nile delinquents must not be treated as criminals. The new bill omits this caution and gives a very vague notion of how some parental guidance is to be given in new reformatories to the committed offender.

Clause 7 of the bill reads:

No person shall arrest a young person without warrant where he has reasonable and probable grounds to believe that the public interest may be secured by proceeding otherwise than by arrest without warrant, unless, in his opinion, it is in the best interest of the young person that he be arrested immediately.

I suggest to you, Mr. Speaker, that the second part of this clause completely cancels out the effect of the first part. The arresting officer is the sole judge. It is his opinion that counts as to whether he makes the arrest or not. So, I ask, why have the clause at all? I submit that this is another example of verbiage. There is a little note to one side saying, "Limitation on arrest without warrant." But where is the limitation? Is this not just a futile attempt to give the appearance of a special deal for a young person, when there is no special consideration there at all? The old act had nothing like that in it. In my opinion, the old act is much better in this case, because it does not do a young offender any harm at all to be picked up by a police officer and taken to a juvenile court. Sometimes a good scare is all that is needed to straighten out a young lad or a young girl. The police officer is usually a very kindly fellow. The child comes before the judge and is admonished. In most cases he is promptly released to go home and there is no more problem with him.

In some cases a child cannot be dealt with in this way, but I found as a practising lawyer and Big Brother, working in the Toronto area for 20 years with the juvenile and family courts, that there was seldom need to have a child or young offender represented by a lawyer in juvenile court unless it were a very serious case. However, under the provisions of this bill there will be great need for consideration by lawyers of the charges involved. No longer will you be able to rely upon the judge and probation officer when the judge has the right to have a child fingerprinted and has the power to have him photographed if he happens to get particularly alarmed about an alleged offence.

Under clause 16(5) there is a new penalty in this bill, with provision for a fine of $100 or 90 days in jail for failure of parents to appear if found guilty, on the basis of contempt of court after having been notified. In my opinion, the 90-day provision is too severe. I submit it should be reduced to ten days for a first offence. I am not altogether against the provision, but I do think it is too severe.

With respect to clause 24(1), if I read it correctly, a young person over 14 may have his case transferred to a regular court at any time before the verdict of a juvenile court is finalized. Thus he, his witnesses and his family may be subjected to two almost complete trials or hearings, possibly lasting many days. This is a bad feature. It means more work for lawyers in juvenile cases, work they are not particularly seeking.

Then there is clause 30(1)(k) which, along with clause 30(4), has been either conceived unintelligently or written in an inconceivable fashion. It gives power to hold young persons in certain serious cases until they are 21 years of age and sentence them to a possible life sentence. which is 21 years in practice and probably ten years in effect. Many other hon. members have spoken about this and I do not want to pursue the matter further. These portions of clause 30 should be reconsidered and revised, if not discarded completely.

In Ontario in the past, Mr. Speaker, parents were always responsible for the support of their children until they reached the age of 16 years. But under clause 15 and clause 16 of this bill they can be forced to appear on behalf of young persons until they have reached the age of 18, and in some cases 21, or else be held in contempt of court. I think this should be limited to the age of 17 and that subpoenas should be used in other cases because, after all, the voting age is going to be lowered to 18.

By raising the age limits in the definition of "child" from 16 to 17, and 18 in some cases. the government puts a laurel wreath on its own head but a heavy burden on all the provinces. The Hon. Allan Grossman, Minister for Correctional Services in Ontario, points this out. He says that this factor in the bill, and others such as fixed sentences, will cost his province $20 million for additional training schools and they are not ready for that kind of forced virtue, particularly when they believe that their way is much more flexible for the young offender and for all concerned. If enacted in its present form, the bill may be largely ignored for some time in this respect. Of course, grants for the extra training schools could sweeten the picture, but there is no mention of these or of other kinds of similar assistance from the government.

Under present legislation in Ontario, a child's record is confidential and cannot be used against him on a later charge. A judge cannot make an order under the Identification of Criminals Act, which involves finger-printing and photographing for RCMP records. But under this bill a judge can make such an order if he sees fit, and the record is there presumably for future use in evidence if the child is ever again in trouble.

• (9:00 p.m.)

Mr. Speaker, a child has not needed to have his record pardoned in the past, but some will need to have theirs pardoned in future if the bill is enacted as it now reads. With this feature in it, more lawyers will be retained to advise parents to let or not let their children go unrepresented in court. This, in my opinion, is a very bad power. I hope the Solicitor General will look at this provision very, very carefully before supporting it further.

In Ontario at the present time, children are confined in institutions for indefinite periods, which is far more satisfactory than fixed terms. I say this on the basis of my own experience. All concerned about the welfare of the child can determine in such cases when to hold him further or when to release him. It is almost invariably in