

Mr. Woolliams: Mr. Speaker, I appreciate your graciousness and, with the consent of the House, I would like to delete that part of the motion which you felt in your discretion was somewhat objectionable. I have discussed it with my seconder, the hon. member for Halifax-East Hants (Mr. McCleave), and he has agreed to this change.

Mr. Deputy Speaker: Is there unanimous agreement of the House that the motion be amended as proposed by the hon. member? If there is agreement, I will put the motion as amended in a formal way.

Some hon. Members: Agreed.

Mr. Deputy Speaker: The amendment now reads:

That all the words after "that" be deleted and the following substituted therefor:

"Bill C-192 be not now read a second time but that the subject matter thereof be referred to a task force appointed under the Inquiries Act.

Mr. John Gilbert (Broadview): I would like to preface my remarks on Bill C-192 by congratulating the new Solicitor General (Mr. Goyer) on his appointment and wishing him well in the work to come. I fully appreciate that the youth of Canada is in his hands and the hands of the cabinet. I hope he will exercise wisdom and judgment with regard to this matter.

I should like also to commend the former solicitor general for his good work during his years in service. I hope that his health continues to improve and that he will be with us for some time to come to perform his parliamentary duties.

With regard to the amendment that was just moved, and that has now been ruled in order, let me say that I had intended to move an amendment, to be seconded by the hon. member for Skeena (Mr. Howard), which would have read: "That this bill be not now read a second time but that this House affirms that young persons should not be treated as criminals and that the principle of flexibility of treatment of young persons should be emphasized rather than the legal technicalities of the criminal law. I will move this amendment at a later time to be voted on by members of the House.

I am particularly delighted this afternoon to see so many lawyers, members of the Liberal party in the House, many of whom have had litigation experience and know the consequences of the contents of this bill. I will attempt to persuade them to go back tomorrow morning to their party members, after listening to the persuasive arguments of the members of the opposition, and ask for a free vote on this particular matter. If we could have a free vote on the question of capital punishment, surely we can have a free vote with regard to an act that affects young people in Canada today.

Some hon. Members: Hear, hear!

23786—10½

Young Offenders Act

Mr. Gilbert: I would appreciate their help, assistance and persuasiveness in requesting that there be a free vote on this important matter.

Every time I read Bill C-192 I wonder who is responsible for this criminal law monstrosity, this caveman's approach to young people, this bill of legal rights for social wrongs, this simplistic Spiro Agnew approach to young people's problems. I ask myself, is it the young persons involved who are responsible for this bill? The answer is no. Is it the juvenile court judges? No. Is it the social workers? No. Is it the probation officers? No. Is it the superintendents of training schools across the country? No. Is it the directors of children's aid societies across the country? No. Is it the managers of foster homes across the country? No. Is it the sociologists, the psychiatrists or the psychologists? The answer is no. I would further add that these people have never been consulted with regard to Bill C-192. I ask myself, is it the former solicitor general who is responsible for this bill? My answer is, I doubt it. Is it the present Solicitor General (Mr. Goyer) who is responsible for this bill? I would be amazed and shocked if it were. How could a man so young in age, in dress and in appearance be responsible for such backward and oppressive ideas? Who is responsible? It must be the Solicitor General's officials. Yes, Mr. Speaker, they are responsible for this civil servant approach, this cold, unconcerned, legalistic, punitive, unsympathetic, letter-of-the-law approach.

• (4:40 p.m.)

I ask myself who is supporting this bill? When I read the criticisms that have been voiced across the country I find little or no support for it. I recall reading in the *Telegram* of December 29 some of those criticisms recorded by Yvonne Crittenden, who is a writer for the *Telegram*. Here are some of the criticisms set forth by responsible bodies. It is called, "A Half-Pint Criminal Code for Children," "Inhuman and Intolerable," "A frightening piece of legislation," "The Title is Misleading, Inappropriate and a Step Backward," "Its legalistic terminology—offender, offences, inmates, finger printing, pardon, criminal records—make it a junior Criminal Code," "The approach is punitive," and "Classifying a ten year old an offender is ludicrous."

Where did we get the title "Young Offenders Act"? The old act was the Juvenile Delinquents Act. When a study was launched in 1961 on improvement in the act, a study which was tabled in 1966, I understand that the people concerned drew up a draft bill on juvenile delinquency which they called "The Children and Young Persons Act." What has happened to that draft bill? What do they call such legislation in England? They call it precisely the same name, "The Children and Young Persons Act, 1969." It is striking, Mr. Speaker, that the English bill was passed in October, 1970, and is taking effect in January, 1971.

If we must have a name for this bill I will suggest one to the Solicitor General. I suggest we call it "The Young