

*Criminal Code*

(2) of section 21 the Commissioner of Penitentiaries may, in the case of one under age 16, authorize his transfer from a penitentiary to a provincial institution in the same region if that institution is operated for the custody and training of persons under age 21.

I certainly feel that the proposal in clause 3 sets out what society wants in respect of the incarceration of a child under 16 years of age. I certainly endorse this sentiment. With some refinement of this clause it might be possible to carry out the intention of the mover, but perhaps it would be better to amend the Penitentiaries Act so that it will clearly and unequivocally state that under no circumstances shall a person under 16 years of age be imprisoned in a penitentiary. This I understand is the intention of the previous speaker. We are indebted to the hon. member for introducing this bill because he has focused attention on a most important question, the whole question of juvenile delinquency. This is a most urgent national problem as shown by the fact that in Canada in 1964, 17,000 children under age 16 were adjudged delinquent.

It cannot be emphasized too emphatically that the most productive stage at which to tackle the subject of adult criminals is the stage at which the young person is most vulnerable and exhibits delinquent tendencies. Juvenile delinquency is one of the most distressing and important social problems of our time. Delinquent children, their families and the state, which in the end bear the costs, are gravely affected. The cost of maintaining the offender in a training school for one year as a juvenile delinquent, and in jails and penitentiaries for 13 years as an adult, is over \$17,000.

Aware of the gravity of this problem the government, through the Department of Justice, appointed a committee on juvenile delinquency. This committee produced a very comprehensive and far reaching report with a series of 100 recommendations. Copies of this report are available in the Department of Justice. I would recommend it to hon. members as very worth while reading. Among its many suggestions the report advocates additional facilities, more juvenile court judges and social agencies and different hearing and sentencing procedures. It strongly recommends—and personally I heartily endorse the recommendation—the abandonment of the term “juvenile delinquent” and the substitution of the term “child offender” and “young offender”.

[Mr. Tolmie.]

There is a constitutional allocation of power between the federal government and the provincial governments with regard to juvenile delinquency, but this divided jurisdiction must not be used as an excuse or an impediment for not implementing many of these long overdue and beneficial reforms as soon as humanly possible. Preventive action does not receive the high priority in the battle against crime that it warrants. In the field of juvenile delinquency, although the government has made an auspicious beginning by producing this report, it will be of little avail unless the federal and provincial governments co-operatively implement many of its suggestions. I am very pleased that the Solicitor General (Mr. McIlraith) is undertaking an exhaustive review of our laws on juvenile delinquency and will be introducing a young offenders bill. A modern revised act incorporating new ideas on child behaviour and the sociological problems besetting our infants should be of great assistance in this continuing fight against juvenile delinquency.

In conclusion, I urge the Minister of Justice (Mr. Turner) to consider these amendments which are now before the House when he brings in extensive amendments to the Criminal Code at a later date. In any event, I believe that amendments of this type should be referred to the Committee on Justice and Legal Affairs. Again, I congratulate the hon. member for bringing these amendments before the House.

**Mr. Woolliams:** Mr. Speaker, I wonder whether the hon. member would permit one question. I liked his speech and his suggestions. As chairman of the Committee on Justice and Legal Affairs, would he be prepared to have this bill examined by the committee in the same way other bills have been examined in committee? Would he make that recommendation.

**Mr. Tolmie:** Mr. Speaker, as chairman of the committee I would be delighted to have this matter referred to the committee. I do not think it is within my ambit to authorize this. I would like to see it referred to the committee and will do everything possible to facilitate its referral.

**Mr. Woolliams:** Thank you very much.

**Mr. John Gilbert (Broadview):** Mr. Speaker, I should like to commend the mover of this bill, the hon. member for Calgary North (Mr. Woolliams), for bringing it forward at this time. From my personal experience I know