

Criminal Code

innocent person. I think the answer to that is found in the acceptance of the principle that, under this bill, if a prosecution were to be laid, the person accused of the offence would be brought before the criminal courts on a jury trial, and it would be up to the jury to say whether the publication complained of was in fact of such a nature as to be likely to influence youthful persons to commit crime. It would not be open to the minister, or anybody else with improper motives, to launch an improper prosecution against an innocent person. It would be up to the twelve men of the jury, parents of children or possibly even printers and publishers, who would have the publication complained of before them, to say whether in fact it fell within the definition which would then be incorporated in the Criminal Code of a book or publication tending or likely to influence youthful persons to violate the law.

Then again the minister argued against the proposed legislation at that time that it would be of general application across Canada, and he said there might be provinces which did not want to apply it. There might be a province where they did not want to bring such prosecutions. I think the answer to that is found in the fact that there are certain provinces which have requested legislation to deal with the matter. The proposed legislation leaves it open to the attorney general of the particular province. If in that province it were felt that the matter is a threat to morals, then the attorney general would presumably press prosecutions. If in another province no such feelings were prevalent, then no use would be made of the section. There is nothing in the bill that compels the attorney general to bring a prosecution. It is only if it is felt by the law enforcement officers of the province that something should be done.

I think one can sum up as follows: No harm can result from the bill. It will not bring in any form of censorship or banning of publications, but it will put publishers and news vendors on their guard to see that they do not publish or sell any magazine within the category defined. It will not give any powers of coercion to any board or bureau. No attorney general or law enforcement officer is compelled to act if he does not want to do so. It is left to the provinces if it is an obvious offence. Therefore the bill has no harmful features, but it has, I believe, a great potentiality for good.

Some may say that there has been an exaggeration of the evils of crime comics. I would refer them again to the factual evidence which I have placed before the house. I suggest to anyone who thinks that crime comics really are not harmful that,

[Mr. Fulton.]

if he will look into the question, if he will go to the newsstands, if he will pick up one of these things and see what they portray and the examples they lay before the youth of the country, he will not deny that there is a real menace in them. Even if there were only one case of a crime, the commission of which was influenced by crime comics, even if the enactment of the bill only prevented one murder, one crime of violence being committed by a juvenile, I would say that the act, if passed, would have served its purpose, that the bill would have been worth while.

I hope that it will receive general support from the house. As I say, I realize it is not perfect, but it does seek to deal with the situation, and if it merely focuses public attention on it it will have been worth while. If it should be passed, and if it should prevent the commission of one crime by a young person in this country, then it will have been worth a hundredfold any effort the house may devote to it. I bespeak its support.

Mr. Daniel McIvor (Fort William): First I should like to commend the hon. member for Kamloops (Mr. Fulton) for bringing a question of this kind before the house. He is a young man full of life and energy. I read the funnies, as you might expect. I read Smitty, Orphan Annie, Superman, Blondie Napoleon and a lot of others. I think the funnies emphasize a sound principle of the teaching profession, that of making an impression through the eyes. Anybody will admit that the more you read about a thing and the more you look at it the more you become like it. I do not forget the period of my boyhood when I did not need much prodding to be bad, and I do not think there is an hon. member of this house who has not passed through such times, when he did not need much to suggest bad thoughts; and as you think, so you are.

Had I known this subject was coming up tonight I would have had some samples of the sort of thing that is printed in Canada and that comes across the border. I am sure no hon. member of this house would want the youth of Canada to practise the suggestions that come from those displays. I am sure everyone will admit that many of these pictures suggest the breaking of the seventh commandment, and the great thrill that is supposed to come to youth as a result. Those of us who are older realize that the Great Teacher has said that if you break one commandment you are guilty of breaking them all. Our educational system is of a very high order; and I speak now of Ontario and Manitoba, with which I am best acquainted. Each of our churches that amounts to anything has an educational