

*Criminal Code*

years. There must be very few people nowadays who think the proper treatment of people who are styled as vagrants and who are really, for the most part, unfortunates in our society, is to class them as criminals. The problems which they face and which they create are not properly problems for the criminal law but, rather, as my hon. friend has said, questions of social justice. He has proposed that two only of the governing paragraphs in the section should be removed. There is a third about which he has spoken and which in a modern society is equally offensive—the one which deals with common prostitutes and which many women find an offensive relic of the past.

There is very little I can add in the time available to the excellent argument which has been presented by my hon. friend from Lakeshore. It might be of interest to the House to know that there are people in this country who have given deep consideration to the vagrancy laws and have advocated their abolition and the substitution of other methods of treatment. I cite first the recent report of the Canadian Committee on Corrections, which states at page 392:

The inappropriateness of most of our present methods of handling such behaviour is a matter for concern in relation to

both men and women offenders. The fact that there has been little use in Canada of shelters other than a jail can be assumed to be related to our failure to provide the appropriate alternate resources rather than to a conscious decision that the treatment of vagrancy should be equated with the treatment of other "crimes".

This report, together with the recent report on the Status of Women, indicates how discriminatory these provisions have been against women in this country. At page 371 of the report of the Royal Commission on the Status of Women the following is said:

Even though they have committed no offence, many young girls are arrested and charged with vagrancy, simply because they do not have homes or money or because there is no place to send them for the night. It is relatively easy for homeless men to find shelter in hostels in most large cities but there are few hostels for women. Most charges of vagrancy are not contested and, once convicted, these girls will have a criminal record. They may also have their first encounter with criminals while they wait in prison for their court appearance. The commission considers section 164(1) (a) of the Criminal Code unsound in its treatment of vagrants because we hold that vagrants are not criminals.

At five o'clock the House adjourned, without question put, pursuant to special order.

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13