

was asked by my hon. friend from Simcoe North (Mr. Rynard) remains. Why is there any need for this bill? There is nothing in the Canada Water Act which does not cover the situation except for one little item later on to which I shall refer in due course. Perhaps the law officers of the Crown can tell me, through the minister, why the conservations boards could not be set up under the present statutory provisions covering the Yukon and the Northwest Territories.

May I call it five o'clock, Mr. Speaker?

PROCEEDINGS ON ADJOURNMENT MOTION

SUBJECT MATTER OF QUESTIONS TO BE
DEBATED

Mr. Deputy Speaker: It is my duty, pursuant to Standing Order 40, to inform the House that the questions to be raised at the time of adjournment tonight are as follows: the hon. member for Hillsborough (Mr. Macquarrie)—Economic Council—Reduction of permanent secretariat; employment of outside consultants; the hon. member for Moose Jaw (Mr. Skoberg)—Grain—Advice to rapeseed producers respecting markets; the hon. member for Spadina (Mr. Ryan)—National Defence—Condition of fall-out shelters.

It being five o'clock, the House will now proceed to the consideration of private members' business as listed on today's Order Paper, namely Public Bills.

PRIVATE MEMBERS' PUBLIC BILLS

CRIMINAL CODE

AMENDMENT TO RAISE AGE OF YOUNG
OFFENDERS

Mr. Eldon M. Woolliams (Calgary North) moved that Bill C-27, to amend the Criminal Code (Young Offenders) be read the second time and referred to the Standing Committee on Justice and Legal Affairs.

He said: Mr. Speaker, of all the speeches I have ever delivered in this chamber and, of course, I have delivered quite a few, I do not think any has given me a bigger thrill than the opportunity, after a number of years, to recommend to the House the bill standing in my name with reference to the amendment of the Criminal Code.

I might say in passing, as an introduction, that I am still convinced, and I hope I am

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Criminal Code

right, that the environment of our young is just as important as heredity. On a personal note this is probably the reason part of my family was adopted. I believe home environment is very important. That is why we must set the proper tone.

• (5:00 p.m.)

If I may come now to Bill C-27, I am proposing to amend section 12 of the Criminal Code and also section 13, and to add a brand new section 13A. The amendment to section 12 will raise the age at which a child may be charged and convicted from seven to 12 years. Section 12 of the Code presently provides:

No person shall be convicted of an offence in respect of an act or omission on his part while he was under the age of seven years.

This section means that any child seven years of age or over can be convicted of an offence. Surely, no child under 12 years of age should be convicted of an offence under the Criminal Code. The new section 13 that I am proposing will provide that no child between the age of 12 and 16 years shall be convicted unless he was competent to appreciate the nature and consequence of his conduct, and, above all, to appreciate that it was wrong. The onus of proving that is on the crown.

My new section 13A, which I should like added to the Criminal Code, would abolish the incarceration of children in penitentiaries at the tender age of 12 or 13 years. The section would provide that no person under the age of 16 years can be sentenced to imprisonment in a penitentiary, but should be sentenced to a term at an industrial school or rehabilitation centre.

As late as December 31, 1963 there were in Canada 45 children 16 years of age or under in our penitentiaries, and there were 386 under the age of 18. The latest statistics published by the Dominion Bureau of Statistics show that there were two people in prison at that date of 15 years of age, 16 of 16 years of age, 136 of 17 years of age, 236 of 18 years of age, and 364 of 19 years of age. The next group of figures show there were 1,898 people in jail between the ages of 20 and 28 as of December 31, 1968. As I say, these are the latest figures available from the Dominion Bureau of Statistics.

What was the recommendation made by the report submitted by the Department of Justice committee on juvenile delinquency which was set up by a former minister of justice,