

because of the damage it does to human beings. Because of the use of drugs our young people are branded as criminals and now, with the social security number, they carry a record for as long as they live.

● (9:50 p.m.)

This is not fair and it is not right. I think everyone in the House is aware that some children develop later than others. I have seen teenagers of 17 or 18 who were considered pretty stupid, only to find them later on in their thirties and forties much smarter than the kids they were compared with when they were younger. I remember that even in my own field of medicine there was a fellow who was not considered the brightest scholar. He had sups year after year. But there was a humanity in the world then that does not seem to exist today. That student was carried along by professors who believed in him. Finally, he came to his last year and graduated. He was a fine fellow morally and spiritually, but he had to be carried along.

Such a course would not be considered today. We have lost contact with the great principles that count for so much. Today, materialistic things count more than anything else and people would be looking at his marks and at nothing else. However, that medical student became a doctor. Twenty years later I was in another country and saw his name up on the blackboard announcing that this top-flight medical man was coming to address a meeting two weeks hence. I point this out to show you the mistake that can be made regarding youngsters between ten and 17 or even older. People do not mature at the same age and kids are not all the same, as has been pointed out over and over again. You can consider two kids who have committed the same offence—one needs no treatment and the other needs a period of supervision to keep him under control and to guide him.

If we follow the statistics, we find this proven over and over again. Eighty per cent of young offenders never come back to the courts; they only commit one offence. Is it fair, then, to label that 80 per cent for the rest of their lives, or to bring them up for trial when they are 21 years of age for acts which they committed when they were not responsible, when we would not accept their signature on legal documents as minors under our law?

As I have said, some young people develop much later than others. There is also the question of differences in intelligence, experience and judgment. We have seen people who are quite intelligent but who have poor judgment. If this is the just society, let us change the meaning of the term. The hon. member for Calgary North spoke very well indeed. I think most of us who heard his speech in the House heard a very excellent exposition of this bill. He referred to a young teenager who might be convicted for driving while impaired, who drives again and again is caught. That fellow can get a two-year sentence, but the same thing will not apply to an adult. Obviously this is unfair.

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### *Young Offenders Act*

The same thing would apply in the case of murder. A young fellow can be arrested at the age of 12, 13 or 14 and, as the hon. member for Calgary North and others have pointed out, when he is 21 years of age he will again stand trial, after which he may receive a life sentence for an offence which he committed when 14, an offence which is probably only dimly remembered by him and for which he can hardly be held responsible. If the government now complains that their bill is misunderstood, I do not think they have anyone but themselves to blame. I read from a letter I have received, one of many:

Dear Dr. Rynard:

I am writing to request your support in protest of the proposed new young offenders act, recently given first reading in parliament. It is to replace the Juvenile Delinquents Act now in effect in Canada. As a supervisor of juveniles with the Ontario Department of Correctional Services, I feel that this is a definite step backwards in the rehabilitation of juveniles. The new act proposed appears to be shifting the major orientation of training school programs away from treatment, toward custody and punishment. The terminology alone, as "inmates" and "sentence", testifies to this. Such labelling in young persons is bound to have a backlash effect; the terms will become self-fulfilling in producing a deeper negative self-image and in perpetuating anti-social behaviour. Juveniles are not hardened criminals; they are still capable of being rehabilitated if given encouragement and a flexible program geared to their individual needs...Fingerprinting, RCMP photos, and set sentences are not good basics for effective juvenile treatment, and I feel certain that the rate of recidivists will soar if this proposal is accepted.

That is just one example of letters that we are receiving. Now the government complains. If it is anybody's fault, it is theirs that they have not been able to explain their own bill. The *Globe and Mail* puts the finger on it when it writes as follows:

But the basis of the act, the concepts upon which it is built, have been so thoroughly undermined by qualified criticism that, in the absence of adequate replies by federal officials, we can no longer accept it as a progressive document. No doubt it would improve the situation in some provinces. But the conviction is growing that in many key areas it would be a retrogressive piece of legislation—

The trouble so far has been that federal officials have refused to answer the criticisms. Refused even to discuss them. And government spokesmen give every indication that although they will accept changes to the bill, they will not accept any that touch upon basic issues.

The most damning criticism of the proposed act is that "it is, in fact, a criminal code for children, which is distasteful in its terminology, legalistic in its approach, and punitive in its effect". It is a criticism often voiced.

But it is one that is still to be answered. In conclusion, I say that this bill should be withdrawn. I believe that in this House we have able and capable people who have been active in the field of sociology and who are quite capable of advising the government of changes that should be made to this bill. However, it is such a bad bill that it will have to be withdrawn. Let us start again and write a new bill of rights for the children and young people of this country.