

misunderstood the intent of the bill. They thought it was a bill which would have legalized abortion and that was the explanation I received at that time.

In 1965 I again presented a bill and one was presented by Mr. Lloyd Francis who was then the member for Carleton. The bill presented by Mr. Francis is somewhat similar to the one which Mr. Basford and Mr. Stanbury have presented in that it exempted certain persons or bodies from the law. The purpose of my bill is to take this section dealing with contraception out of the Criminal Code altogether. The purpose of Mr. Francis' bill was to say it was all right for doctors and nurses and family planning associations. This year we have four bills on this subject.

I would like to deal with the question of what type of bill the committee should consider. I do not know and there may be some members who do not think we should change the law at all but I am hoping that most members are of the opinion that it should be changed and the committee is really going to discuss what sort of change should take place.

One of the objections raised to the type of bill presented by Mr. Francis was this, that if certain people were excluded from the law, then the logical thing to do would be to enforce the law to the letter upon those persons not excluded. If you simply say the law shall not apply to doctors, to drug stores, to family planning associations, it seems to me there are a great many organizations and persons not covered. For example, it does not cover the situation of the selling of books on the subject. It does not cover the situation of churches giving information to anybody on the question of family planning. It does not cover the private sort of information which would be given within a family. I know there would not be any prosecutions in that sort of case but why have it against the law?

I would like to quote from an editorial which *The Ottawa Citizen* ran at the time Mr. Francis presented his bill, and I refer to *The Ottawa Citizen* of April 19, 1965.

The birth control law is honored more in the breach than the observance. There is no need to labor the point that the religious convictions which originally led to passage of the law are being called increasingly into question, or that the statute itself is daily broken by many otherwise law-abiding people.

● (11:30 a.m.)

I would like to interject at this point, Mr. Chairman, and say that as far as I can determine this law came on the statute books in 1892. It was not the result of Roman Catholic pressure particularly. It seemed to be in line with the prevailing protestant puritanical views of the day.

I go on with the editorial:

The Criminal Code should be amended accordingly, and a good start might be the private member's bill introduced in the Commons by Mr. Lloyd Francis, the member for Carleton.

The law forbids dissemination of birth control information, yet birth control clinics operate in various places in Canada, evidently on the understanding that they will not be molested by the provincial attorneys general concerned, who must initiate prosecutions. Mr. Francis wants the Code amended 'to authorize agents of duly incorporated family planning