

Our young people, under 18 years of age, are intelligent, resourceful and dynamic, but the potential those excellent qualities represent does not alter the fact that, at that age, they often lack a certain sense of responsibility. There is no reason to hold it against them, particularly since the influence of adults has much to do with delinquent agitation. In fact if we look for the cause, we find out that in most cases, it is the malevolent, not to say diabolical, action of unconscionable and evil-minded adults.

The education that is provided to our young people in these troubled times lacks conviction, vitality and authority. Too many adults are indifferent; too many parents give up; too many leaders show incompetence.

So, we should not be surprised to see that our young people are unstable, apathetic and sometimes discouraged and inclined to use this false safety valve: committing every kind of offence they can.

It is therefore appropriate to rejoice since under this bill, the so-called delinquent seems to retain his dignity as a human being.

Clause 4 on page 5 is eloquent enough in this connection and I would like, Mr. Speaker, to be allowed to quote it:

This act shall be liberally construed to the end that where a young person is found under section 29 to have committed an offence, he will be dealt with as a misdirected and misguided young person requiring help, guidance, encouragement, treatment and supervision and to the end that the care, custody and discipline of that young person will approximate as nearly as may be that which should be given by such a young person's parents.

To my mind, other clauses of the bill under discussion constitute good points and should help a great deal to improve our young people's behaviour.

Under clause 14, an adolescent must be judged by a juvenile court, even though he might have appeared before a regular court. This will prevent incidents such as have often been witnessed in court where people under 18 years of age were brought to regular courts and considered as adults. This was bound to bring in the end a drifting towards gangsterism and underworld life with all possible implications.

• (5:10 p.m.)

Clause 15 should also be quoted:

(1) Where

(a) a summons is issued to a young person, or

(b) a young person is arrested,

notice thereof shall be given to a parent or parents of the young person by the person who issues the summons or by the clerk of the court before which the young person will appear, as the case may be.

(2) Where the whereabouts of the parents of a young person to whom a summons is issued or who is arrested are not known or it appears that he has no parents, a notice referred to in subsection (1) may be given to one or more relatives or friends of the young person.

Mr. Speaker, this clause will allow all responsible persons, when any offence has been committed, and I do say "all responsible persons", since parents who have to see

### *Young Offenders Act*

to the education and guidance of their children are always directly and sometimes indirectly responsible, to find that, by this clause, parents or guardians are involved. I think this clause will greatly help to convert these young persons who sometimes go a little too far.

Even though this may seem like paternalism that some would consider in bad taste, I believe it is a reasonable and equitable measure.

Clause 16 clearly indicates the proceeding in the clause I just quoted, but I would make some reservations as far as subsection (3) is concerned, which reads as follows:

(3) Where in the opinion of a judge a requirement to a parent to whom a notice is given under subsection (1) of section 15 to appear before the court would impose an undue hardship on the parent, such requirement may be omitted from the notice and the notice may state that any parent, relative or friend of the young person may appear with him.

Mr. Speaker, is it not true that there could be abuses regarding this matter? How many parents could find a thousand and one reasons to avoid taking their responsibilities! Snobbery and undue deference for public opinion still exist. I wonder whether it is necessary to make this restriction.

I would also note the soundness of clause 23 which states:

Where an information is laid against a young person and a judge is of the opinion that there are reasonable and probable grounds for laying the information, but that the case may be a proper one for disposal without a hearing, he may, instead of proceeding under section 26, direct that the information not be acted on for the time being and designate a person to confer with the person who laid the information, the young person, a parent of the young person and any other person interested in or willing to take an interest in the young person, with a view to disposal of the case without a hearing.

That point seems important to me. It will prevent hearings from being lengthy and will also be psychologically more helpful to teenagers involved in offences of any kind.

Having said this, Mr. Speaker, I could not bring this brief statement to a close without expressing my apprehensions at the thought that at the very time when we are anxious to help our young people develop in the right way, behave properly and receive additional training, our society tolerates laws that are stupid and inefficient, and it is expected that future legislation will be even more so.

I would not like to make unwarranted statements here, but how can we persuade young people to behave well when, because our laws are too lax or too harsh or our legal machinery is heavy and cumbersome, the Mafia, for instance, is allowed to flourish within our society?

However, Mr. Speaker, not so long ago, a certain Minister of Justice was even heard to say in the Parliament of Quebec that we must not use the war measures to fight the underworld because, he said, that would be unfair.

Mr. Speaker, if legislation is designed to protect us, how can someone as responsible as a minister of justice state that one can be unfair to the underworld? And God knows that the members of the underworld