



**1969-2009 • De 1969 à 2009**

**Celebrating 40 years of legal contraception in Canada**

**Célébrons les 40 ans de la contraception légalisée au Canada**



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## **A Brief History Lesson in Contraception**

Today, there are many options for birth control: pills, injections, inserted devices, condoms, natural methods... there is something to suit most needs. But these choices did not come easily; birth control has a long and controversial history.

Preventing conception was illegal in Canada from 1892 until 1969, but the law was inconsistently interpreted and applied in Canada. There were varying degrees of tolerance toward people who provided support to women and couples that wanted to control their fertility. By law, Canadians were to practice abstinence or *coitus interruptus* (withdrawal) to prevent pregnancy. Even counselling on natural methods was prohibited under the law.

Decriminalizing contraception in 1969 gave all Canadians the right to prevent pregnancy and to protect themselves against sexually transmitted infections without engaging in criminalized behaviour.

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- 3000 BC**      Condoms were invented in Egypt.
- 1850 BC**      First chemical birth control was made of honey and crocodile dung.
- 1844**            Mass produced RE-USABLE rubber condoms were invented.
- 1892**            It became illegal to sell or advertise birth control in Canada -- although section 207 of the *Criminal Code* (which made birth control illegal), contained a clause that allowed for the distribution of birth control if it was for the *public good*.
- 1916**            First birth control clinic was opened by Margaret Sanger in New York.
- 1932**            The *Birth Control Society* opened in Hamilton, Ontario, with Dr. Elisabeth Bagshaw serving as its clinical director. Although the clinic gained acceptance over time, it operated illegally until 1969.
- 1935**            A.R. Kaufman, chair of Kaufman Rubber Company, opened the *Parents' Information Bureau* in Canada to provide information about contraception after he realized that many of his employees struggled with poverty because of their large families during the great depression.
- 1936-7**          Dorothea Palmer, one of the Parents' Information Bureau nurses, was arrested for distributing birth control devices. She was eventually acquitted under the *public good* clause of the criminal code.
- 1960**            The Birth Control pill became available in Canada, although it was illegally prescribed for contraception. Doctors could prescribe it for therapeutic reasons, such as "menstrual regulation".

## **A Brief History Lesson in Contraception – continued**

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- 1961** Condoms could generally be bought at drug stores although they were kept out of sight. In 1961 a Toronto pharmacist was charged, convicted and fined for selling condoms. Barbara and George Cadbury established the Planned Parenthood Association of Toronto for the purpose of changing the law.
- July 1, 1969** **Parliament decriminalized contraception by passing amendments to Section 251 of the Criminal Code.** The same legislation also decriminalized some abortions under extremely restricted conditions.
- 1988** The Supreme Court of Canada ruled that Canada's abortion law was unconstitutional. It was found to infringe upon a woman's right to "life, liberty and security of person" under the Charter of Rights and Freedoms. This decision decriminalized abortions in Canada, making it a medical procedure governed by national health policy rather than criminal law.
- 1999** Plan B was the first product approved by Health Canada to be packaged and marketed specifically as Emergency Contraception in Canada. It became available with a doctor's prescription.
- 2006** Plan B was approved for sale without a doctor's prescription from pharmacies with a pharmacist's consultation. This is known as behind-the-counter.
- 2008** Plan B was approved for sale from pharmacies over-the-counter, without a consultation.
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### **History continues...**

The Canadian Federation for Sexual Health (formerly the Planned Parenthood Federation of Canada) was established as a network of family planning associations in 1964, when birth control was still illegal and information about sexual and reproductive health was shrouded in secrecy.

While great strides have been made to advance sexual and reproductive health, many Canadians continue to be denied access to sexual and reproductive health education and services for many reasons, including age, ethnicity, sexual orientation and geography or due to economic or anti-choice barriers.

The struggle to provide all Canadians with reliable, non-judgmental sexual health services is not finished. Sexual & Reproductive Health Day 2009 focuses on making sure Canadians know their options for protecting themselves from pregnancy and STIs.

Celebrate your right to sexual health!

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