

21 and sentence him as if he were convicted as of that date. As a result, a bonding company or a corporation would regard him as a bad boy and he would not get a job with them. The Association goes on:

The Court is given the power, in cases where it wishes to do so, to order the child to be fingerprinted and photographed—records of which are forwarded to the R.C.M.P.

There have been several cases like the example given. Murder is an act which is rarely repeated by adults. Even more rarely is it repeated by children. In most cases where this act has been committed by a child, his remorse is great and his potential for rehabilitation is such that he is usually returned to the community before he is 18.

So, under this bill we will be able to hold the offence in abeyance until a person is 21. Then, he could be sentenced as if he had committed the offence at the age of 21. This is to be his 21st birthday present, yet we hear these people saying: "Look what we are doing for the young people"!

The child is made a ward of the C.A.S. or of the Training School for an indefinite period. In actual fact, his normal period in a Training School is less than a year but his wardship is maintained so that he can be given after-care supervision and help in the community. The present bill makes no mention of or provision for after-care; presumably the child is left to fend for himself.

Pausing there, this is a problem even with adults. I have been in practically every penitentiary in Canada—as a visitor, let me assure you, Mr. Speaker—and I have found that generally there is not sufficient staff, there are insufficient courses, classrooms and equipment. It is nonsense to say that we are going to have a great big rehabilitation program. Even if this were a good bill, we still do not have sufficient training schools to take care of the situation. I continue quoting:

The child is not dealt with as a criminal. As he has been adjudged delinquent and not considered a criminal, his "record" is confidential and cannot be used against him at a later date.

Let us now see what one of these other fellows said. This is how seriously he felt about this.

On Friday, October 16, 1970, at the request of the Quebec Provincial Government, the Right Honourable Pierre Trudeau, Prime Minister of Canada, outlawed the Front de Liberation du Québec, and invoked the War Measures Act. This act gave the police powers of search and arrest without warrant, allowing them to detain all suspects picked up for a period of twenty-one days without preferring charges against them. The above action was deemed necessary after the October 5 kidnapping of British Diplomat James (Jasper) Cross and the October 10 kidnap and subsequent murder of Quebec Labour Minister Pierre Laporte by F.L.Q. terrorists.

Although I was personally in favour of the action taken by the Prime Minister of Canada, public protest against the operation of regulations under the War Measures Act was voiced by lawyers, labour leaders, academics, students, and politicians many of which cried out that it violated the Canadian Bill of Rights. However, unknown to many Canadians, there is another act in existence today that is just as potent as the War Measures Act. I refer specifically to the Juvenile Delinquents Act.

Then, he refers to this new bill and I am not going to deal fully with that. I do not want to take too long to show what a bad piece of legislation this is. He simply

Young Offenders Act

says that the government must have got itself in this position as a result of some psychological cause.

I know, of course, what kind of amendments you can request. We asked the government to set up a review board similar to one which existed during the last war, but we were told: "Don't worry, the Attorney General of Quebec will take care of things". I read last week that one of the jails in Quebec had to be closed because of mistreatment of people who had not been charged and were awaiting trial. This is also going to happen to our youth in our training schools, and I want to say something about our training schools in a few minutes.

Let me read some words of Pierre Burton, who put the case in a nutshell in an article on Canadian Justice in the *Star Weekly* magazine for July 18, 1964. He was talking about young people being sentenced to training school and to the penitentiary. He says:

One byproduct was homosexuality. Since young offenders were often dumped into prison compounds with old and hardened men—

Pausing there, our training schools are going to be full of people who have run afoul of different sections of the Code. A young person who has stolen an automobile, or a young man who has indelicately assaulted some girl at school, or someone who has stolen goods from a store are all going to be lumped together in one big, happy training school. I know the sort of courses that they will be taking and I know the kind of diploma with which they will graduate. I continue to quote what Pierre Burton said:

—it was almost axiomatic that any youth entering prison (and there were children as young as 13 in Canadian penitentiaries in the 1960's) be forced into a homosexual alliance that could scar him for life.

The same system of mixing the young and the old, the novices and the veterans, which was prevalent in many parts of Canada as late as 1964, made it easy for youths to learn the fine points of criminal technique before they were once more dumped, with few resources, upon an unforgiving society.

I have stood in my place this last couple of years and recited the growing number of convictions in cases involving drug offences. Two years ago, the courts were sending to prison for three or four years people found guilty of possession of drugs and of trafficking in drugs among kids at school. The courts are taking a little better view of this whole situation today. Many of these people are young university scholars. The parole board has done a tremendous job. On many occasions when I have written the board about a deserving case they have allowed a young person to go to school during the daytime and return to his place of incarceration in the evening. Very often the board allows a young person out of jail for a period of six months in order to see how he can get along. I think this is a tremendous attitude.

• (4:10 p.m.)

Because of the basic function of our courts and our laws, we have in many cases been creating crime factories. Possession of marijuana is against the law as is trafficking in marijuana or any other drug. Under our