

be the judgments which affect young people. As destructive as those judgments may be, they do not have any real effect or the greatest effect on our young people. What happens to people when they violate the law is what happens to them inside: the erosion of moral courage, the erosion of moral fibre, the erosion of character, and the erosion of self-respect which goes on within themselves, setting aside the judgments handed down by the courts. Today, our young people need reference points, more than anything else, so that they can know how they ought to behave. That is what the law becomes. The law becomes that reference point which says, "Look, if you do this, you will hurt yourself." It is more than the simple penalty the law imposes.

However, there are other ways in which people hurt themselves when they violate the law. As I said before, today the question is: If it is legal, then it is permissible. What bothers me is that if we pass Sections 166 and 167 as proposed in this bill, we will be sending out signals to our young people that will be totally destructive.

I would like to spend one moment on those sections. Section 166 states:

(1) 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.

However, the defence is contained in subsection (2), which states:

(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.

This comes under the broad and general topic of age of consent. Are we sending a signal to these young people that if the 14-year age limit was a barrier, and it is now legal, that it is now permissible? Are we saying to them that if there is no more than a three-year age difference between them, it is then permissible? I suggest to hon. members of the House that it is destructive, even if it is legal. I will come back to that in a moment.

I would like to turn to Section 167, which states:

Every one who engages in or procures sexual misconduct with or by a person who

- (a) is not his spouse, and
- (b) is fourteen years of age or more and is under the age of sixteen years,

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

The defence is found under subsection (2), which states:

(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 sixteen years of age;
- (b) he is less than three years older than the complainant;
- (c) he believed at the time the sexual misconduct took place that the complainant was sixteen years of age or more; or

Criminal Code

(d) he is less responsible than the complainant for the sexual misconduct that took place.

Aside from the loose definition of sexual misconduct, I am looking at the defence once again. If the law is meant to be a reference point for the conduct of our young people, are we not sending the wrong signal to them by suggesting that, if it is legal for those who are 16 years of age and under, it is permissible? I suggest to hon. members that we must fully consider this legislation before we pass it into law.

That is why I intend to look at this measure with great scrutiny when it comes before committee. I believe other hon. members will also. I will be concerned about the kind of witnesses we bring to the committee so that it will not be rammed through on greased skids. We should have witnesses before the committee who know something about juvenile problems, juvenile psychology and so forth.

The related question we must ask ourselves is whether we are introducing young people to experiences before they are ready to handle them. It is no secret—indeed, it is common knowledge—that we tend to develop physically more quickly than we develop emotionally and psychologically. People have much physical capacity long before they have the kind of emotional self-control, emotional decision-making powers and mental information banks which enable them to make informed and sensible decisions. The fact is that someone who is 16 years old or 14 years old is physically capable of doing all of these things about which this law speaks. The question we must ask ourselves is whether they are emotionally prepared to make the kind of decisions which will lead to a healthy future.

It is not necessary to look further than television to realize that the whole commercial world is bombarding young people with suggestions to become older at a younger age. Young people feel they must be mature at 12, 14 or 16 years of age. As my hon. colleague said, "Take a look at Brooke Shields". At 14 years of age, when appearing on television, Brooke Shields appeared to be 21 years old. The entire commercial world conspires against young people to make them old before they are ready to become old. One of the side effects is that all of the anticipation for the future is taken away.

Some hon. Members: Hear, hear!

Mr. Friesen: Young people are not ready to absorb the pleasures which could be theirs when they are 16, 18 or 20 years old. I think we need to take a very careful look at whether we are not pushing the age limit too low before the young people have sufficiently matured and their knowledge is seasoned enough to make the kinds of decisions which will lead them to a healthy future.

I know that it would be easy to be painted as an ogre, a killjoy, a fogey, and all of those square images. However, I make no apologies for being square enough to want to preserve young people so that they have a healthy future. I want their decision-making process to be intact so that when they can enjoy those pleasures at their fullest, they will be able to do so and will not have their pasts sullied, tarnished and ruined by