The minister also outlined the procedure whereby the decision of a justice of the peace may be reviewed by a judge, and this is good but it is what we have done in the past. If you were unhappy with the decision of a justice of the peace in the setting of bail, you made an application to a county court judge. One thing I am pleased with is the major change with regard to long detention. The minister stated that if a person is detained for 90 days or more on an indictable offence or 30 days or more on a summary offence the person who has charge of the accused shall bring an application on behalf of the accused so that he may present his case for bail.

There are also some consequential changes that have been made in the law. The important one is that now bail is to be continued until the completion of the trial. Anyone who has done any criminal law work will appreciate the difficulties that we had in the past when bail had to be renewed. At one time every time the accused made an appearance, and certainly when he appeared after preliminary hearing was conducted and was committed, bail had to be renewed. This is a marked improvement in the law.

Also, I must give the Minister of Justice credit for stating clearly and decisively that time spent in custody will be counted against the sentence. In practice, many of the judges followed this procedure, but no judge was bound to take that factor into account. As a result, many people spent much time in jail before their case came up, but this time was not taken into account when the sentence was imposed.

I also commend the minister for the provisions for the release of the accused before sentence or suspended sentence. Many of us have found that before a person is convicted he has to take time out to arrange matters relating to employment and domestic affairs. Detention in jail imposed a hardship. Many judges and magistrates have been allowing the accused to be released pending sentence, although many of them felt uneasy about it because they knew they did not have the power to do so under the act.

These are some of the main provisions of the bill, but the more important one—and I would like the minister to pay close attention to my comments at this point—relates to the application of the reform bill to the young offenders bill. We are now in the process of considering that bill. It has brought about a major change. In the past, when a young person had committed an offence, he was charged as a delinquent. Usually he was charged for breaching a federal, provincial or municipal statute. Now, under the young offenders act, the young person must be charged with an offence under the Criminal Code. The questions arise: if a young person is charged with an offence, would the provisions of the bail bill apply? Suppose an arresting officer picks up a young fellow who is 12 years old, and who has committed an indicable offence such as the theft of $50. Is this arresting officer going to give the youngster an appearance notice? Will he take him into custody and have the officer in charge at the jail make him sign a promise to appear? Just how will bail for young people be handled? I hope the minister will give that matter his consideration.

If I may speak for a moment on this matter, may I say that one of my main objections to the young offenders bill relates to the age problem. I tried to point out that there should be an age distinction between the group of youngsters 10 to 14 years old against whom no criminal charge should be laid and the group from 14 to 17 who may be charged for serious indictable offences. This is in keeping with the English law. I find that the minister, although he is usually 25 years behind the times with regard to English law, is trying to keep up.

Mr. Turner (Ottawa-Carleton): That is not my bill.

Mr. Gilbert: I hope the minister will direct his attention to this problem. What is the procedure with regard to young people being arrested by officers? Are they given an appearance notice or made to sign a promise to appear? Are they bound over by recognizance or are they brought before a justice of the peace who determines bail? These are some of the questions which I hope the minister can answer. I hope that when the bill is before the committee he will bring forth Mr. Friedland who wrote the book on pretrial detention, as well as other specialists in the field, so that we can get the total picture of the application of these new provisions. One thing we would like is uniformity with regard to application. If the minister admits that this is a complex bill—and I say it is a colossus of complexities—surely we should have expert witnesses to guide and direct us with regard to its application. I hope we go into it in depth. I hope the minister will appear and give some of the answers to our problems.

• (2:50 p.m.)

[*Translation*]

Mr. Gérard Laprise (Abitibi): Mr. Speaker, I should like to make a few comments at this stage of the consideration of Bill C-218 entitled "An Act to amend the provisions of the Criminal Code relating to the release from custody of accused persons before trial or pending appeal".

Mr. Speaker, I feel that this bill has been introduced because of certain needs and of certain pressures coming not only from the public, but also from jurists who must deal every day with persons who have difficulties with the law.

We intend, once again, through this legislation, to amend our Criminal Code. If some persons find it difficult to abide by the law, one must also recognize that some laws do not respect the individual, and that some officers have responsibilities regarding their application.

I received this morning a letter from one of my constituents who is experiencing difficulties with unemployment insurance. This individual lost his job about three months ago, and since that time, he has been claiming unemployment insurance benefits to which he is