

Criminal Records Act

youth of 40 years ago. It is only fair to say that there are disadvantaged young people who have not been fortunate enough to have parents with the wisdom to establish a suitable environment in which to grow. One or both of the parents may be alcoholic, mentally retarded, or the mother may be forced to work to support the home. There may be very poor economic conditions.

I became interested in this matter in the early sixties when a man of 40 years of age came to see me. This man had committed a minor offence while a young boy in his home town where he had been raised under poor economic conditions. The father was a bit of an alcoholic and the mother had to go out to work. He had stolen a radio and was convicted of the charge. He went to a large city, started a business, married and made a success of his life. He raised three children all of whom attended university in the sixties. This man became active in church work. He worked with boys, helping those who were disadvantaged like he himself had been.

His business grew and he became quite a financial success. He found it necessary to go south of the border to join with another firm. What happened? The RCMP had a record on him. He had been married for over 20 years, had been a pillar in his community, and now was faced with shame and disgrace before his wife and three boys. This man had given far more than he had taken away because he had been a disadvantaged boy. This man told me he had forgotten the incident until this situation arose. I can understand that.

Another case involves an 18 year old grade 13 high school student who had tried a marijuana cigarette. He was caught and charged. His father, a veteran of World War II, had a lung tumor. His mother worked to keep things going. In spite of this the boy passed his exams and went through university. When applying for a job, he made the mistake of giving the names of the high school and the university he had attended. The recommendation from the university was excellent. Although the high school recommendation stated he had been an excellent student and came from a very good, hard-working family, it also stated he had been charged with smoking marijuana. That finished it; he did not get the job. After two or three more attempts, he obtained a job.

I know of a case of another 18 year old grade 13 student. I am deliberately bringing these cases to the attention of the Solicitor General (Mr. Allmand) who has a great spirit with regard to the reform of boys. He went out with other boys one night after a hockey game. They had a few beers. There was a teacher with them. This young person had only two beers; the rest had more. When it came time to drive home, because he had only had two beers the others said, "You drive, Jack, you are all right."

As hon. members know, a breathalyser test depends on what is in the stomach and the rate of absorption. The police followed the car, pulled it over and asked the 18 year old driver to come for a breathalyser test. Because he was just a fraction over, he was convicted. I want to point out there was no charge from the standpoint of faulty driving. They were stopped by the police because they were said to have been driving too close to the centre line. I repeat that there was no charge from the standpoint of faulty driving.

• (1710)

The point was the police felt that some of the same high school students had thrown a stone through the police cruiser and broken the windshield glass, so they were out to get them. I also found out, because I had a kindly friend investigate the case, that the young fellow concerned was a good athlete, and that the constable who pulled him up was having trouble in his own home. I have cited this case to bring it to the attention of hon. members.

The young fellow I am telling you about went on to get his grade 13 and then decided to go into law. He had the novel idea of wanting to go into the police force to learn it from that angle first. He would then go to law school later. He applied to go into the police force—he was a good athlete, as I have said, physically fit in every way—and he told them about this conviction.

I thought it was interesting and decided to speak to the minister about the matter. The young man had told the police about the conviction, and I wondered how this would work. I spoke to the minister and he said "Oh, he told them the truth. That won't be held against him."

Two or three months later I saw the young fellow and he told me he had been rejected out of hand. He said he had received a letter from the man in charge, and had been told he could not get on the force because of the one charge against him—it had involved just a few points over on one breathalyzer test. He wasn't a drinker in any way and yet, by the very province that makes the law and tries to dispense humanity and fairness to all the people, that fellow was rejected. This is the kind of disgraceful thing that governments do. I have the original letter, and if the Solicitor General wants to see it I think I could let him look at it, just to show him how those things operate.

The same thing applies, I understand, to the RCMP. I am advised that the same thing would happen right here in Ottawa if a fellow applied under the same conditions, although I have not seen any letters in that connection.

I would like, now, to compare the case of that young man, who was driving the car correctly except that he was told that he was perhaps a little close to the middle line, with another case. The officer knew he had had a drink because he had been at the hockey game policing it. I want to compare that case with the case of some students who took a car after a football game—after they had been drinking, obviously. Those high school students took this car after the game—they won the game by the way—and drove it right through a farmer's field, through his fence. His cattle all got out and took off up the road, endangering the lives of many people. I want to tell you, Mr. Speaker, that there was no charge whatsoever laid in that case. That is the dispensing of justice in this country.

I remember a time when perhaps we had better ways of doing things. Maybe they weren't better, but I remember a time at Queen's University, when I once went there. A few fellers were celebrating after a game and they shot up one of the places and wrecked it. Those fellers were all up on the carpet, but not in police court. They went before the university; the damage was all paid for. So I am making this appeal to the Solicitor General, Mr. Speaker, to ask that justice be done to all.