

## Press Release

Scheduled: Tuesday 7oct25

### **Title: Planned Parenthood Ottawa Seeks Leave to Intervene in Landmark Supreme Court Case on Bodily Autonomy and Informed Consent**

Ottawa, ON — Planned Parenthood Ottawa (“PPO”) has taken a major step in advocating for reproductive rights and patient autonomy.

On September 8, 2025, PPO filed a Motion to the Supreme Court of Canada to seek leave to appeal in the case of *Hemmings, et al. v. Padmore, et al.*.

At the heart of the case is a critical question: Should doctors be held accountable when they fail to inform patients of the risks of continuing a pregnancy—and the option to end it—especially when the patient has clearly said they do not want to be pregnant? The resolution of this question will have significant impacts on fundamental rights of bodily autonomy and informed consent over reproductive health — rights that are especially critical when pregnancy poses serious health risks.

### **What Happened**

Sophia Hemmings was 29 years old and living with serious medical conditions when she visited Dr. Lloyd Gregory Padmore on August 1, 2008. The purpose of her visit was to request contraception, which she did, as a result of having commenced a relationship and having unprotected sex. Dr. Padmore failed to order a pregnancy test until her fourth visit. She was advised that she was pregnant on October 4, 2008. The ultrasound confirmed that she was 12 weeks pregnant, thus having conceived shortly before her first visit to Dr. Padmore on August 1, 2008.

Ms. Hemmings’ pre-existing medical condition caused a multitude of increased health risks to the mother and fetus, including cardiac arrest, difficulty or failed labour, maternal or fetal death, and others. During her pregnancy, Sophia experienced severe complications. She suffered a cardiac arrest during induced labour and was left with permanent brain damage. Her caretakers sued the medical professionals involved in her care, including Dr. Padmore.

Dr. Padmore admitted at trial that his actions fell below the standard expected of a physician. Dr. Padmore admitted that he did not advise Ms. Hemmings of (1) the risks presented by her health condition; (2) her option to terminate the pregnancy; (3) her option of having her care transferred to a level 3 hospital.

The Ontario Superior Court held in its [Trial Decision](#) that had Ms. Hemmings been advised of (1) the risks of pregnancy and birth due to her pre-existing health condition and (2) her option to terminate the pregnancy, Ms. Hemmings would have terminated the pregnancy. The Trial Judge found that Dr. Padmore was negligent, citing several failures:

- Not ordering a pregnancy test early enough;
- Not advising Ms. Hemmings of the risks of proceeding with the pregnancy;
- Not discussing the option of terminating the pregnancy; and
- Not documenting the risks and treatment plan in her medical records.

This decision against Dr. Padmore was overturned by the Ontario Court of Appeal. The ruling suggests that even when a doctor fails to advise a patient of the risks of pregnancy due to their medical condition, denies a patient the option of abortion, and the outcome is catastrophic, they may not be held responsible.

### **Why This Case Matters**

This case gives the Supreme Court of Canada the chance to clarify:

- Whether healthcare providers are required to advise patients of the risks of continuing with a pregnancy;
- Whether healthcare providers have a duty to inform patients who are seeking the prevention of pregnancy of all reproductive options – including abortion – as an option for their care
- Whether doctors must offer all reproductive options—including abortion—when a pregnancy is unwanted and high-risk; and
- How healthcare providers should be held accountable when they miss warning signs or fail to act.

“This case speaks to the very core of what Planned Parenthood Ottawa stands for—protecting the right of every individual to make informed decisions about their own body. We believe that no one should be denied critical information about their health, especially when the consequences are life-altering. The opportunity to assist the Supreme Court of Canada in resolving these important issues is not only a privilege—it’s a responsibility we take seriously.”  
— Dr. Katherine Muldoon, President of the Board of Directors, Planned Parenthood Ottawa

“Bodily autonomy and informed consent are the cornerstones of reproductive freedom. When we safeguard these rights, we affirm that every person has the inherent authority to make decisions about their own body. Protecting these freedoms is essential to ensuring justice, equality, and respect for human rights.”  
— Katie Black, a lawyer at Black and Associates, is counsel of record for PPO along with lawyer Babacar Faye.

The outcome will have wide-reaching effects on reproductive health care in Canada, on how doctors communicate with patients, and on the rights of individuals to make informed decisions about their bodies.



PPO is represented by Black and Associates, and its motion to intervene is expected to be heard in writing in the coming weeks.

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