

*Young Offenders Act*

While speaking to the House yesterday, the Solicitor General extolled in every way the merits of this bill, and I quote:

In short, those definitions which describe the young person as a juvenile delinquent have been removed. This shows the intention on the part of the legislator to remove the stigma of some traditional concepts and also to change the application of federal legislation regarding the age limit.

Mr. Speaker, in the title of the bill, we find the contradiction in this philosophy of the Solicitor General, and I quote:

An Act respecting young offenders and to repeal the Juvenile Delinquents Act.

The minister himself said yesterday that we had to modernize the definitions used to refer to the young person. He said that we had to eliminate the odious aspect of some traditional concepts in the old 1929 act. But the minister is not inordinately logical and continues to favour the use of negative and odious concepts and expressions.

Let me now quote the recommendations No. 5 and No. 6 at page 283 of the report of the Committee on Justice and Legal Affairs on juvenile delinquency. I quote:

The term "juvenile delinquent" should be abandoned as a form of legal designation and the term "child offender" and "young offender" should be adopted.

Recommendation No 6 reads as follows:

The title of the "Juvenile Delinquents Act" should be changed to "Children and Young persons Act".

Some might think those recommendations are secondary and unimportant. If the minister had had the slightest logic, when he introduced the bill, he would not have hesitated to change those terms which prove that nothing has been done and that the youth is still submitted to an atmosphere of terror.

We realize that the Solicitor General has limited intentions. His bill is a step backwards. It would have been an improvement if he had at least dared take his inspiration from the legislation of Britain or the Scandinavian countries where the emphasis is not put on the act or offence to condemn or treat the young offender as if he were a criminal, as we shall do if the bill before us is passed, but where there is concern to understand and help the individual himself. They try to give young people moral, physical and spiritual help. In Canada, we sentence them and pile them up in utterly inadequate houses of detention.

Mr. Speaker, the countries I have mentioned are applying methods designed to further young people's education so that these poor fellows are welcomed by society with understanding, love and support.

In Canada, we just herd them together, delinquents and pre-delinquents, alike, morally abandoned children with perversed children so that in the end they come out even worse than before.

Young people need help and understanding, not a disdainful judgement and sentence. If at least justice was fair and not of the kind that the Solicitor General is trying to impose through this bill!

[Mr. Fortin.]

Judges in general, and I am very sorry to have to say this, are not qualified in such matters. They have neither specialized knowledge nor proper training in this field, most of them having been appointed through political patronage as a reward or in order to stop them from hindering politics.

Mr. Speaker, it is the young offender who has to pay the price for this shortsighted policy which benefits only some politicians instead of insuring the development of man.

Now, the problem is much more serious than one would think. Mr. Speaker, may I point out that in the social welfare courts of Quebec alone, incompetent judges—and the solicitor general is well aware of this—have passed judgment on 25,133 young offenders, and, in 1967, on over 28,277.

Mr. Speaker, this represents an annual increase of more than 3,000 cases of teen-agers which have been caught red-handed and to whom no pity is granted. They are thrown in some hangars, jails or completely inadequate homes, with results such as can be seen at the Corporation Berthelet-Saint-Vallier.

When one realizes that henceforth, under the federal legislation under consideration, no distinction shall be made anymore between a 10 year-old child and a 17 or 18 year-old one, one can rightly wonder how far this inhuman system will go.

Mr. Speaker, one must not be surprised if, as of tomorrow, the problem of youngsters who do not integrate in society keeps worsening. We must establish consultation machinery by using the competent services of psychologists, doctors, psychoanalysts, social workers and teachers.

It is urgent that we set up shelters where young people will find peace, security, respect, moral support and understanding. It is urgent that we establish detection and protection services instead of relying on certain irresponsible parents who are anxious to be rid of their children and leave them in charge of welfare courts, saying: Look after them!

Detection services would make it possible to get hold of the adolescent before he becomes delinquent rather than having to try and recuperate him once the case has become practically desperate.

Mr. Speaker, retraining services for judges should also be set up in co-operation with universities so that they may acquire greater competence instead of being political slaves. Also, more judges should be appointed, in order that these cases should no longer be made to drag on, resulting in the rotting away of young people in absolutely unsanitary conditions.

Mr. Speaker, a distinction should also be made between age groups, so that 10 to 14-year olds are not dealt with in the same way as 14 to 18-year olds, since the responsibilities, concepts and experience of life of the latter group are not those of the former.

It is also necessary that the principle of a minimum or maximum sentence of two or three years, which is tantamount to dealing with criminals, be removed from the bill now before us. When a young person appears before