

Young Offenders Act

his interest that this be the case, although he may not think so at the time. This is the solution that is much preferred by the Canadian Mental Health Association which, as we know, has a very poor regard for the effort demonstrated by this bill. Mr. Crossman suggested that a review board be set up which would from time to time review the cases of all children confined in training schools, in order to make sure that no child is being incarcerated unreasonably. I think this is an excellent suggestion.

I think the government is making a bad mistake in lowering the age from 12 to 10 years, as will be the case in Ontario. That will be the fact if this measure passes, and I think the government will be making a bad mistake. No matter how nicely you skate around it, the 10-year old and 11-year old child will be charged with an offence. Mr. Speaker, why does the government ignore years of experience and knowledge in the handling of young offenders, for the sake of an image that I submit will prove to be false? If a bill like this is enacted into law, young offenders will need friends. I submit that the amendment should carry.

Mr. David Orlikow (Winnipeg North): Mr. Speaker, in rising to speak in this debate I wish to join other members in congratulating the new minister on his appointment, wishing him well yet expressing my regret that he has begun his important task as a minister by bringing in a bill which, so far as I can tell, has met with the almost unanimous condemnation of everyone who does not work for the federal government but works in organizations active in dealing with young people unfortunate enough to get into difficulties with the law. That is not surprising. As we look at the record of the Canadian approach to crime and to correction over the past number of years, we see a country which has more people, per thousand of population, in prison than any other country in the western world—2½ or three times as many people in prison as is the case in Great Britain.

We see a country which has consistently over the years taken the view, openly or through failure to act, that the way to deal with crime, the way to deal with people who break our law, is to send them to prison, to send them to some kind of correctional institution, training school or whatever else you may want to call it. When we made progress in recent years, it was as a result of the insistent demands and tremendous work of public education carried on by organizations such as the John Howard Society, the Elizabeth Fry Society, the Canadian Corrections Association, the Canadian Mental Health Association and other organizations too numerous to mention.

As one looks at their reaction to this bill, one finds almost unanimous rejection of its entire proposals. I say "almost unanimous" because I want to protect myself; I have not heard all the people who have commented on the bill, nor have I read all the literature on it. But I say to the minister that everything I have read, all the reaction I have witnessed, all the reports I have seen and all the comments are adverse to it. I have yet to see one report which does not suggest that this bill contains such serious defects as to make it unworthy of being rejected

[Mr. Ryan.]

in toto or being sent back for the most fundamental and searching scrutiny.

I want to put on record some of the comments which have been made, because at least one report that I saw last week in a newspaper which is read, I suppose, by more English-speaking Members of Parliament than any other in the country—it is my impression that the reporter obtained his information from the public relations officer, or someone similar, in the minister's department—indicates that there is no real objection to this bill except those objections which might come from the Ontario Department of Corrections and its minister. Well, Mr. Speaker, nothing could be further from the truth. I want to put on record some of the comments of individuals and organizations which have had more experience than any member of this House, including the minister, in connection with the difficulties and problems involved when young people get into trouble.

Other members have already spoken about objections of the Canadian Mental Health Association to this bill. If I have time, I will come back to that subject later. That body has objected vehemently and in a manner which I have seldom heard in connection with any question it has dealt with in recent years. Judge William Little, chairman of the Ontario Juvenile Court Judges' Committee on Delinquency, has taken serious objection to this bill. I shall quote a few sentences from a statement Judge Little made. He said in part:

"The intent of the original act (the Juvenile Delinquents Act) was to have a social objective of the rehabilitation of children," he said. "It seems to me this intent has been lost in the new bill"—

"They (federal legislators) have turned the focus from treatment to an attempt to make the Juvenile Delinquents Act consistent with the Criminal Code. They are assuming that a judge can measure the required amount of treatment. With a time limit, it's like taking a person out of hospital in the middle of treatment."

Don Sinclair, executive director of institutions in the Ontario Department of Corrections, according to an article which appeared in the *Toronto Telegram* of December 29, 1970, said flatly that if the act is adopted as it stands, Canada would be taking a backward step. The metropolitan Toronto Children's Aid Society sent a telegram to the former Solicitor General asking that it and other agencies be given ample opportunity to comment on the bill before it obtained final passage. The Children's Aid Society of Toronto is preparing a brief, I presume, to the Standing Committee. The director of the Children's Aid Society of Toronto, Lloyd Richardson, was horrified at many aspects of the bill. He said:

The framers of this new act asked for and got a great deal of expert advice and opinion... Unfortunately, not many of their ideas seem to have been incorporated.

That is consistent with other actions of this department. For example, it went ahead and built a maximum security institution which was universally condemned because it had no windows. In response to a telephone call, I received a letter from the director of juvenile corrections and metro probation, Department of Health and Social Development, of Winnipeg, dated November