draw the bill and introduce a new one, we should move as many amendments as possible in order to put a more human element in the legislation. Young people between the ages of 10 and 14 should not be treated as criminals. This is one of the most undesirable parts of the legislation. If the bill is not withdrawn and a new one drafted, amendments should be made that will at least change this aspect of it. Amendments should be passed which will make the bill more flexible. Legal technicalities should not be emphasized when dealing with young people. If amendments to this effect were made, then at least the bill would be less offensive and more progressive than it is now in dealing with young people who for one reason or another do not fit into our society.

• (8:20 p.m.)

The most offensive thing about the bill is its general attitude, the thread which seems to run right through it. It is a reactionary measure instead of being a progressive, forward-looking document. The most ludicrous aspect is that it applies to 10 year olds. Under the equivalent act in Britain, no child under the age of 14 may be charged with an offence; but in Canada, under this legislation we are taking a directly opposite approach. Surely, a child of tender age has special psychological and physical needs. People change tremendously between the ages of 10 and 18. A child may have changed almost beyond recognition by the time he is 21 and is sentenced under this proposal. This fact has been pointed out by a number of organizations, among them the Canadian Mental Health Association which on December 7 sent a letter to all members of the Senate and of the House of Commons on this issue. I should like to read one section of this letter which I believe to be relevant.

> A Criminal Code based on the notion that specific offences merit a specified range of punitive procedures may be appropriate for adults but definitely not for children. A particular offence may be committed by two children of the same age. In one case the total social, emotional and intellectual needs of one child may require only a suspended sentence; while with the other child an indefinite and probably prolonged period of re-education, treatment and retraining may be required.
>
> Basically it is the position of this association that there should be a separation between the judicial process and the process of determining appropriate treatment, training, supervision and after-care. The former should be considered to be a matter of due process while the latter deals with decisions concerning the particular needs of the child with a special emphasis on his rehabilitation.

The Canadian Mental Health Association draws attention to an omission about which we should all be concerned. They say there is a lack of emphasis on the area of rehabilitation and human need. Priority should be placed on strengthening the bill in these areas, rather than on legalistic questions involving judicial processes. Emphasis must be placed on the growth and development of a healthy personality when dealing with a child or young person who is found to have committed an offence. Instead, this bill leads to the segregation of a child who has broken the law. It tends to deal with his behaviour instead of his total personality, his total background.

The federal government should be talking in terms of helping the provinces through the provision of finances, staff and so on to build rehabilitation centres where young people who have broken the laws of society can be helped and rehabilitated. The bill before us seems to show no concern about this aspect. The Solicitor General ought to be willing to look to the United Kingdom, Sweden, Holland and other European countries as examples, because a great deal of useful work has been done there in connection with the treatment of young offenders. Rather than thinking in terms of the punishment of a child who is involved under any of the provisions of this act, he should be trying to help him readjust to society.

We should educate these children. This does not mean requiring them to develop skills or academic proficiency, but educating them socially and culturally so that they feel they are part of the society which has rejected them. Something must be wrong if they have committed delinquent acts. We should always keep this in the back of our minds and try to help them as much as possible. If we do not, all we shall produce is a still greater degree of alienation on the part of young persons and increasing segregation within a society from which they have broken away.

It has often been said that jails and penal institutions are the greatest schools for crime, and I believe this is true. We must do our best to see that it is true no longer. We should not look at these individuals in terms of the offences they are said to have committed but in terms of their background and their need. Again I appeal to all hon. members, regardless of party, to consider seriously the need for making fundamental amendments to the bill before us. If the Solicitor General will agree to withdraw it, better still; many people both inside and outside the House would be happy. Let him support the amendment, withdraw the bill and start all over again.

Some hon. Members: Hear, hear!

Mr. Nystrom: But if this does not happen, certain fundamental changes will have to be made, changes which will put these proposals on a more human basis and place greater emphasis on rehabilitation instead of strict legalities and jurisdictional interpretations. The bill should be made more flexible. Judges and others concerned should be given more freedom to decide what is best to be done when young persons are involved in offences. This would be moving in the right direction. If we fail, we shall get ourselves into more trouble and more and more people, especially the young, will be angry at us for passing legislation which is reactionary, nineteenth century in its philosophy, reaching back into the past instead of looking forward to the future.

Mr. J. M. Forrestall (Dartmouth-Halifax East): Mr. Speaker, I should like to join those who have expressed concern about this bill, its lack of general application and the narrowness of its philosophy. I should like to relate my remarks to some of the principles and, specifically, to some of the recommendations contained in the Celdic report. This is a report on one million children in Canada. It was completed in 1970 and was sponsored by such associations as the Canadian Association for the Mentally Retarded, the Canadian Council on Children