

Private Members' Business

If there is a need to address concerns of compulsive gambling or gambling addiction, then the groundwork of statistical and therapeutic research should be laid and strategies to address the concern should be developed in concert between the provinces and interested parties. For this, much persuasive effort may be required to convince provincial governments. However, a criminal sanction should not be invoked against advertising the provincially-operated lotteries in order to address gambling addiction. If I am wrong and the intent of this bill is to take a big bite out of the provincial revenues from provincially-operated lotteries, the only conceivable object would be to force provinces to look at other means of revenue generation to make up any shortfall from lottery revenue losses.

Under Bill C-255, provinces could raise revenue through lotteries. However, they would have their lottery income reduced because they could not advertise. The elected members of provincial governments would be told that for the provinces' own good, Parliament had decided that provinces must prefer other methods of revenue generation to lotteries. Without getting into a debate on the morality of gambling in provincially operated lotteries, I simply note that in a society that does not share a homogeneous set of values it is impossible to find a consensus or even a widespread view that the advertising of provincially operated lottery schemes is morally repugnant or individually and socially harmful to the point of requiring the creation of criminal law sanction against the advertising of provincially operated lotteries.

Certainly public participation in provincially operated lotteries could be characterized presently as enthusiastic. This enthusiasm is not novel or is it unique to Canada as government lotteries have existed and flourished for centuries in some European countries.

Unlike many of the arguments against casinos, criticism of the operation of what are traditionally known as draws or lotteries focuses on revenue debates and primarily upon who contributes the revenue. This area is entangled with debate making value judgments about lottery gaming which is attractive to low income persons. The income of the participants is seen by some as a reason to limit the lotteries. Others say that the low income person should have the freedom to enjoy his recreation. These ethical issues turn on the philosophical

debate about the individual freedom to participate in lotteries and considerations of government encouragement of consumption in the form of government operated lotteries. I doubt very much that Canadian society could find a consensus in this debate.

I do not feel that Bill C-255 should be supported. It wades into the heavy sea of ethics and philosophy to find a basis for criminal sanction against advertising provincially operated lotteries. Instead, the criminal sanction should only prohibit conduct which carries moral culpability or blameworthiness because it creates a risk of harm or because there is a need to express society's moral rejection of a conduct.

I do share the concern about gambling that was expressed by the hon. member for York Centre and reinforced by the hon. member for Surrey—White Rock, but I cannot support legislating restrictions against provincial advertising.

[Translation]

Mr. Jean-Pierre Hogue (Outremont): Madam Speaker, I welcome this opportunity to rise in the House today to comment briefly on Bill C-255, whose purpose is to amend the provisions of the Criminal Code concerning lotteries.

With respect, I do not think this bill should be supported by the House. I do not question for a moment the excellent motives behind this bill. However, considering what is provided under the Criminal Code, the scope of the bill is such that it would practically wipe out what so far has been allowed. It would be like taking away with one hand what the other has given.

The purpose of Bill C-255 is to prohibit all kinds of advertising, except inside retail stores, for all kinds of lotteries which are authorized, in any case. Madam Speaker, perhaps I might recall for the benefit of hon. members what is provided in paragraph 207(1)(b) of the Criminal Code, to which the bill refers. This paragraph reads as follows:

207.(1) Notwithstanding any of the provisions of this Part relating to gaming and betting, it is lawful

(b) for the government of a province, either alone or in conjunction with the government of another province, to conduct and manage a lottery scheme in that province, or in that and such other province, in accordance with any law enacted by the legislature of that province—