

EVIDENCE

TUESDAY, March 15, 1966.

• (11: 10 a.m.)

The CHAIRMAN: Gentlemen and ladies, we now have a quorum present. First of all, I would like to tell the committee that the subcommittee met a few days ago and dealt with Mrs. MacInnis' suggestion, that one of the provincial members of the Quebec cabinet be invited to appear before the committee. The steering committee thought that no provincial members or Cabinet members need be called before this committee.

The question of the committee employing a research counsel to go into this was discussed also and it was felt that such assistance was not required.

I would like to read into the record this morning some correspondence we have received recently from the Canadian Medical Association:

Dear Dr. Harley:

I understand that the newly established Committee on Health and Welfare will consider the possibility of amending the Criminal Code to remove the offence of promulgating information on methods of preventing conception.

This matter has been studied by successive committees of Maternal Welfare of this association and in 1963, 1964 and 1965 the following recommendation has been endorsed by the General Council of the C.M.A.:

It is recommended that Section 150 Clause 2(c) be amended by the deletion of the words 'preventing conception or'.

On each occasion the recommendation has been transmitted to the Minister of Justice and aside from courteous acknowledgments we are not aware that any progress has been made in effecting the desired amendment.

Let me assure you that members of the medical profession and their patients are aware that the code is constantly being disregarded and that we find it necessary in the interests of health and family planning to advise, prescribe, advertise and disseminate information on a method of preventing conception. We regard the prohibition to be anachronistic and we strongly recommend that it be removed.

It is perhaps unfortunate that Section 150 2(c) refers to a method of preventing conception and causing abortion in the same line. Although the two subjects are inter-related they are not identical and views on one do not necessarily apply to the other. Committees of this association are studying the implications of the law as it applies to abortion but we are not yet ready to make an official recommendation.

I shall be grateful if you will advise the committee on Health and Welfare that The Canadian Medical Association strongly recommends the amendment of the Criminal Code of Canada Section 150 Clause 2(c) by deleting the words "preventing conception or".

Yours faithfully,
A. D. Kelly
General Secretary