

or unmarried heterosexuals over 21 in private. It still covers any such act 'in public', which includes situations such as parked cars or parks or even in private where a third person is present. It also includes private or public acts where one or both of the parties is under 21.

All of these are consensual acts involving no force or violence.

In practice, these provisions are used almost exclusively against homosexuals. In a study by J.W. Mohr and A.K. Gigeroff, of the 68 convictions of 'gross indecency' in Metropolitan Toronto in 1964, 30 involved consenting homosexuals over 21 in 'public places', and 22 involved consenting homosexuals between 14 and 21. Only 10 convictions against heterosexuals were recorded. And only three of the 68 cases involved persons under 14, two of which were heterosexual in nature.

Only one of these convictions could not have occurred today as a result of the 1969 amendments. It is therefore safe to conclude that the large majority of charges of 'gross indecency' are levied against consenting homosexual males over 14.

Under Bill C-83, a person can be indefinitely confined