

Department of Justice committee report, referred to a moment ago, as follows:

Long-term imprisonment has marked and detrimental effects on adults. Long-term confinement of youngsters may often be even more dangerous. We think that any rehabilitation of the juvenile that is likely to result from institutional commitment can be completed within the three-year period we suggest. If a juvenile is not reformed within three years by institutional experience, society should accept that risk unless it is prepared to allow youngsters to be held in what amounts to indefinite detention.

I think that recommendation by the Department of Justice committee was not easily arrived at. Probably the experts who dealt with that question gave it long and hard consideration before making up their minds on the approach that should be made. Reform the child within three years or take your chances with him, is really what they are saying. But the bill does not say that, and this is another reason that we on this side tend to treat the bill with some considerable suspicion. It is the reason we will want to have wholesale reform of the bill when it gets to committee.

My final quotation is from assistant professor K. Roy MacKenzie of the division of psychiatry, the University of Calgary School of Medicine, who takes particular objection to section 30(1)(k) and section 30(4), which contain, he says, the almost incomprehensible suggestion that the child be first sentenced as a child, and that the child then be subject to a renewed sentence when he reaches the age of 21. If Your Honour recalls the earlier debate, that point was made over and over again. How can you put a child into an institution for a few years when he knows his fate will not be decided until he is hauled into court as a young adult at the age of 21? This seemed to us to be absolutely monstrous, and something that is going to be scouted well and truly in committee.

To return to Professor MacKenzie's thoughtful comments, he makes this point:

This completely ignores the fact that most childhood difficulties stem from the pressures surrounding the child and that very frequently the child is drastically changed by the time he reaches 21 and the particular action which led to his earlier incarceration may no longer be reasonably applicable.

I have placed on the record some quotations that outline, in as fair a way as I can devise, the problems that bother this particular Member of Parliament, and which I think also bother other Members of Parliament, with regard to the young offenders act. We also received thoughtful submissions from the Canadian Mental Health Association and the Canadian Bar Association, but these were pretty well dealt with on another occasion, so I shall not place them on the record at this particular time.

• (5:10 p.m.)

Finally, I would say that the treatment of the youngster who goes astray is a highly emotional matter. Sometimes it becomes a question of semantics whether you should fasten the appellation of offender or of criminal on that person. I know that some people are very excited and say that this bill is really a criminal code for children. I think it will be difficult to sort our way through the emotional issues that surround this subject, but knowing the calibre of the members of the committee and the

### Division

fact that we are given the widest terms of reference possible, I know we will do our best. I hope we can come back with a bill which will be substantially altered, and which will do that committee and the House of Commons proud.

**The Acting Speaker (Mr. Richard):** Is the House ready for the question?

**Some hon. Members:** Question.

**The Acting Speaker (Mr. Richard):** The question is on the amendment. Those in favour of the amendment will please say yea.

**Some hon. Members:** Yea.

**The Acting Speaker (Mr. Richard):** Those opposed will please say nay.

**Some hon. Members:** Nay.

**The Acting Speaker (Mr. Richard):** In my opinion the yeas have it.

*And more than five members having risen:*

**The Acting Speaker (Mr. Richard):** Call in the members. The House divided on the amendment (Mr. Gilbert), which was negatived on the following division:

• (5:20 p.m.)

### YEAS

#### Messrs:

Aiken	La Salle
Alexander	Latulippe
Alkenbrack	Lewis
Baldwin	Lundrigan
Barnett	MacInnis (Cape Breton-East Richmond)
Beaudoin	Macquarrie
Bell	MacRae
Benjamin	McCleave
Brewin	McCutcheon
Burton	McGrath
Cadieu	McKinley
Coates	Mather
Code	Mazankowski
Comeau	Muir
Dinsdale	Murta
Douglas	Nesbitt
Downey	Noble
Fairweather	Nystrom
Flemming	Paproski
Forrestall	Peters
Fortin	Ricard
Gauthier	Ritchie
Gilbert	Rodrigue
Gleave	Rondeau
Godin	Rose
Grills	Rowland
Gundlock	Ryan
Harding	Saltsman
Horner	Scott
Knowles (Winnipeg North Centre)	Skoberg
Knowles (Norfolk- Haldimand)	Southam
Korchinski	Stanfield
Lambert	Tétrault
(Bellechasse)	Thomas (Moncton)
Lambert	Thompson (Red Deer)
(Edmonton West)	Winch
Laprise	Yewchuk—72.