

*Criminal Code*

and the penalties for those who are caught in such misdoings are not yet strict enough. Indeed, the public should call upon the governments to impose even more rigid control.

In many circles people have been gloating over homosexuality. They seem to imply that the government wants to encourage it but, Mr. Speaker, it is the least of our worries and I do not think that any of our members has such a predisposition or at least I am not aware of it.

● (4:00 p.m.)

Mr. Speaker, this legislation does not in any way seek to legalize homosexuality which, I admit, is a disease. Some have said: Let us rather make provisions for the treatment of homosexuals. But under what statute can we force people with a heart condition, cancer or tuberculosis to undergo treatment against their will? For some people, that is a matter of conscience. It is not the responsibility of the government to force them, but rather to prevent that they contaminate others around them.

In the proposed legislation on homosexuality, there is no intent to spread homosexuality, on the contrary. Acts of homosexuality which would cause scandal to a minor and which would lead to obscene exhibitions will still be punishable under the law. The bill aims only at correcting deficiencies in the law which, in some cases, could expose an homosexual to sentences of 10, 15 or 20 years of imprisonment, or preventing over-zealous policemen to raid private homes and bedrooms, something which is unacceptable under our democratic system. We are merely amending the law because there is precisely an aspect of it against which we cannot do anything.

Mr. Speaker, laws that we cannot enforce should not exist. It is much better to amend them than to ignore them and thus tolerate violations which, in their original form, they could not prevent.

An hon. member objected earlier to lotteries. But for how many years, Mr. Speaker, have we not been hearing cries for the toning down of the lottery legislation or requests to the federal government for the transfer of control over lotteries to the provinces? Despite the federal legislation, for many years almost every Canadian has been buying tickets for the Irish sweepstake. As far as I know, church organizations have been conducting for many years lotteries and all kinds of

draws. It is about time that we put an end to such hypocrisy, and I think it is wise for the government to hand over to the provinces the control of lotteries. Provinces will legislate within the limits of their boundaries on the advisability of allowing lotteries to be held.

The love of gambling, Mr. Speaker, is something quite natural and betting and lotteries are age-old pastimes. I think that the federal legislation was shabby on that point, and that these amendments were long overdue.

I remember for instance that in 1963, in Toronto, my colleague, the former mayor of Toronto, and myself were invited by the Canadian Federation of Mayors and Municipalities to take part in their one-week convention in that city. And the mayors' federation passed, in 1963, with quite a comfortable majority, a resolution to the effect that the federal government should amend its legislation on lotteries, and transfer control thereof to the provinces. Then provinces wishing to do so will be able to make lotteries as lawful as they see fit.

I suggest it is high time that this lottery item be brought up to date.

It has been said in some places that the act did not go far enough in some respects, and I share that viewpoint. In other words, circumstances and the extent of public acceptance must be taken into account. The people must be informed about these judicial reforms instead of forcing more knowledge on them than they can assimilate. The present legislation is nevertheless a first step in the right direction and a commendable beginning.

Mr. Chairman, the most controversial aspect of this bill is probably the one about abortion. I have heard unimaginable comments of this subject. For instance, some way: My own conscience does not permit me to accept abortion.

Before proceeding further, it might be well to remember what is permissible in the clause dealing with abortion. There is no question of legalizing abortion. On the contrary, abortion will remain illegal for any person not complying with the conditions stipulated in the amendment. What are those conditions? In fact, abortion will be permitted in cases where a competent medical board, in a recognized hospital, will have sufficient grounds to decide that the mother could be in danger of death or of becoming permanently mentally deficient.

[Mr. Mongrain.]