

Mr. COWAN: The law is being broken now; let us break it in the future too!

Mr. STANBURY: I think there is a real question whether that is contrary to the law now, because they are clearly intended for prevention of disease. Perhaps it is obvious that they may not always be used for that purpose, but I am not sure, that you have to design a section of the Criminal Code to accommodate their sale through drugstores.

Mr. ISABELLE: If I may say a word here, I do not think the Criminal Code should decide who is going to control the dispensing of devices or contraceptives. It comes under another authority. What is the object of the bill here? It is to open the door in order that other bodies may legislate on this matter, so the control does not remain here. The object is merely to open the door so that other legal organizations can legislate in this matter. This is a very important point because the other day I think we were all mixed up, including myself, on this point.

The CHAIRMAN: I was going to say earlier that this points out the obvious fact that we have discussed earlier, that we will have to have some interpretation from the Department of Justice, because we have been talking this morning about amending the Criminal Code and the Food and Drugs Act. But unless my memory is very bad, the different offences under the Food and Drugs Act are prosecuted as part of the Criminal Code, so perhaps we are only taking it from one clause into another when we discuss taking it from here and putting it in there. This is another indication why we shall have to have somebody from the Department of Justice before the committee.

● (12: 30 p.m.)

Mr. ALLMAND: There is no doubt that the laws on these subjects must be amended, but I would hope that in formulating these amendments we will not be guided entirely by public demand or just what everyone else is doing; in other words, just jumping on the bandwagon. I think in enacting laws our prime concern is the welfare of the Canadian people. I think I am not the only one who makes this suggestion. I think we should consider what have been the effects of birth control as I do not think birth control is that old an institution. I am not an expert, but I think most of these devices are only a hundred or so years old.

Mr. BRAND: They go back to the time of the Romans.

Mr. ALLMAND: They do! I am suggesting, if we are going to make amendments to the law, let us do something really worth while and not just do it in a stop gap manner; a little bit here and a little bit there. If we do it properly we can have one of the most forward thinking laws on family planning in the world. Consideration should be given to the effects sociologically speaking in many countries as I do not see any point in jumping on the bandwagon. And enlarging birth control laws just because there is a great public demand or just because everyone is doing it. Our main concern should be the good and welfare of Canada.

Mr. CHATTERTON: Is the hon. gentleman suggesting that we should go and take a look ourselves in these countries?

The CHAIRMAN: I suppose he is free to make that remark because he is not a member of the committee.