

*Criminal Code*

so widely disregarded by such a large element of the population, or if you like by such a large and respectable section of the population. Any physician who advises patients on contraceptive methods is breaking the law. Any druggist who sells contraceptive pills or devices breaks the law. Any cleric who advises his parishioners about family planning is breaking the law. Thousands of these people are breaking the law every day because of this archaic statute. More than that, Mr. Speaker, I consider this section of the Criminal Code, which is in that general section of the code dealing with pornography and sexual offences, to be an unwarranted interference by the state in the private lives of married couples. What should be essentially a private and personal affair is in the Criminal Code where it has no place.

We all know that the majority of the Canadian people pay very little attention to this law. Most couples of average income and higher have no difficulty in obtaining the information and devices necessary for family planning. They simply ignore the law. But there are large numbers of people who, because of the circumstances of their lives, depend upon the public health services for their medical care. In most cases the public agencies which serve these people—hospitals and social welfare departments—do not give contraceptive information because it is contrary to the law to do so. So there is this element of the population who may want this information and help but who cannot get it.

There is an exception, Mr. Speaker, and that is the city of Toronto. Recently the council of that city discovered that the city social welfare department was supplying and paying for birth control pills on prescription to recipients of social welfare. The council's committee made an investigation and reported back to the council, and the council and board of control agreed that their social welfare department should continue this practice. I applaud their courage and good sense, but it seems to me that if the law is to be enforced the mayor, controllers and aldermen of the city of Toronto all ought to be taken to court under section 150.

I am sure that all hon. members are aware that there is widespread support in the country for the passage of this bill. Most members have received thousands of letters from their constituents favouring it. Several of our leading newspapers and magazines including the *Vancouver Sun*, the *Edmonton Journal*, the *Toronto Globe and Mail*, the *Toronto Star*, and *Maclean's* magazine have

given strong editorial support for this amendment to the Criminal Code.

Many of the religious denominations have declared themselves in favour of this amendment. These include the board of evangelism and social service of the United Church of Canada and many of the presbyteries of that church, the council for social service of the Anglican Church of Canada and quite a number of the synods of that church. The 90th general assembly of the Presbyterian church, meeting in Toronto in June, passed a resolution in favour of this amendment. The Unitarian Church of Canada, of which I am a member favours this reform. The Baptist conventions of Ontario and Quebec have also endorsed approval of this bill. Quite a number of other organizations have gone on record during the past year or two as supporting a change to section 150 of the Criminal Code. These include the children's aid society of Ontario, the Canadian medical association, the Canadian association of obstetrics and gynaecology, the Canadian council of women, and the voice of women. By no means least, and as one would expect, the planned parenthood associations in Vancouver, Edmonton, Winnipeg, Toronto, Hamilton and Ottawa have worked assiduously for this particular reform.

Now, Mr. Speaker, people have said to me many times that the Roman Catholic church would prove a real obstacle to getting this type of bill passed. I am not at all sure that this is the case. The Roman Catholic church is not opposed to family planning as such. It recognizes that there is a case for family limitation. The church distinguishes between what it calls natural and unnatural methods of controlling conception. The present debate within the church has to do with that very subject—what is natural and what is not. Inasmuch as I am not a member of that church I do not want to comment further on the present debate within the church, I only want to say that many prominent clergy and laymen of the Roman Catholic church take the attitude that they do not wish to impose their beliefs upon persons of other faiths.

As an example of that particular viewpoint I want to quote from a news story in the *Vancouver Sun* in March of this year which reported on a panel discussion in Vancouver. One of the members of the panel was Father James R. Roberts of the Roman Catholic matrimonial tribunal of the archdiocese of Vancouver, who has something to say in the article. The article reads: