

REPORT TO THE HOUSE

MONDAY, December 5, 1966.

The Standing Committee on Health and Welfare has the honour to present its

THIRD REPORT

On February 21, 1966, your Committee had referred to it the subject-matter of the following bills:

- C-22, An Act to Amend the Criminal Code (Family Planning),
- C-40, An Act to Amend the Criminal Code (Birth Control),
- C-64, An Act to Amend the Criminal Code (Family Planning),
- C-71, An Act to Amend the Criminal Code.

Your Committee held 15 meetings on the above subject-matter, heard statements and recorded expert evidence from many interested organizations and individuals. In addition, your Committee received valuable assistance from the Department of National Health and Welfare and the Department of Justice.

General Remarks

It is striking, in view of the number of interested organizations and individuals heard from, that only one opinion was expressed in support of retaining the existing legislation, Section 150 of the Criminal Code, paragraph (c) of subsection (2), which states:

“(2) Everyone commits an offence who knowingly, without lawful justification or excuse,

- (c) offers to sell, advertises, publishes an advertisement of, or has for sale or disposal any means, instructions, medicine, drug or article intended or represented as a method of preventing conception or causing abortion or miscarriage.”

Bills C-22, C-40, C-64 and C-71 would change this legislation making dissemination of knowledge of birth control legal, but offer to do so in two differing ways:

- (1) the removal of the words “preventing conception or” from the Code as above, or by
- (2) listing agencies of a public nature (such as counsellors, family planners, doctors, pharmacists, nurses, etc.) to whom the section would not apply.

It should be made clear that this Report deals only with family planning and birth control and does not deal in any way with abortion, a subject which the Committee proposes to discuss at an early date.

You Committee feels that the dissemination of family planning knowledge should be completely available and free from any fear of illegality, as a matter of personal choice.