

*Private Members' Business*

I got a reply from Canada Post. In part, it reads as follows:

The Corporation is obliged to deliver mail which is tendered to it which does not violate the provisions of—the Criminal Code and the Transportation of Dangerous Goods Act—

In your letter you have asked what review process is used to govern the distribution of unaddressed airmail and what standards are applied to the distribution itself. The standards which are applied are those which are set by the Criminal Code—The review process which is used provides that where the employee at Canada Post Corporation who receives the mail piece believes that it may be obscene, he may refer this matter to his superiors who can then contact our Legal Affairs Branch for a legal opinion on the matter. Through our divisional and national control centres, it is possible for an employee to complete this process within a very short period of time, usually within a matter of hours.

My reasons for introducing the bill are these, and I have stated some already. There is an obvious lack of clarity in the Criminal Code with regard to such mailings. There is no question about that.

In introducing this bill I am seeking to strengthen the Criminal Code by providing stronger guidelines for Canada Post. This bill will make it possible to respect people's right of choice and what they consider to be their codes of morality.

It is realized that there are varied opinions on this mailing. Many people would not think twice about it, whereas others are extremely upset by it.

Therefore, what I am endeavouring to do is to provide through legislation a reason for Canada Post to improve the standards of packaging of such items, thus forcing the producers to reconsider their packaging and mailing methods. In doing so we will also be protecting the right of choice and respecting people's moral standards.

The catalogue in question arrived unwrapped and contained pictures that are borderline obscenity or pornography. In many cases children in the families were the first to see the catalogue. As a result, Mr. Speaker, you can understand why some parents were justifiably upset.

The Fraser committee into prostitution and pornography in Canada has recommended more context sensitive and precise definitions of obscenity. Unfortunately, these legislative amendments have not been adopted. For that reason I have introduced Bill C-300.

In introducing this bill, I am seeking to strengthen the Criminal Code by providing stronger guidelines for Canada Post. This bill makes it possible to respect people's rights of choice.

At present, Canada Post is simply following the guidelines that it has to work on. It will continue to do so. It claims that it is not up to it to monitor the mail. It probably reacts more than it acts, although some of the things that come to its attention are certainly questioned. But there is a great area in between that is very questionable.

In this bill I am trying to put a clarification into the Criminal Code as to the meaning of obscenity and to strengthen the hands of Canada Post by amending the Criminal Code accordingly. I would appreciate it very much if the House would take these matters into serious consideration. The very fact that the producer of this particular catalogue targeted three military bases in Canada without sending it at that time to other communities in Canada shows that he had a lack of respect and a lack of judgment for those communities, and I do not think that is fair ball. The Criminal Code should be there to protect people from these publications, if they do not want to receive them. That can only be done if we put the guidelines in for Canada Post to follow.

• (1320)

I thank members of the House for their attention.

**Mr. Bob Horner (Mississauga West):** Mr. Speaker, I rise today to discuss Bill C-300, which would amend the Criminal Code to include a provision dealing with one aspect of the mailing of obscene matter.

The control of pornography and obscenity has been a concern to Canadians for a long time. It is connected with our concerns about sexual assault and also the way in which our society views women and children.

The report of the Special Committee on Pornography and Prostitution, the Fraser committee, which was referred to by the hon. member who introduced this bill, concluded that there were two kinds of harm flowing from pornography. The first was the offence to the general public who were involuntarily exposed to it. The second was the broader social harm to the values of equality that are enshrined in Section 15 of the Canadian Charter of Rights and Freedoms. I know the hon.