

Criminal Records

members, particularly when its approval was given such importance last week and we did co-operate.

Mr. MacEachen: Mr. Speaker, I had planned to call the Olympics bill today, but because members who wanted to participate were not here I put it off. I will certainly call it at some point next week, but later in the week rather than earlier.

Mr. Bell: It still has the same priority?

Mr. MacEachen: Absolutely.

● (1600)

PRIVATE MEMBERS' PUBLIC BILLS

[English]

CRIMINAL RECORDS ACT

ENTITLEMENT TO PARDON FOR FIRST OFFENDERS

Mr. P. B. Rynard (Simcoe North) moved that Bill C-27, to amend the Criminal Records Act, be read the second time and referred to the Standing Committee on Justice and Legal Affairs.

He said: Mr. Speaker, this bill has to do with young offenders who have been convicted once of an offence such as smoking marijuana or driving while impaired, who have gone on to lead useful lives and whose progress has been impeded by having a criminal record. I am sure most of us know of cases like that. Many of us might have been in trouble if we had been caught at a moment of indiscretion by the wrong person, so to speak. There have been growing problems associated with drugs, and also with the lowering of the drinking age, as younger people can now obtain liquor legally.

I became interested in this matter in 1960 when I was confronted with the case of a successful businessman in one of our large cities. The man then was in his late forties. He was married and had a family of three. Many years ago he had risen from a poor background and now was a respected man in his community, a member of the church board and of several clubs requiring good citizenship status and standards before admittance. However, in his younger days this man stole two radios and was convicted of a criminal offence. Thirty years later, his business growing, he wanted to enter the American market and, in the process, found his record uncovered by the RCMP. You can imagine how upset was this man who had forgotten about his youthful folly and become a respected man in his community.

This case was brought to my attention. Here was a man who, when young, had overcome great difficulties, greater than many face, inasmuch as he had risen from unfavourable circumstances. However, by good fortune, by meeting the right kind of friends, marrying the right girl, keeping company with the right associates, being a member of the church and associating with the people in the club, he had taken the right path. Fortune smiled on him. Unfortunately, he ran afoul of pharisaic legislation; there is no forgiveness in it. Every Christian principle I

[Mr. Bell.]

have been taught creates within me a revulsion against this attitude on the part of the state.

I could tell hon. members of other cases. One that came to my attention involved an 18-year old grade 13 student who, not too many miles from here, was caught smoking a marijuana cigarette. That was all. He had bought a reefer from another high school student and tried to smoke it. That was his first attempt at such smoking. He was caught, brought before the court and convicted of an offence. His father was a disabled veteran and his mother was working. The boy was a good student but he now has a record. That boy finished grade 13 with a good standing and went on to apply for a position, only to find that, because of his record, the position was refused.

Let me tell hon. members of another case. As you know, in Ontario the drinking age has been lowered. As well, alcohol causes probably the most serious problems with which we must deal. The previous minister of national health and welfare said that alcohol causes more problems than any other drug. After the new law came into effect in Ontario a young lad whose case was brought to my attention went out with other boys and one teacher; they were listening to a hockey game and, as usual, hoisting some beers. I do not know whether they drank Molson's. At any rate, when it came time to go home this boy, because he had not drunk too much, offered to drive. On the way home he was accosted by the police. The other fellows were in the car with him. He was not charged from the standpoint of having been involved in an accident; he was stopped because he might have been driving closer to the centre of the road than he should have been. He was asked to take the breathalyzer test and his breath sample registered slightly over the allowed limit.

That fellow wanted to take law, but did not. Instead, he applied to the police for a job. He wanted to do police work, as he thought it would be useful when he practised law in the future, since he intended to do work in that area. What do you think he was told? The police authorities said, "No, you have a record," and he was rejected.

How many of us realize how serious are the consequences of breaches of the law? This lad had not committed an offence. He had been driving closer to the centre of the road than he ought. Such incidents occur time and again. In that case there was no accident. I learned that the police had been lying in wait for someone whom they suspected, with little or no foundation, of having thrown a stone through the windshield of a parked police cruiser. This young lad was stopped because he was driving closer to the centre of the road than he ought, and he was taken to court and fined.

I am mentioning that case to illustrate my point. There are many more such cases that could be mentioned. We ought to act from some sense of justice. For instance, how many in this chamber might have been in trouble but for the actions of some compassionate policeman? He came along at the right time, instead of the chap who had a grievance, who was out of humour, who had a grudge, or who had had a fight with his wife. I believe that so often it is little things like that which count in marginal cases.

Of course, the policeman must exercise discretion. Many kids who might have been charged and saddled with a record have escaped that fate and become businessmen