

# Canada Weekly

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## New young offenders bill to reform juvenile justice system

*Solicitor-General Bob Kaplan recently introduced into Parliament the Young Offenders Act, designed to replace the 73-year-old Juvenile Delinquents Act and to reform the juvenile justice system. This new system, he said, would provide a "consistent, coherent and balanced" process to deal with juvenile crime, encourage respect for the law and promote the well-being of the young offender and society.*

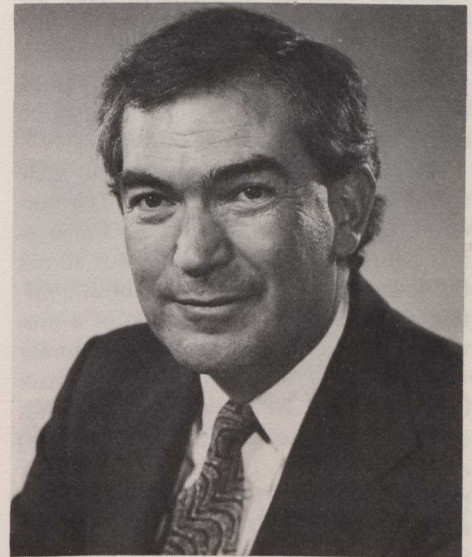
*Excerpts from a booklet on the legislation, entitled The Young Offenders Act, follow:*

The philosophy of the new Act is expressed in a policy section. This section will serve as a guide to the Act's spirit and intent for everyone concerned with its administration throughout Canada.

The Act's approach blends three principles: that young people should be held more responsible for their behaviour but not wholly accountable since they are not yet fully mature; that society has a right to protection; that young people have the same rights to due process of law and fair and equal treatment as adults, and these rights must be guaranteed by special safeguards. Thus the Act is intended to strike a reasonable and acceptable balance between the needs of youthful individuals and the needs of society.

In particular, the policy section states:

- Young people should bear more responsibility for illegal acts they commit, although they will not be held accountable in the same way as adults are.
- In order to protect society from such illegal behaviour, young offenders may require supervision, discipline and control.
- Young offenders have special needs because they are dependents at varying levels of development and maturity. They, therefore, also require guidance and assistance.
- Alternative measures to the formal court process should be considered for a young offender, as long as such a solution is consistent with the protection of society.
- Young people have rights and freedoms, including those stated in the Canadian Bill of Rights. In particular they have:
  - a right to participate in deliberations which affect them;

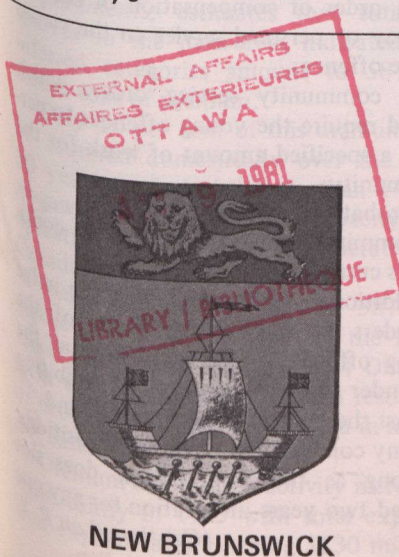


*Solicitor-General Bob Kaplan*

- a right to the least interference with their freedom which is compatible with the protection of society, their own needs and their families' interests; and
- a right to be informed of all their rights and freedoms.
- Young offenders should only be removed from their families when continued parental supervision is inappropriate. The Act recognizes the responsibility of parents for the care and supervision of their children. Parents will be encouraged and if necessary required to take an active part in proceedings that involve their children.

### Jurisdiction

The Young Offenders Act will cover only those young people charged with specific offences against the Criminal Code and other federal statutes and regulations. It



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