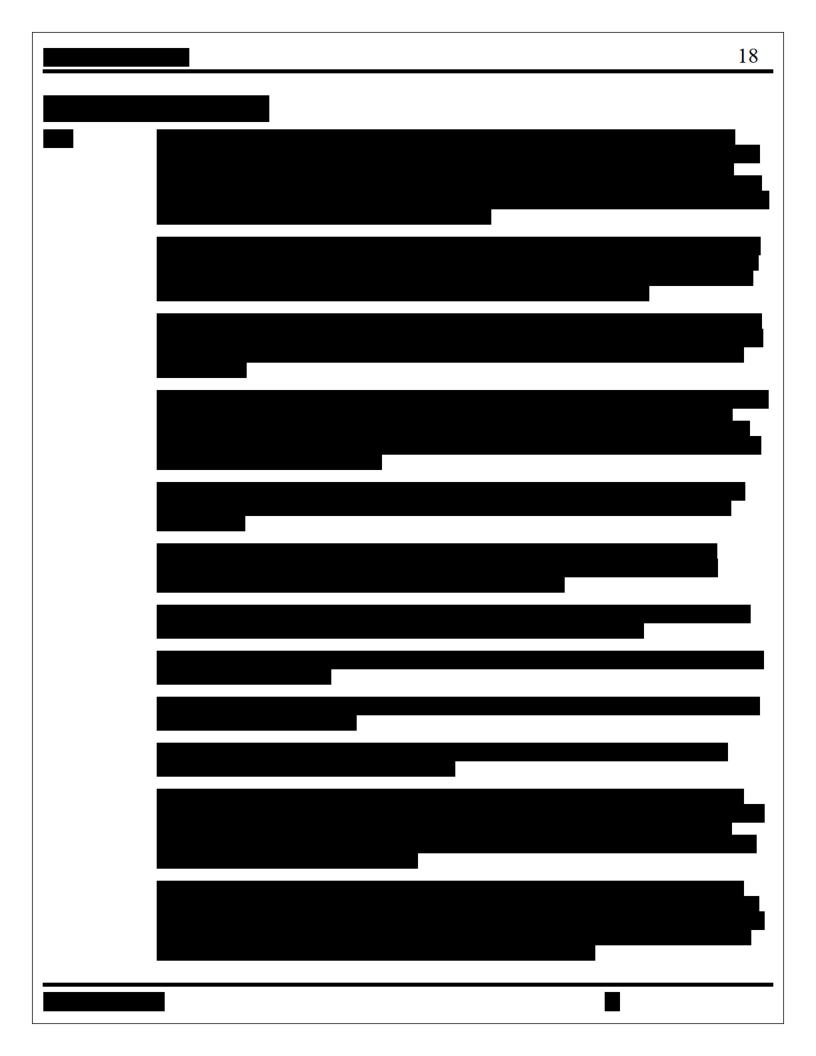


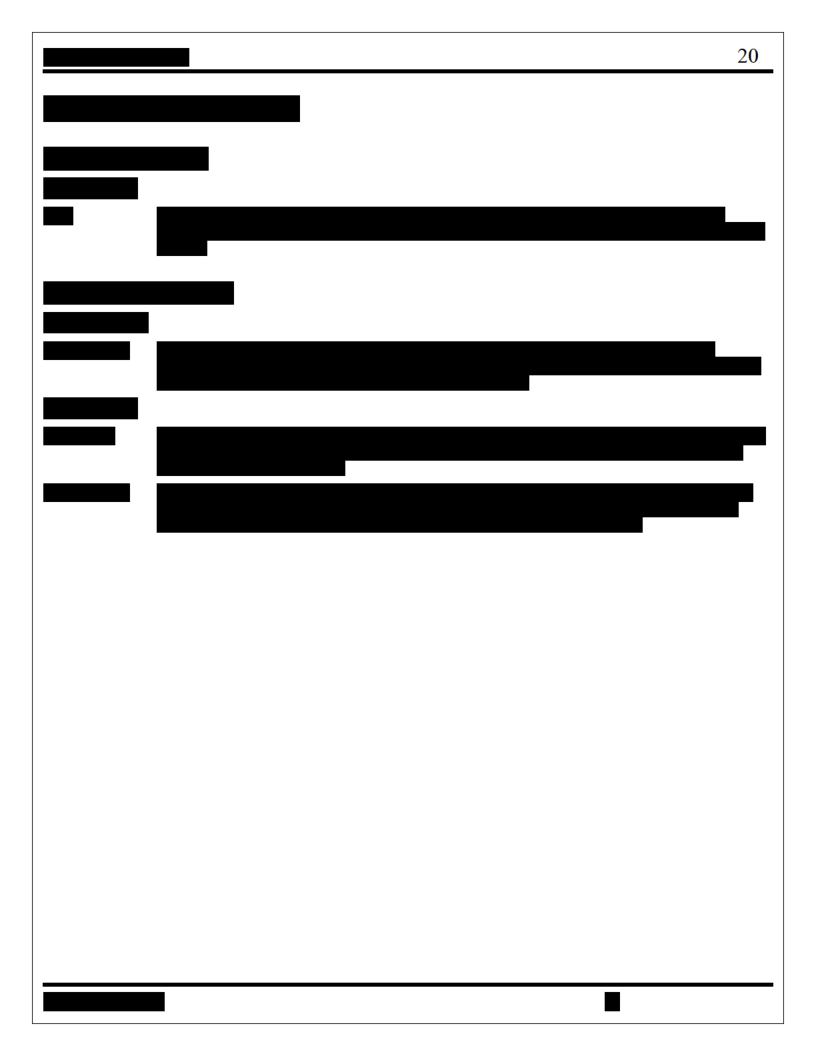


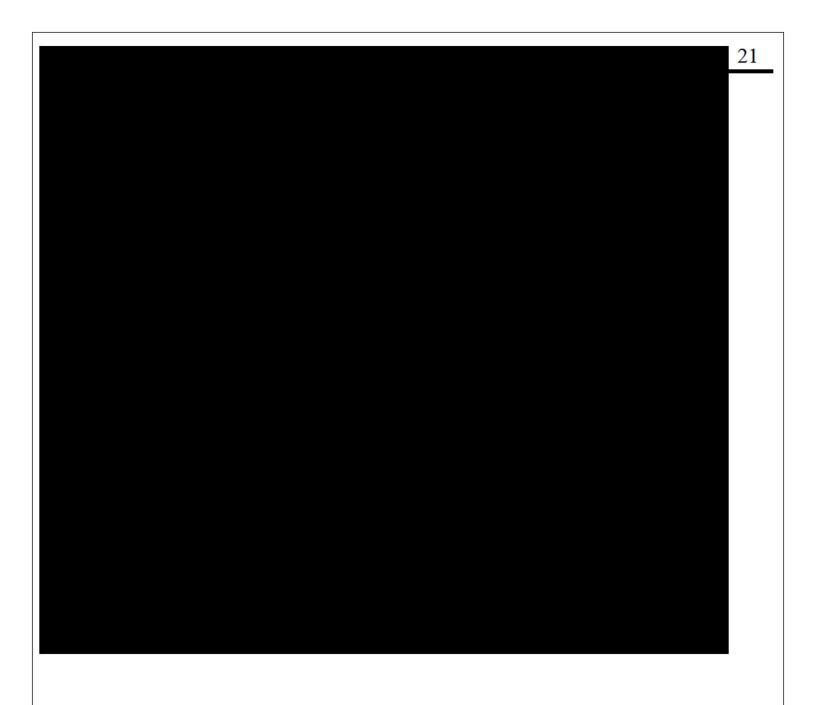


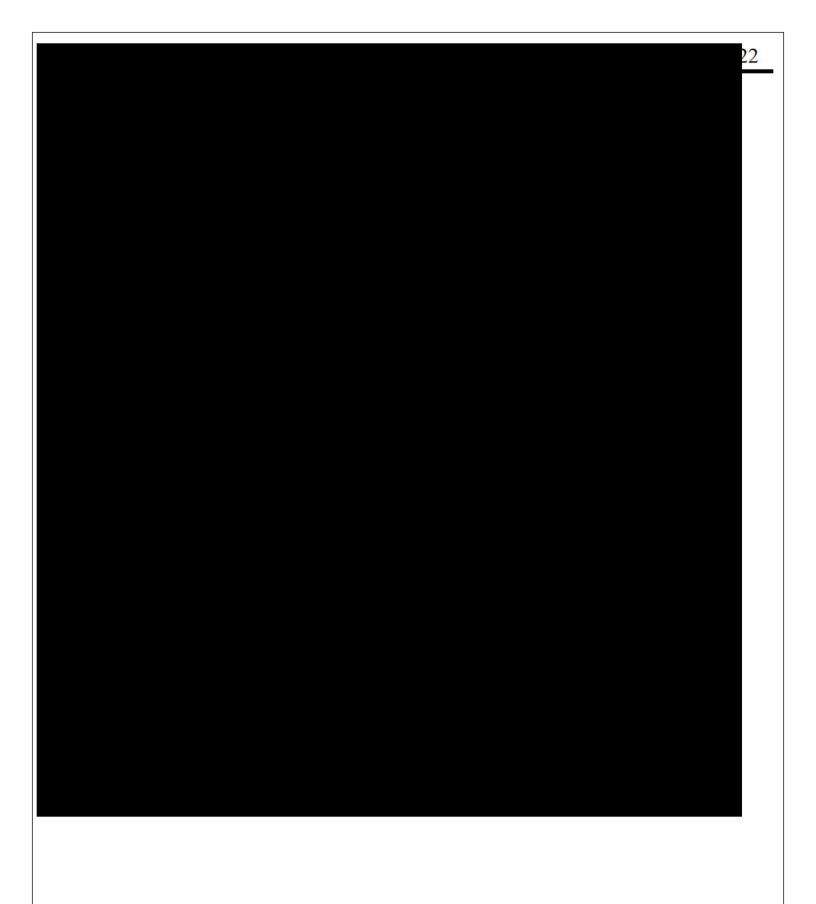




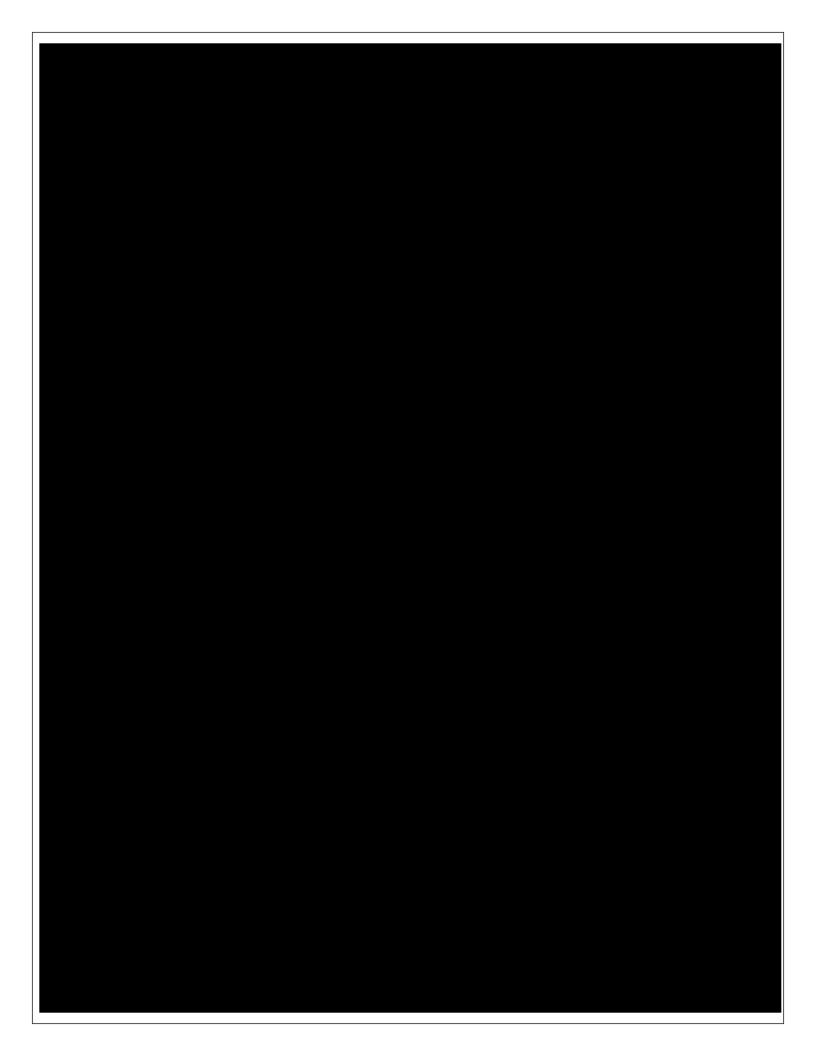


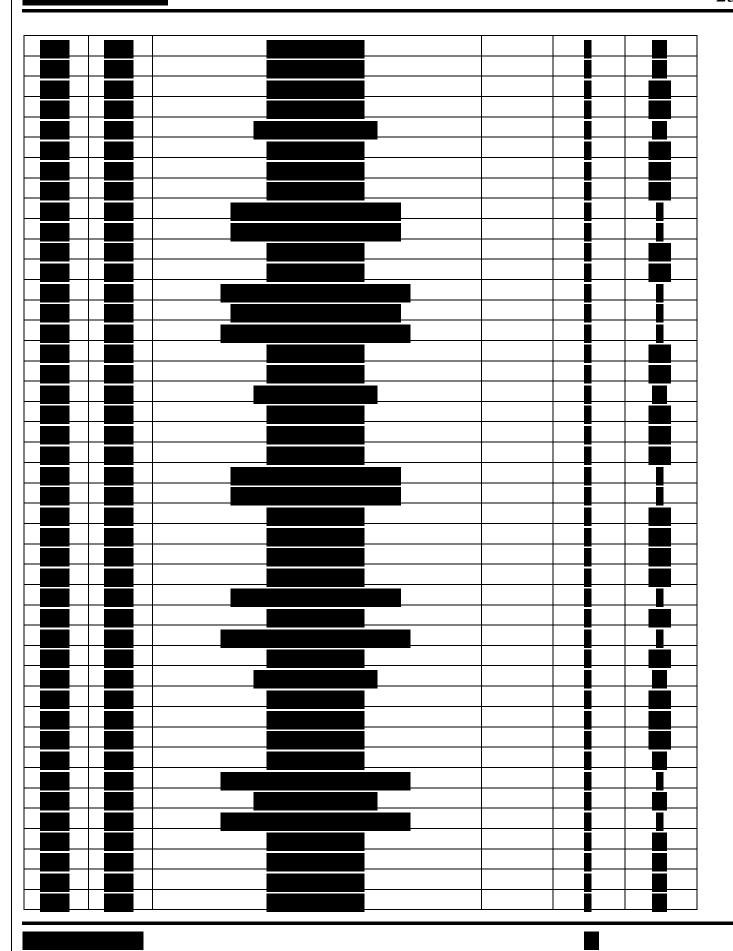


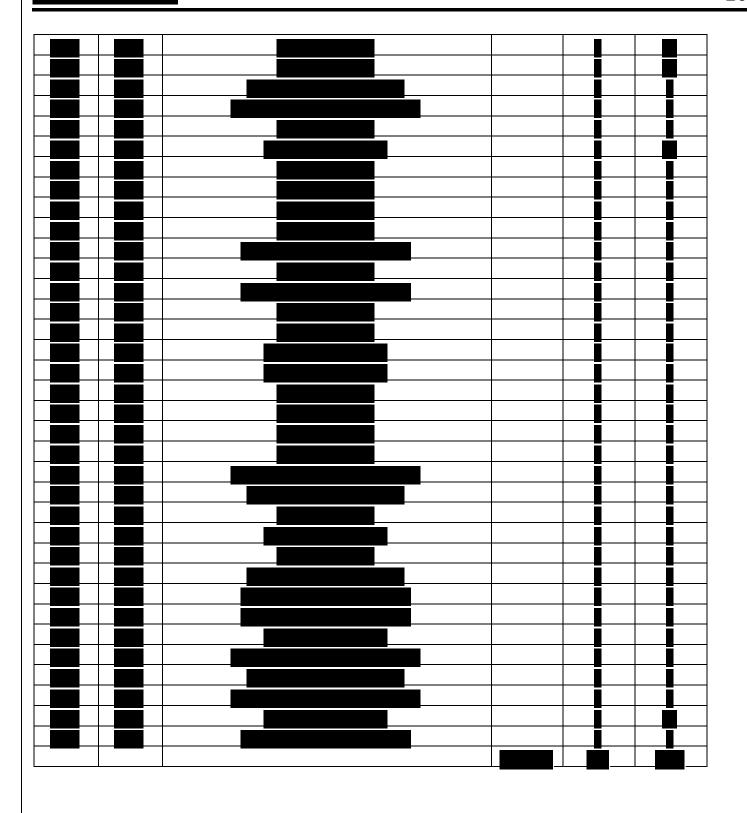


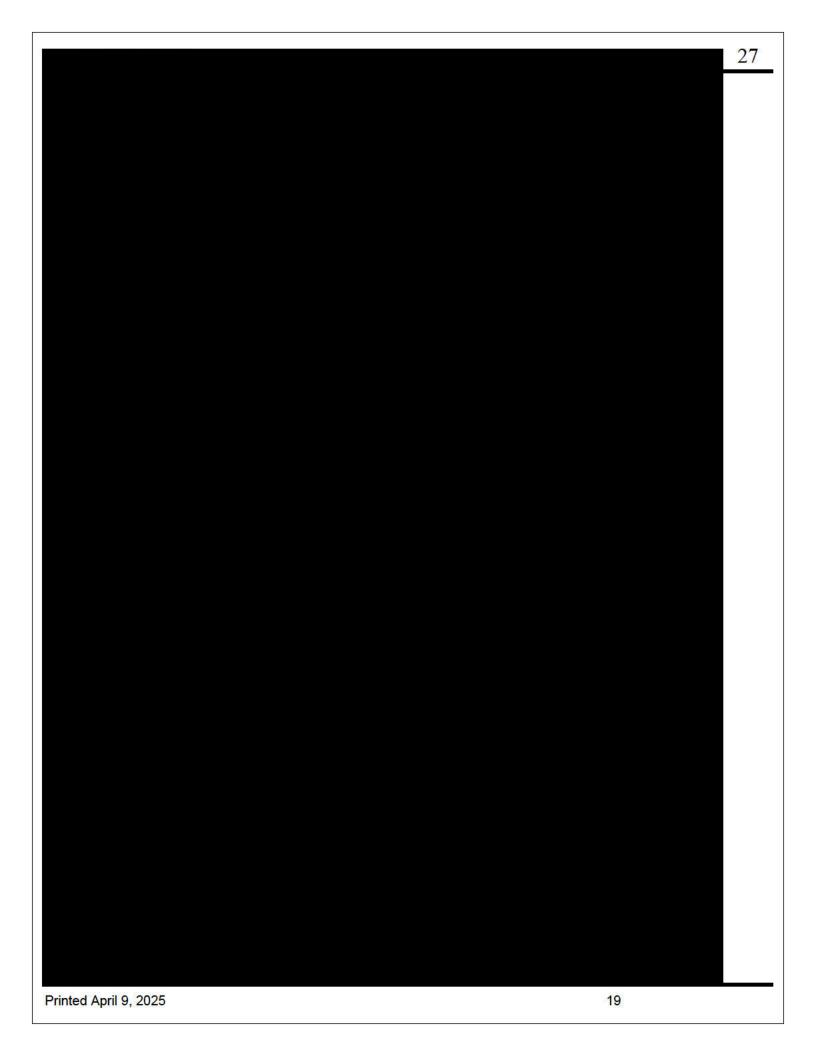




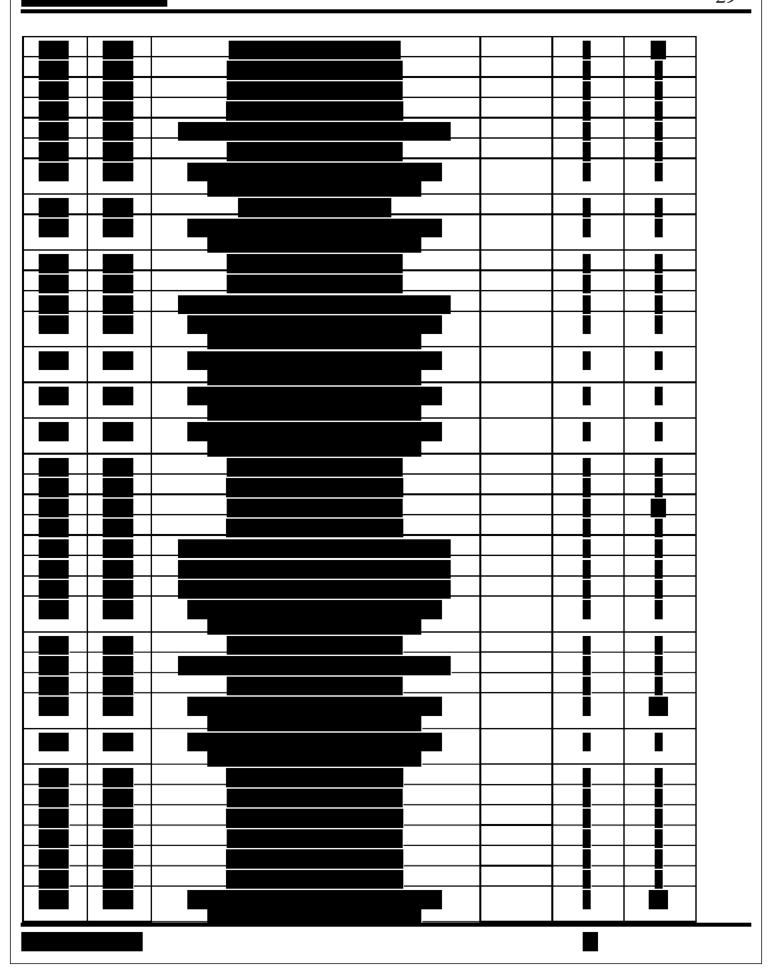


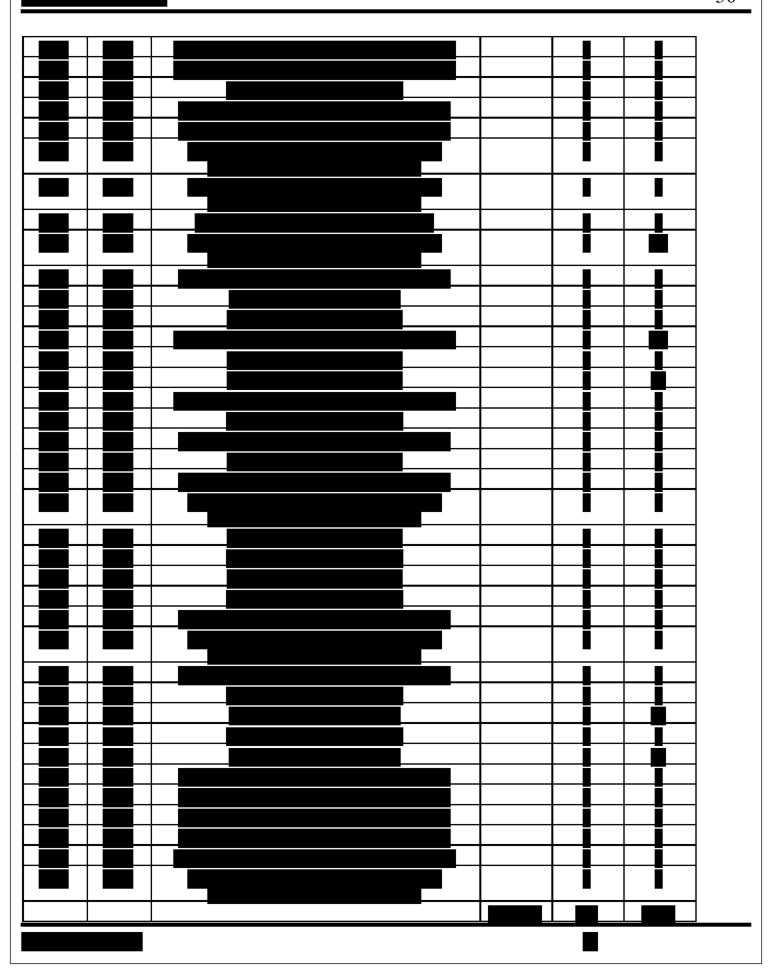






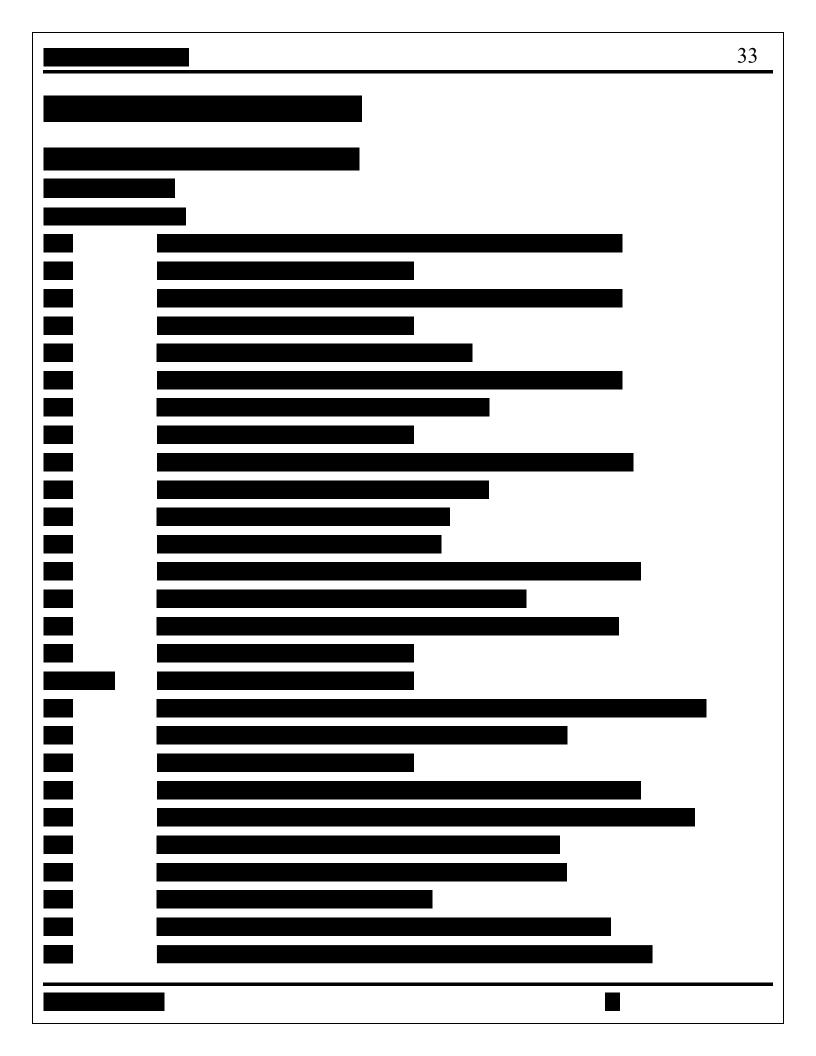
	•	-
	•	•
	•	_
<del></del>	<u>_</u> _	<u> </u>
		<b>┴_</b> █
	•	
	•	-
	•	•
	-	_
		<del>-</del>
		┝┸┋
		<b>┴─</b> ▋─┤
		┷
	<del>                                     </del>	
	<del>                                     </del>	┼┼╬┼



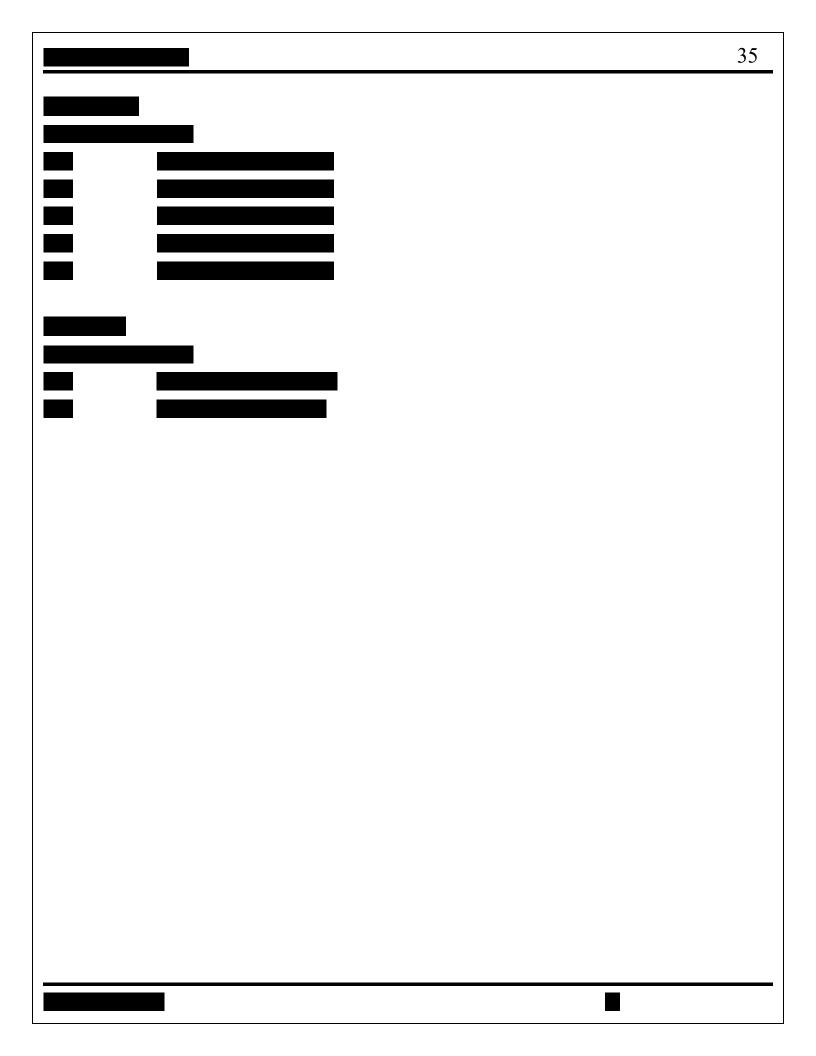










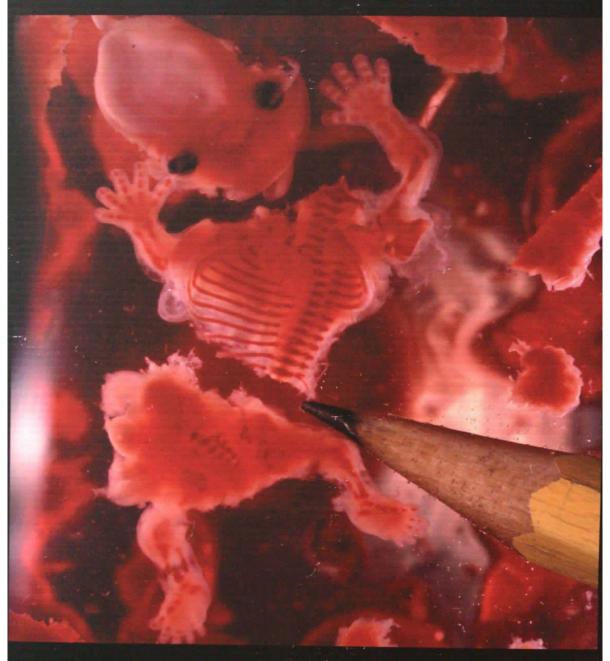




This is **Exhibit "B"** referred to in the Affidavit of sworn remotely before me this 16<sup>th</sup> day of April, 2025

Jocelyn Rempel, a commissioner of oaths (LSO#: 82895Q)



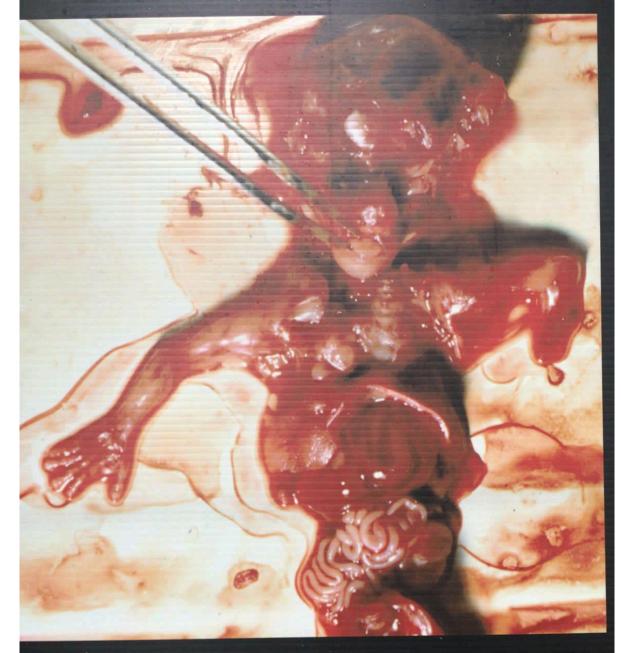


1st-Trimester (8-week) Aborted Embryo

whyhumanrights.ca

pyright © Center For Bio-Ethical Reform





1st-Trimester (10-week)
Aborted Fetus

whyhumanrights.ca

pyright © Center For Bio-Ethical Reform

# ABORTION



1st-Trimester (11-week)
Aborted Fetus

whyhumanrights.ca

ight © Center For Bio-Ethical Reform

This is **Exhibit "C"** referred to in the Affidavit of sworn remotely before me this 16<sup>th</sup> day of April, 2025

Jocelyn Rempel, a commissioner of oaths (LSO#: 82895Q)

Abortion 42

• This article is more than 2 years old

# What a pregnancy actually looks like before 10 weeks - in pictures

In 13 US states, abortion is banned even in the earliest stages of pregnancy. But we rarely see what such tissue really looks like



Tissue from five weeks of pregnancy to nine weeks. Photograph: MYA Network



Poppy Noor
Wed 19 Oct 2022 06.00 BST

bortion is now banned or severely restricted in 14 states in the US, the outcome of a decades-long campaign by anti-abortion advocates. In many states, abortion is no longer seen as a health procedure, but a morality issue. Pennsylvania's Doug Mastriano - once a state senator, now running for governor - is one of a number of Republican politicians who has called for murder charges for people who defy abortion bans.

In 13 of those 14 states, abortion is banned even in the earliest stages of pregnancy.

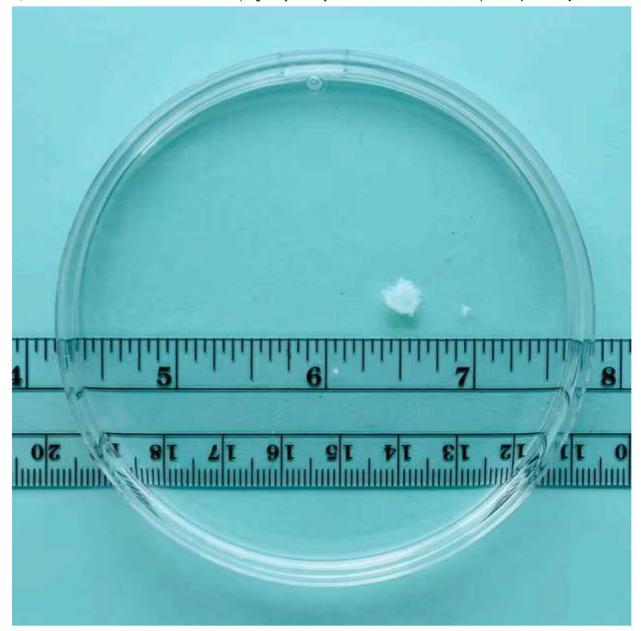
These images, supplied to us by the MYA Network, a network of clinicians and activists who came together earlier in the pandemic when some states tried to classify abortion as "non-essential" medical care, show what tissue in the first nine weeks of pregnancy actually looks like.



Four weeks of pregnancy. Photograph: MYA Network

Above is early pregnancy tissue, at four weeks of pregnancy.

Dr Joan Fleischman, part of the MYA Network, uses a gentle handheld device that removes the tissue. This more delicate type of extraction keeps it intact.



Five weeks of pregnancy. Photograph: MYA Network

Above is pregnancy tissue extracted at five weeks.

Sometimes, patients want to see the tissue after an abortion. "They are stunned by what it actually looks like," says Fleischman. "That's when I realized how much the imagery on the internet and on placards - showing human-like qualities at this early stage of development - has really permeated the culture. People almost don't believe this is what comes out."



Six weeks of pregnancy. Photograph: MYA Network

Above is tissue removed at six weeks, when misleadingly named "fetal heartbeat" bills outlaw abortion.

"Clinicians date pregnancy from the first day of your last period, to help predict the due date. But you're not pregnant for those first two weeks," says Fleischman. So someone with a six-week pregnancy may have very little time after a missed period to get abortion care in states with a six-week limit.

Many images on the internet and in textbooks show development to be quite far along at this stage.

"A lot of early pregnancy images are driven by people who are against abortion and feel that life begins at conception, or by prenatal enthusiasts who want women to be excited about their pregnancy. What about people who aren't?" she asks.



Seven weeks of pregnancy. Photograph: MYA Network

Above is pregnancy tissue at seven weeks. There is still no visible embryo. The gestational sac is not yet half an inch. "I have been in the training field, and medical students and clinicians who see it are also shocked. That is how pervasive this misinformation is," Fleischman says.

Patients may come in for an abortion fearful at this stage, having read through forums or looked at images online. "They're expecting to see a little fetus with hands – a developed, miniature baby." Often, she says, "they feel they've been deceived."



Decidua and the gestational sac. Photograph: MYA Network

This image shows decidua (tissue to support the pregnancy) and the gestational sac (which would eventually become the amniotic sac, which supports the fetus). If we looked closer, under a microscope, would we see more human qualities?

"If you zoom in on anything, including sperm and an egg getting fertilized, it's just an incredible thing to watch. But that's very different from the everyday ways we see life. That perspective to me is the most relevant - but it is somehow absent from our consciousness," says Fleischman.



Eight weeks of pregnancy. Photograph: MYA Network

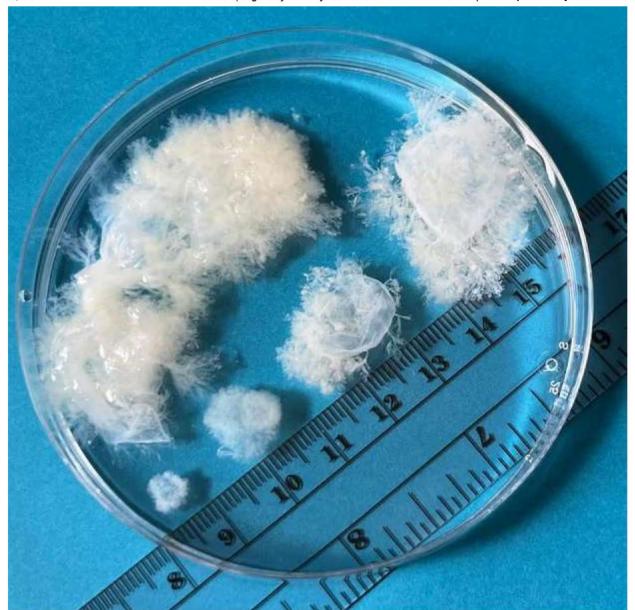
Above is a gestational sac removed at eight weeks of pregnancy. While these images relate to early pregnancy, the network does not differentiate between a "good time" and a "bad time" to have an abortion, nor does it dismiss how emotionally fraught losing a pregnancy at any stage, including early pregnancy, can be. But they want people to know what is actually being removed in early pregnancy.

"Abortion is medical care. Every single person who makes this decision is complex. But this information, showing tissue in the first 10 weeks, is literally absent from our common understanding of what is going on, and people deserve accurate information."



Nine weeks of pregnancy. Photograph: MYA Network

This image shows the gestational sac of a nine-week pregnancy. This is everything that would be removed during an abortion and includes the nascent embryo, which is not easily discernible to the naked eye. Showing this tissue can be a relief to patients. "Often people don't speak to anyone about getting an abortion. They make a very quiet, private decision because they're afraid to see people's reactions. And then I do this simple procedure that's a few minutes longer than a Pap test. For those who choose to look at the tissue, you can literally feel the tension come down. People have been on this emotional roller coaster. And they're like, 'You're kidding. This is all that was?'" says Fleischman.



The progression from five weeks to nine weeks of pregnancy. Photograph: MYA Network

Finally, above is a number of gestational sacs on one petri dish, showing the progression in growth from five weeks of pregnancy to nine weeks. The sac grows 1mm a day.

Talking about why we don't see these images more often, Dr Michele Gomez, who is part of the MYA Network, says: "I do think there are some clinicians who are concerned about patient's reactions. But it's not really our right or our responsibility to decide how people will respond to this. We're just putting out the information and the facts to counter the misinformation. To say: this is not something that's scary, or dangerous, or violent. It's just a picture of something that's in your body."

This article was amended on 19 October 2022 to include the detail that at nine weeks the nascent embryo is not easily discernible to the naked eye.

10/25, 5:15 PM	What a pregnancy actually looks like before 10 weeks – in pic	ctures   Abortion   The Guardian
		52
Most viewe	d	
MOST VICW	<b>V</b>	

## ONTARIO SUPERIOR COURT OF JUSTICE (Ottawa)

BETWEEN:

### CAMPAIGN LIFE COALITION and MAEVE ROCHE

**Applicants** 

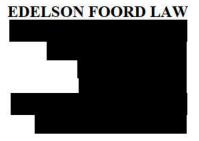
— and —

### PARLIAMENTARY PROTECTIVE SERVICE

Respondent

AFFIDAVIT OF Sworn April 16, 2025

Brandon Crawford Jocelyn Rempel



Counsel for the Respondent