am sure that the Minister of Justice and others recall the Wolfenden report in England where this problem was studied in depth and many recommendations were made. At page 370 of the report on the status of women the following appears:

> In the words of the Wolfenden report, prostitution "... has persisted in many civilizations through many centuries and the failure of attempts to stamp it out by repressive legislation shows that it cannot be eradicated through the agency of criminal law." The Prevost commission indicated that the public did not favour the punishment of prostitutes even though it considered prostitution morally wrong. Briefs presented to the commission pointed out that prostitution is fundamentally a social, not a criminal, problem.

Therefore, it was recommended that the appropriate sections of the code dealing with prostitution under the vagrancy provisions be repealed. I note that in the bill a new offence is made of soliciting prostitution. I ask the minister to consider the recommendation made in the report on the status of women, that this offence should more properly be dealt with by bringing a charge under the disturbing the peace section.

• (2120)

I have found that it has been unfair in many cases where a prostitute is charged under the act because very often inmates of the bawdy house are not charged. This creates an unfair situation between the persons participating, more especially the male participants. It would be far better to lay a charge of disturbing the peace than soliciting for prostitution. I thought the minister was quite right in saying that the vagrancy provisions in the code create a difference between treatment of the rich and the poor.

The next area I should like to deal with is that of attempted suicide. It is rather remarkable that we in Canada are now getting to the position where we want to abolish the offence of attempted suicide, particularly when we think of England which abolished it in 1961. They said this was done after many years of resistance. Of course, relatively few persons are affected directly by this provision; the number of persons convicted for this offence last year, before repeal, was only 460. Twenty-one of them were sentenced to prison for periods of between three and six months.

The study also indicates that the arguments which were used for and against repeal are still instructive. Very few of those who defended the old law which punished suicide attempts did so on the ground that suicide was harmful to others or to society in general. Nor was the argument often heard that the law prevented suicide through fear of punishment. The main argument was that even if the law was ineffective through its sanction, the retention of attempted suicide as a crime sustained and reinforced the moral and religious condemnation of it; consequently, repeal of the law would weaken this condemnation and cause moral opinion to move in a permissive direction. That was said in 1961 in England. Now we are taking the same human approach with regard to the problem of attempted suicide and we are placing it more in the field of a medical and social problem rather than a criminal one.

The next area with which I should like to deal involves driving while disqualified and the prohibition part of Bill C-2. As you know from your experience as a lawyer, Mr. Speaker, the present law imposes serious hardship on an accused and his family if the accused requires his motor vehicle to earn a living. I am thinking of truck drivers, taxi drivers and travelling salesmen. The new law modifies this hardship, and we welcome it.

It is rather striking that the Scandinavian approach with regard to drunken driving has made this offence almost non-existent in those countries because of the sureness, swiftness and severity of the prohibition that is so well known by the people. When I think of the number of people who are killed and maimed, I believe we probably have to reconsider some of the driving charges where drink is involved. I welcome this change in the case where disqualification or prohibition would directly affect the earning power of the person involved.

The hon. member for Halifax-East Hants (Mr. McCleave), pointed out the changes in respect of theft, namely, the change from $50 to $200. This certainly indicates the inflation factor but at the same time it points out the necessity for change. The next area I should like to deal with is that covering the broadening jurisdiction of the courts in respect of offences. It is now proposed that the offences of bribery, rape, attempted rape, manslaughter and causing death by negligence will be tried not only by the supreme court but also by the county court. This raises the question of the absence of murder and treason and I should like to put the minister on notice to give his reasons for making that change and not including the offences of murder and treason in giving both the supreme court and county court jurisdiction.

The question of jurisdiction raises the problem of whether we should use the English approach, where they have specialized courts dealing with criminal law, divorce, chancery matters and so forth, or whether we should merge the present supreme court and county courts, having them act as a unit covering all offences. I think I would be fair in saying that at the moment the only difference between the county court and the supreme court is really a question of quantum. We should give some attention to the merging of the county and supreme courts.

The Minister of Justice waxed eloquent with regard to the changes concerning conditional and absolute discharge, and I thought he was right in doing so, and taking a great step forward from the approach of suspended sentence to that of conditional or absolute discharge. This is a giant step forward. I was happy to see that not only if a person pleads guilty, but when a person is found guilty and a conviction is registered we will give the judge discretion to grant an absolute or a conditional discharge if it is in the best interest of the accused and is not contrary to the public interest. The result will be that in time the offence will be deemed not to have been committed.

One may ask why we have advanced from the suspended sentence approach to the conditional or absolute discharge approach. We have experienced so many convictions, more especially convictions affecting the children of middle and upper income groups, that the government was bound to act in this matter. It had the same problem