

Criminal Code

passed an act the provisions of which are the following, and I quote:

Notwithstanding any provision of the statutes or of the common law, but subject to the provisions of the following section, an act of homosexuality committed in private is not an offence providing that the people concerned consent to it and are at least 21 years of age.

2. An act that would be otherwise considered, for the purpose of this act, as committed in private, will not be considered so if it is committed:

(a) When more than two persons share in it or are present while it is being committed; or

(b) In lavatories where the public is admitted or authorized to enter on paying a charge, or otherwise.

No proceedings shall be filed, except by the director of public proceedings or with his consent, against any man for a buggery offence with another man or for indecency with another man, for an attempt to commit either of those offences or for having helped, encouraged, advised, prompted or ordered its perpetration when one of those two men was, at the moment of its perpetration, less than 21 years of age. However, this section does not preclude the arrest of a person or the issue of a warrant against that person for such an offence, nor the provisional detention or releasing on bail of a person charged with such an offence.

Mr. Speaker, I do not think that homosexuals will purposely put themselves on public display when they wish to have intercourse with each other. This is why I say that the assertion which was made in England is completely and basically wrong. It is then useless for the government to take it into account because he should rather deal exclusively with laws concerning indecent assaults and gross indecencies.

How is it possible to reconcile the seriousness of the government with the rationale of section 7 of the bill, if it ascribes importance to details and ignores the unhappy experience of the nations that have legalized homosexuality?

Homosexuality is an evil and its legalization means contagion among people who are young or not so young. I speak of the people of 18 or 17 and even of those who are younger. Let us not be surprised, if this bill is ever adopted, of the increase of cases like the one of Léopold Dion; four boys were the innocent victims of this sex maniac.

The evil already exists. We must curb it rather than spread it. To do this, the government should create a system of education for adults, so that they can prevent homosexuality by educating the young.

Besides, I advocate the creation of free psychiatric hospitals for homosexuals rather than the adoption of such ridiculous bills.

[Mr. Beaudoin.]

One does not build a strong country upon degradation as the present government tries to do, but rather on the dignity of and on the respect for human beings.

This afternoon, the hon. minister of Justice (Mr. Turner) said he did not agree with the argument of the members who claim that immorality means illegality from the legal point of view.

I think it is immoral to permit homosexuality under certain conditions, as provided by section 7 of the bill. What should remain illegal should even have a penalty attached to it.

For all those reasons, I ask the government to remove this section 7 from bill C-150, and I support the amendment under study.

Mr. André Fortin (Lotbinière): Mr. Speaker—

An hon. Members: He has already spoken.

Mr. Fortin: I am glad to be able to participate in this debate even if some government members wonder whether I have already done so. I do hope my hon. colleagues do not dread me that much.

Mr. Speaker I consider it a duty—

Mr. Cantin: Mr. Speaker, I rise on a point of order.

I am not quite sure but I wonder whether the hon. member has not already spoken on the same subject. It is the only question I have to ask him.

Mr. Fortin: Mr. Speaker, we might perhaps adjourn and try to find out whether I did actually speak or not.

• (9:10 p.m.)

[English]

Mr. Deputy Speaker: Order. I am advised that the hon. member for Lotbinière (Mr. Fortin) has not spoken on this subject.

[Translation]

Mr. Fortin: Thank you Mr. Speaker. I realize you are paying closer attention to the debate than the hon. member for Louis-Hébert (Mr. Cantin).

Mr. Speaker, it is my duty to participate in the present debate which aims at striking out of the Criminal Code clause 7 which has, so far, caused much ink to flow and given birth to many comments, right or wrong but, anyhow, interesting. Nevertheless, I feel, Mr.