

*Criminal Records Act*

to the minister of justice, Mr. Raynald Guay, spoke about the seriousness and very grave consequences of having a criminal record, particularly when it was for a minor offence committed during an individual's wisdom-forming years. Maturity progresses at different levels and different speeds in people. Some mature early, and some mature late. Some have more spirit and exuberance than others. The livelier they are, the more supervision is needed.

The parliamentary secretary to the minister of justice at that time stated that the individual should have the right, automatically, to a pardon without having to make application to a parole board, which is a cumbersome procedure at best. I think that is worth repeating, Mr. Speaker. That was the parliamentary secretary to the minister of justice, at that time. He stated that an individual should have the right, automatically, to a pardon without having to make application to a parole board which is a cumbersome long draw-out procedure at best.

Often the one affected feels a little upset at his teenage foolishness and, if married, perhaps his wife and family has no knowledge of his offence. It is like opening an old wound. Surely this is not the way we should treat our young people in this country. The individual has to make an application to the parole board for a pardon. The police are then advised in order to check into the individual's behavior since the time the offence was committed. He must also obtain character references from people in his community. This immediately brands him as a law offender. Rather than do this, the individual lets everything lie quietly. I am sure many of us in the House would take the same attitude. However, if he does not clear his record and if, by chance, he gets into further trouble for which he is in no way responsible, he will have the previous charge as a mark against him. I think most of us have to agree that this is completely unfair and is discriminatory. A very high percentage of first offenders are never seen or heard of again in the courtroom.

I would like to refer to an article in the *Globe and Mail* which has been referred to before. This is a quote from a Vancouver prosecutor who said:

One thing I hate to see is young people getting involved in something that will have a serious effect on their lives for years. Lots of young people don't know what they are getting into and a criminal record could mark them for years. It could keep them from going to the States for a job or for post-graduate studies or from getting bonded or from a job, period.

Of course, a lot will depend upon the region of the country where the offence was committed. We all know there are various areas of Canada that are strongly religious, and their discipline is excellent. We know that in those areas the young people are well disciplined and very few of them ever get into trouble. The homes they are raised in are of strong character and are Christian homes. When we go to other parts of Canada we see areas of permissiveness where young people are raised under circumstances which do not discipline them and do not warn them of the problems they could face. In those areas we see a much higher percentage of problems and offences.

[Mr. Rynard.]

I recall two fellows who were always raising the devil. On many occasions the police had to look after them, take them home and give them a scolding. They had a police magistrate in that town who was a colonel in the army, and neither of those two fellows ever faced an indictment. One of them today is a top surgeon in the United States, and the second one went into law and is one of the top lawyers in the United States.

I would like to ask members of parliament: How many of us, having been mixed up with the wrong crowd, could have faced an indictment if we had been pulled into court by a policeman and had a charge laid against us? That is the position you could have found yourself in. The philosophy is compassion for your fellowman. I am a little surprised and a little disturbed when I hear it said, "We know the bill is all right. We know that something has got to be done about this. In the next few months we are going to bring it before the Standing Committee on Justice and Legal Affairs."

In 1963 the solicitor general at that time assured us in this House that in the next six months this question would be taken before parliament. He said that the matter would be considered and correction made. The words are there. He spoke at length on it and spoke well on the subject. He knew about it. I want to go a little further and say that this marks the third occasion this bill has been before the House, and I am hopeful the government will see fit to send it to the Standing Committee on Justice and Legal Affairs.

The bill, as I have said, concerns young people who have committed a minor offence because of lack of wisdom and immaturity which does not point out to them the seriousness of a prank or ordinary devilment. These people may be slow maturers, or it may be because of the company they keep or the crowd with whom they run. Few of them are criminals in any way. I am disturbed because of the effect this immaturity will have on their future behaviour. All many of these young people need is to have the riot act read to them and, by so doing, install in them some wisdom. If it is a first offence, then let them go on their way. Otherwise, a basically good boy or girl may be turned on the downward path. An indictment for him or her may ruin them for a future in a professional field or any field of their choice; if they wanted to go abroad for post-graduate studies or even in the ordinary job market. Would the government hire these people? Would a provincial government hire them for its police force? Would a provincial government hire them for any position?

I have a stack of letters that are rather pitiful in their outlook because of the attitude government takes against citizens who have a minor conviction. I can recall many cases of people who have applied to the federal government and to provincial governments. Has the law been changed? Have the federal government or the provinces done anything about this problem? Where are all the promises of the solicitors general since Mr. Justice Ouimet brought in his commission report suggesting that these cases be pardoned? Not a thing has been done in that respect during a period of eight years. No wonder this government proceeds like a tortoise which only quickens its movements when it says it will accomplish something in the fall. But it has not got around to it yet in a period of two years. I wonder where the tortoise is now.