

Criminal Code

comics in the possession of the children; that the children have now become aware of the dangers that exist, and that they are asking for such books as "Tom Sawyer", "David Copperfield" and the better-known books on which the generation to which we belong were brought up. Unfortunately the parents are generally the last to discover what the child is doing or what he is reading. Until the time comes when there is an act with teeth in it, there will be the danger of these books getting into the wrong hands and influencing the minds of children when they are in their formative period; and in spite of what teachers, parents and others may do, there will be developed in children crime instincts which can do nothing but harm to young Canadians who should be given every opportunity to develop their minds properly rather than along the sadistic lines depicted in these books.

Mr. McIvor: Mr. Chairman, I think I was the first to support the hon. member for Kamloops when he brought in his amendment. I spoke then just as vigorously as I knew how, within my experience and intelligence. We are grateful for this amendment, and we are grateful that the minister did not carry it over to the next session. What standard shall we use when we are judging that a thing is right or wrong, whether it is a book or anything else? The standard is that set up by Mr. Speaker when he asks the blessing of the Master Teacher upon our deliberations. If we adopted that standard, many books would be removed from our parliamentary library which emphasize the breaking of the seventh commandment.

I support the minister in this amendment. I am pleased to know that the hon. member for Kamloops has his support. We should join heartily in co-operation to make these amendments a success.

Mr. Drew: The amendment before us is one which could be of great importance in dealing with an extremely serious situation. The hon. member for Hastings-Peterborough has indicated the difficulty of obtaining convictions under the law as it now stands, and in view of judgments which have been given, he has indicated his concern about the possibility of obtaining a conviction even under the amended section. It seems that it will not be possible to determine how far this new section will be effective until cases have actually been tried. If weaknesses are found, there seems no doubt that hon. members will be ready to support such further amendments as may have the effect of preventing the sale and distribution of this type of literature.

[Mr. Fulford.]

The section as it will now be framed has to do with both the obscene literature which was covered previously, and also what are described as crime comics, defined in the amendment as a magazine, periodical or book which exclusively or substantially comprises matter depicting pictorially the commission of crimes, real or fictitious. I hope that those who are called upon to deal with alleged offences under this amendment will not seek to find ways of avoiding the imposition of penalty, but will direct their minds to the clear pattern that is emerging from influences which produce an extraordinary similarity in crime amongst the members of the younger generation.

It has often been said, and with great truth, that juvenile delinquency is largely parental delinquency, and in the perfect society, which has not yet been reached, undoubtedly parents would be able so to influence their children as to prevent their reading books of this kind, no matter how readily available they might be. But we know as a matter of actual experience that if these books are available they will be read, and if they are read, they have a certain influence. Only two weeks ago a mere boy of sixteen was sentenced in one of our courts to be hanged, and the evidence demonstrated clearly that his mind had been influenced by books of this kind. We have had all too clear evidence of the fact that this type of publication is often dealt with merely on the basis of a fine distinction between what is adult literature and what is extremely harmful poison to the minds of our young people.

We can expect there will be those who sincerely question the withdrawal of the word "knowingly" from the first part of section 207 as amended. There will be a genuine concern about that; but it should be pointed out that this section deals only with those who make, print, publish, distribute or circulate, and it is not too much to ask those who have to do with the sale of these books to exercise some control over what they do sell. With regard to those who place these books or circulars in the hands of retailers, it is not going beyond the general principles of our law to say that since they accept the benefits of that distribution they should accept also the responsibility for it. After all, under the Criminal Code those who handle firearms, poison or explosives; those who start fires, and so forth, are charged with some responsibility for the thing they do, and the same principle should apply here.

The hon. member for Kamloops deserves great credit for the persistence with which, as a private member, he has continued to bring before this house the need for an