

be restricted, the advice should be restricted as coming only from physicians. I do not think a pharmacist, or a registered nurse, or a family planning association, is capable of giving expert advice on the use of contraceptives. Somebody has said that we can control this through the Food and Drugs Act. Well, only partially, as there are several mechanical contraceptives and I suppose they would have to be controlled through the Department of Trade and Commerce. You would have quite a hodgepodge of control if you took this entirely away from the Criminal Code. I think we should look at what might happen, the bad effects that might ensue in taking the section entirely out of the Criminal Code and arriving at some compromise or half way measure. This is exactly what Mr. Basford has done. I would go along with his suggestion that subsection (6a) be added even in its present form. It would give us some control whereas the other bill throws the field wide open and that is a little dangerous.

Mr. ENNS: I feel that this comment has to be challenged. Mr. Ballard speaks from a medical point of view. Mr. Ballard has a point when he says that the pills should be administered by physicians only. This I agree with, of course, but when the statement is made that a family planning agency is not competent to judge the usefulness of this application, then I question whether this is really the medical practitioner's judgment; whether he can say a family should or should not avail themselves of these items. It is more essentially a social problem rather than a medical problem. Granted, we need medical expertise to know with any degree of certainty whether the items used will perform the purpose for which they are prescribed. The problem we are trying to eliminate is essentially a social problem and it needs this wider application, in a much more general field than in the international field that Mr. Basford introduced. I wanted to make that explanation.

The CHAIRMAN: Undoubtedly we will have before us planned parenthood groups of one kind and another and members will be able to judge for themselves.

Mr. PRITTE: May I comment on the remarks of Mr. Ballard. I mentioned two books which I brought with me which can be purchased not only in book stores but in drug stores. Indeed, I purchased one of them at a bus station, and they are both quite reputable books on the subject. They are being sold now. If you consider that bad practice, it exists at the present time. It seems to me if you are going to make exceptions to the Code, then there is going to be quite a long list of exceptions. If you do not make exceptions then the only logical thing to do is to go ahead and enforce those practices which you have not excepted from the Code. I would disagree, a doctor's advice is not required on all aspects of family planning. Certainly you cannot take a pill without a prescription and a doctor's examination. The inter-uterine device which is used a great deal must be inserted by a doctor, but the ordinary type of drug contraceptive as used by the millions in Canada does not really require a doctor. If you are going to make exceptions, the law should be enforced on those practices not excepted in the Code.

Mr. BALLARD: Mr. Prittie has reinforced my argument. He says naturally pills have to be prescribed by a physician. Naturally a doctor has to prescribe an inter-uterine device. This is the whole point. With the suggested amendment our friend has made, this would not be necessary under the Criminal Code.

Mr. BASFORD: It is not the Criminal Code that makes it necessary now. If the Criminal Code governed they would not be doing it at all. The Criminal