

*Criminal Code*

gap opened in that family. They were overwhelmed with sorrow and agony. Her first words to me were "she was 21". Now we are going to lower the legal age to 18 so this type of thing can be done legally and within the law. This is her letter dated February 13, 1981:

I am very upset and concerned about Bill C-53 regarding the lowering of the age limit to 14, for legal sexual intercourse! My husband and I were appalled and sickened by this proposed law. Recently, we had cause for grief over the legal age being 18 instead of 21, as it used to be a few years ago. What a terrible grief will cover the whole land if our young 14-year-olds can legally take part in sex, with their parents being helpless to do anything about it! We found that even though we taught our children well, certain traumatic experiences can weaken the thinking of a child, as well as the ability to hold on to high standards when strong temptations come along.

The letter then refers to the bill and asks whether it is "actually protecting our youth by limiting the partner's age to no more than three years older". The letter then states:

What difference, really, is the age of the partner if he makes a 14-year-old pregnant? What's the difference, if he causes her to sin, to commit fornication—it goes by the same name, regardless of age!

● (1550)

This is the sentiment of many parents in this country. The legislation may not say that we are legalizing it, but the very fact that we lower the age and say it is not an indictable offence if there is a three-year difference between the two means we are indicating it is okay, that the laws of the land permit this lowering of standards. This is contrary to the teachings of almost every church in this country and at least 9 per cent of the parents, the ones who are concerned about their children.

When the parliamentary secretary dealt with this bill a few months ago, he outlined four principles of the bill. The first principle was the protection of the integrity of a person. I agree that our laws should contain this principle, and I hope that this legislation will meet that principle. When a girl is walking home, be it night or day, and she is assaulted on a street corner and subsequently there is a charge laid, she must then be put on the witness stand. She is then insulted, maligned and her character is torn apart. She becomes the guilty one instead of the person who assaulted her. I do not think any lawyers have the right to do this. Although we expect them to represent the defendant, they should not be allowed to turn the tables on the person who was assaulted, who had nothing whatsoever to do with the fact that someone grabbed her and dragged her into an alley. This situation should be corrected. It should not be permitted by any court or judge in Canada. If this principle becomes law, I hope it will protect the integrity of those people who are assaulted. The law itself may not do that but it would show our desire to deal properly with those people in our courts.

The second principle which was mentioned was the protection of children. I agree that our children should be protected. I do not know why we talk about lowering the penalty on these people, who I call monsters, who attack children of all ages. We have seen this happening in Canada and I think we have to start thinking more of the victims of these crimes and less of those who commit them. I have sympathy for a person who is

mentally unbalanced or insane, but I do not consider anyone who deliberately plans to take a girl and assault her, who then ties her up to rocks and drops her to the bottom of a lake, insane. This happened to a young girl in Alberta. When that monster is caught no one should feel sorry for him. I do not feel sorry for him because he brought misery to a wonderful family and killed a girl who had a bright future, a girl in her teens who was working to become a contributing citizen of this country. Since she was killed by this monster, in my view that person should have the same penalty handed out. I believe in capital punishment when somebody deliberately plans and takes the life of an individual. It is even worse when a grown man does it to a young girl. Instead of reducing the punishment it should be increased significantly. Every provision in this act should be explicit to protect our young people. It is not only young children who need this protection, but our teenagers who have not yet reached the age of majority.

This legislation also tries to protect young children in respect to pornography, and they need still further protection in that respect. Some of our Canadian cities have become as bad as San Francisco and New York where pictures of absolutely every sexual act are displayed in full view of young children. In Toronto, I saw a young child, no more than nine years old, looking through a window at some of these pictures. That should not be permitted. It was my understanding that pictures of this kind were to be displayed in a separate room and this most likely is the case in many places, but not all. I have no objection if an adult wants to read that kind of material, it is his business, but it should not be on display in front of boys and girls. There should be severe penalties for those who have this material on display for children to see. There should be other means of advertising, instead of in a window for everyone to see. Protecting children from pornography is excellent but there should be more protection against pornography.

The third principle is the duty to safeguard public morals and decency. I think we all want to do that, yet there is a clause in this bill which allows these acts to be carried out in public but in a private way. I do not know whether the back seat of a car is considered private, or whether it would have to take place in the trunk. This kind of conduct should not take place in a public park where families are out to enjoy the scenery. I, along with many others, would like to see this clause removed entirely from the bill. I will expand on that point later on. Every legislature in Canada should pass legislation safeguarding public morals and decency. It is a basic principle upon which to work.

The fourth principle is the elimination of sexual discrimination and protection for those who are sick. I agree with that. Men should not have preference over women and women should not have preference over men.

Although I agree with these four broad principles stated by the parliamentary secretary, in my view the bill does not follow through with these principles. When it goes to committee it will be its responsibility to go through this legislation with a