

*Criminal Code*

appears to me to be a lowering of moral standards in the country.

Some of the sections in the bill, instead of protecting young people, really destroy the morals of Canada's young people, in my opinion. I do not believe that it would be of benefit to our youth to know that they can commit rape provided that the victim is not more than three years younger than the offender. But yes, it could very well be rape.

I have difficulty in following the new clause on sexual assault which will replace rape and other charges. Sexual assault is not defined anywhere in the bill. What is sexual assault? If the sexual assault clause is to replace the clause on rape, as it does in the bill, what about the retroactivity of the penal provisions? At the present time, if an individual is found guilty of rape, he is given a sentence of 15 years. But this bill provides a penalty of only ten years' imprisonment. Is there going to be a new law for those who have already been charged, convicted and are now in our prisons? I find it difficult to understand why we are lowering the penalty from 15 years to ten years for a crime like rape, particularly when the sexual assault may be on a young girl or a teenage girl, or even someone under the age of ten.

● (1540)

I noticed a story in the paper the other day about a teacher who had been convicted of assault on an eight or nine year old girl. Surely that type of person should not be out running loose. I know he might be sick, but if he is teaching school he is not that sick. Surely he is not that sick if he can hold a job as a teacher in any province in Canada, and if he is doing that type of thing surely 15 years is not too much. I really object to the lowering of the penalties for some of these offences, even if the offence is committed under a different name. The name is not going to make much difference. Rape is rape whether you call it sexual assault or rape.

I know the question of retroactivity of legislation may be dealt with in the interpretation section, but I am concerned about whether it refers to those who have already been convicted and are in our prisons, or refers only to those who are convicted from the date of the passing of this measure. In my view, reducing the penalty to ten years is not good.

I am not a member of the committee that will study this, but I would like to see the committee increase the penalties, if anything. Let us not encourage people to think we are lowering moral standards in this country. I know there are groups that want that done, but the vast majority of the Canadian people have high moral standards and want those high moral standards for their families, their children, their grandchildren and their friends. We should not be reducing these penalties because when you reduce penalties you inadvertently say that the crime is now not quite as bad as it was a few years ago. In my view, when rape is carried out, particularly on young people, it is just as bad now as it was ten, 50 or 200 years ago. We should be very careful of what we do in this regard.

Another item in the bill which bothers me greatly is to be found in proposed Section 166 which deals with sexual miscon-

duct. Exactly what is sexual misconduct? I know there are some things that will become sexual misconduct under the provisions of this bill, but I would have thought that sexual misconduct would be defined. It is a term that should be defined so that when we talk about sexual misconduct we know what we are talking about.

Proposed Section 166 dealing with this particular item is of concern to a great number of people. I am going to read it into the record because I think it is that important. The heading is "Sexual Exploitation of Young Persons". It does not form part of the act, of course. It states:

Every one 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.

If that happens to be rape, the individual gets ten years, but I believe the present penalty is 15 years and I do not think we should lower that at all. Then the proposed section continues as follows:

(2) No one shall be found guilty of an offence under subsection (1) if he establishes that

(a) at the time the sexual misconduct took place, he was under fourteen years of age; or

(b) he is less than three years older than the complainant.

I suppose he could be 17 and the girl could be 15, in which case there would be no offence. I do not really know what we are trying to do in this regard, and neither do a lot of people in this country.

I want to put on the record some comments that have come to my attention from people in my constituency in connection with this proposed section. One letter that came in on February 23 says:

Although there are other parts of this bill that I disagree with, the part that I am particularly outraged at and am vehemently against is the section on the lowering of the legal age to have sex to 14.

And further on it states:

We do not need our government to aid and abet the general lowering of standards by putting forth such bills camouflaged in the name of help . . .

I would also let you know at this time that I am not some puritanical old maid preaching. I am a young mother with four small children. I am sick at heart when I think of how hard our government is trying to make it for parents to bring their children up in any kind of moral surroundings.

I think the letter speaks for itself.

This is a statement that comes from another letter:

I was stunned to read in the paper Bill C-53 which wants to make it legal for children 14 years and older to have sexual intercourse with partners who are no more than three years older (Single people).

People are concerned about this section, as I am.

Most of all I want to deal with this matter in relation to a case that came to my attention, first of all, through a telephone conversation with a mother who was very, very impassioned, angry and frustrated because when her daughter was 21 she had been persuaded to have intercourse and became pregnant and her entire life was ruined. Later on things were patched up, but at the time the whole earth crumbled and a