



November 4, 2024

Premier-Designate Holt
New Brunswick Legislature
706 Queens Street
Fredericton, NB E3B 1C5

Via email: susan.holt@gnb.ca

RE: *CCLA v. The Province of New Brunswick*

Dear Premier-Designate Holt,

Congratulations on your election as the new Premier-Designate of New Brunswick. We are writing to discuss an issue of crucial importance to all New Brunswickers: access to surgical abortion.

As you may be aware, in January 2021 the CCLA launched a *Charter* challenge to restrictions under *Regulation 84-20* of the *Medical Services Payments Act* that prohibits funding of abortion care outside of hospital settings. The consequence of these restrictions is that there are few places where New Brunswickers can access surgical abortion care under the provincial health care plan. The CCLA's position is that the prohibition against funding out-of-hospital clinical abortions in Schedule 2 of the Regulation violates the *Canada Health Act* and *Charter* rights to liberty, security, privacy and equality.

The CCLA was pleased to see that part of your election campaign was improving access to abortion services, and we welcomed your statements to the media on October 24th that you plan on expanding access to abortion services in the clinics that the new government will be setting up. We urge you to move quickly to provide expanded and equitable access to abortion across all regions in the province. This necessarily includes prioritizing amending Schedule 2(a.1) of *Regulation 84-20* to remove abortion from this restricted list.

The CCLA is encouraged by the new provincial government's efforts to improve reproductive healthcare across the province and hope that we are able to quickly resolve our ongoing litigation, if Schedule 2(a.1) is amended to conform with the *Charter*. The CCLA is committed to ensuring that Canadians across the country have regionally accessible healthcare. We understand you share our concern. The CCLA would be pleased to discuss additional suggestions to ensure equitable access to reproductive healthcare with you, or your Minister for Health once your government is formally sworn in.

We look forward to hearing from you about these topics – and in particular about *Regulation 84-20* – as soon as possible.

Yours sincerely,

Harini Sivalingam
Director of Equality

Noa Mendelsohn Aviv
Executive Director and General Counsel