

*Young Offenders Act*

already been made very clear, but they are not found in the bill as presently worded.

**Mr. P. B. Rynard (Simcoe North):** Mr. Speaker, I should first of all like to congratulate the new Solicitor General (Mr. Goyer) on his appointment. I have listened to many criticisms in respect of the bill he brought in and explained so thoroughly to this House in his address. Somewhere along the line there was a bad slip-up, because I am sure the previous Solicitor General, who is and has been a member of this House since I came here, did not see the bill before it reached the present Solicitor General. If there was not any doubt in the minister's mind that he had a bad bill, I think he should now know that it is a bad bill and should withdraw it.

I am not going to deal with all the legal implications of the bill because this has been done very well by the hon. member for Calgary North (Mr. Woolliams) and others. It has been rightly named the criminal code for children. I am wondering why it was not labelled in the same way as the English act, which has been referred to in the House as the Children and Young Persons' Act. I am also wondering why, during the 64 years since this measure was put into the Criminal Code, it was not changed to parallel the English law which has mercifully concluded that age 14 is an early enough age, rather than age ten. In Great Britain no one under 14 years of age can be charged with an offence. Under this bill, however, they may be charged at age ten.

● (9:40 p.m.)

From a humanitarian standpoint, and from the standpoint of plain ordinary common sense, I ask how many members of this House when they were in the age bracket between 10 and 17 did not do something for which they could have been charged had the authorities been present at the right time. All of us have done something wrong, and some of us more than others. Yet we escape scot-free. I think we should bear this in mind. He who is without sin, let him cast the first stone. I do not think the people who drafted this bill thought about their own past.

**An hon. Member:** They forgot that.

**Mr. Rynard:** I think the problem is that they have forgotten the humanitarian way of life. Our aim should always be to direct and readjust young people so they can remain on the road to good citizenship. It is not unfair to ask a child to accept responsibility for actions which may be more serious than the signing of a legal document? Although, since he is a minor, he may not sign a legal document, we hold him responsible for his acts. Is this not an example of foolishness?

In this bill the emphasis is on punishment. The drafters have entirely forgotten about prevention and rehabilitation. They have forgotten to specify that in each case there should be a medical and physical examination and an examination by a trained psychiatrist. The home of such a child should be investigated.

The other day a young man 19 years of age came to me. I would point out that never have so many people

[Mr. Orlikow.]

approached me hungry and in need of help as during this holiday season. This young man came to me and told me he had no money. He said he was trying to live with his mother but that she did not have any money. I checked with the employment agency in an effort to find out why he was unemployed. I was told that he had not been very successful in his last couple of jobs. When I asked the people in the agency why he had not been successful in this employment they told me he was not a very responsible person and was untrained. Since he did not have a trade, they had sent him to a school. This is a school for which we as taxpayers pay. He remained there for three months and then he was let out without any money.

I had the impression that he was not a bad boy. When I began questioning him I found that he had spent six months in the Penetang institution, which is an institution for disoriented people. Then he was sent out to find his way in everyday life as being fit and capable of looking after himself. He went to school for three months through Manpower and was then advised that he was not capable of taking training. Then I asked him about his home life. I asked how many brothers and sisters he had, and he said he had one sister. When I asked him where she was, he told me she was at school. He said she was in grade 8 and was 14 years of age. When I asked if she was living with her mother, he told me she was in the correctional school at Guelph.

I asked this lad what had happened to his sister, and he said she had been convicted for using drugs. I asked him what she had used, and he said marijuana. Then I went a little further and asked how many children there were in the family. He told me he had a brother ten years old who was home with his mother. I discovered that this family had bought a home but were losing it. The mother had been working part-time but could not earn enough to look after the home and the children. This boy told me his father had died when he was ten years of age. When I asked him what had happened to his father, he told me his father was an alcoholic. This lad was ten years of age when his father died, and what he remembers are the beatings he and his mother received. Who is responsible for this boy and the girl who is in a training school? Not this boy who is 19 years of age and without a job, or the girl who is in a training school. We, society, are responsible for these people.

Fortunately there is a quality of mercy. I have taken this matter up with the authorities and am hopeful that a suitable home and some welfare can be provided for this mother so that she will have enough to live on. This woman has only a grade 5 education and is unable to do anything but unskilled work. The responsibility is ours. I think of the drug question and the girl being put away because of using marijuana. We might ask where she obtained the marijuana, and who is responsible. Then I think about the way we treat our young people, discredit them and say they use drugs. Then I look at the statistics in Canada concerning the number of alcoholics. Mr. Speaker, the statistics in respect of alcoholics show that there are half a million people involved. I am sure that if alcohol were a new drug today, it would be outlawed