

which are on display to know that the input our children are receiving can have no other possible effect than to lower standards, moral, legal and other.

One looks at the abortion statistics and finds that, in the last year, we as a society effectively killed 67,000 unborn children.

Some hon. Members: Shame!

Mr. Thacker: We did that in the face of medical evidence which showed, beyond any shadow of a doubt, that from the moment of conception a life has been created, a life which is entirely separated from the life of the mother except for a support system which lasts for a very few short months. However, in the face of all that scientific evidence, there were 67,000 abortions. I would not for one moment blame the vast majority of the young girls who have abortions, because when one looks at their conduct from the Christian perspective of tolerance, understanding and patience, one realizes that they have been faced with the daily bombardment of television, movies and books. They look to the conduct of their peer groups and, particularly, to the conduct of the older members of society. How could they do otherwise? I do not think we should ever criticize them.

Therefore, our job as legislators is surely to attempt to come up with some standard upon which we can all agree, one which we can hold out to our society as being the very minimum standard. We would certainly hope everyone would operate at a much higher standard than that; but we would want to have a minimum standard which is at least high enough to perpetuate our society. There is no doubt that if we carry on in the manner we are now, our society, as we know it, will end. The wheel of history has turned over all sorts of groups of people who came together as societies and who simply failed because they permitted the standards to which they aspired to drop.

We know that as a society in Canada, we are at an interface between two major industrial and post-industrial societies. Therefore, we are now changing, just as we developed from a nomadic society to an agricultural society, which caused stress on the people who went through that change, and just as we evolved from a rural, agricultural society to the industrial society. Those who read history know that the two or three generations of individuals throughout that transition suffered terribly. The rights of individuals failed, and the people did terrible things to themselves.

Only a few short years ago, 90 per cent of our people were on farms and in small communities with less than 10 per cent in the cities. Now over 90 per cent of people are in the cities, and we are a highly industrialized society. It will take us a while, probably two or three generations, to work out the new checks and balances between people and groups so that our society can become more stable. It seems to me that our job as legislators is, particularly, to protect the youth during this transition period. Therefore, we should clearly understand why we want to protect the youth. I suppose we could say that we need no laws at all, that everyone will be subject to his own personal sanction and the sanction of the people and the power around them. That is one way society can go. But we do not

Criminal Code

believe that in a democracy. We particularly want to protect our youth so that they will retain the opportunity to get out in society when they reach the proper age and to achieve their goals.

● (2010)

I am sure that you have worked with youth as most of us in this House have, Mr. Speaker. I believe, as sophisticated as children are in terms of the knowledge to which they are exposed, that they lack the emotional maturity to make conscious decisions about sexual matters and how to interact with their peer groups until they reach at least 17 or 18 years of age.

While we are protecting young girls and boys under the age of 18 and girls between 14 and 16, once they reach the magical age of 16, we have no further special protection for them other than the new sexual misconduct clauses under which it will be very difficult to obtain any sort of conviction in a situation where it is peer group versus peer group. Certainly for an age group difference of less than three years between a boy and a girl, it will be very difficult to obtain any sort of conviction. Therefore, we should recognize that fact.

I have no problem at all in speaking to high school students and telling them that that is my firm belief as a result of my experience in life. If we put the argument to them that if they will simply trust us because they lack the experience base upon which to make those important life decisions, life decisions that will forever affect their lives adversely if they make a mistake, I find that most young people have no problem accepting it. They agree that we should be setting a high standard.

For a few moments I would like to discuss some of the specific clauses of Bill C-53. The first part deals with the sexual exploitation of young people. The Criminal Code of Canada under Section 146, which deals with sexual intercourse with females under the age of 14, reads as follows:

146. (1) Every male person who has sexual intercourse with a female person who

(a) is not his wife, and

(b) is under the age of fourteen years,

whether or not he believes that she is fourteen years of age or more, is guilty of an indictable offence and is liable to imprisonment for life.

That section will be dropped and in its place, we will have Clause 166(1) which reads as follows:

166. (1) Everyone who engages in or procures sexual misconduct with or by a person who

(a) is not his spouse, and

(b) is under the age of fourteen years,

is guilty of an indictable offence and is liable to imprisonment for ten years.

Hon. members can see that the definition of sexual intercourse has been changed to sexual misconduct. I believe the question arises as to whether or not this covers ordinary sexual intercourse because the words are "sexual misconduct". Does sexual misconduct cover ordinary sexual intercourse? That question is not set forth or covered in the statute. The words