

Young Offenders Act

present laws this is a crime and a judge must pass sentence. Even when these young offenders are put in training schools they are forced to associate with a criminal element. A young man may have been smoking marijuana. He may be placed in prison in association with other young men who have run afoul of the law. As a result, we are manufacturing crimes. This is the breeding ground of criminal activity. For this reason, there is no way I can go along with this bill.

Professors of various universities and the Canadian Mental Health Association have suggested a solution to this problem. They say we should set up a task force to study this whole matter. We have had many task forces in the past. We are now dealing with youth, Canada's greatest resource. In spite of that we are being asked to rush this mad bill through in order to create more crime factories. All the lawyers, academics, psychologists, psychiatrists and sociologists I have talked to support this idea.

The government likes to refer to the support it received in respect of the War Measures Act. We live in a country of regions where people sometimes are happy because the government is kicking someone out of a province, such as it did in Quebec. I am thankful I am not one of those Canadians who share that viewpoint. In any event, that is why the government was so popular. People do not become concerned about many of these things until their own sons and daughters become involved. I received a very sad letter this week. I cannot say much more about it than the fact it refers to 13 young men under age 21 who were convicted of murder by a jury in Calgary. The jury was shocked when they received life sentences.

After reading the appeal books, the only thing I could find against one of these young individuals was that he happened to arrive at a house at a wrong time. He was asked to go for a ride to drink some wine. These people have all been placed in the one unhappy basket. My point is that no one worries very much about these things until their own sons and daughters become involved. They are not really concerned and that is why we have to raise our voices against this type of legislation. If this is the kind of situation we are going to face, I can only say it is not the normal situation I have encountered.

What is the present population of young people in jails in Canada? In 1968, there were 2 under the age of 15 years; 10 under the age of 16 years; 136 who were 17 years of age; 236 who were 18 years of age, and 364 who were 19 years of age. Let me point out that there is not much difference between a training school and a penitentiary. Many young people are incarcerated in one of the new young offender institutions in the city of Drumheller, Alberta. I suggest these institutions are nothing more than child penitentiaries.

What is the situation as far as this bill is concerned? It does not seem to accomplish very much. In fact, I think the old law was just as good. Perhaps in some ways it was better. It has been my experience that the higher the

[Mr. Woolliams.]

court the greater justice prevails. The high court trial judge uses some discretion on the question of sentence. In most cases they ask for pre-sentence reports and relate the sentence to the possibility of rehabilitation. Unfortunately, many cases are handled by magistrates who are forced to deal with hundreds of cases each week. These cases are all rushed through the courts and these authorities have little or no opportunity to deal with them individually.

The point I am making is that judges can suspend sentence and send these young people home or put them under the care of a guardian. It is useless in most cases to send these people to these training schools or child penitentiaries where the doors are locked and there is loneliness and a relationship with criminals of every kind. I have never seen anyone, whatever the situation, who has come out a better person as a result of being in prison.

I am shocked that our swinging Prime Minister (Mr. Trudeau), who is saving the empire, would permit such a measure to come before the House. After all, he is the author of the just society. Surely, this measure must have gone before cabinet. Members on the government side I am sure have received many letters from academics and others on this subject. At least these professional people have time in their world to think about these matters. Businessmen and lawyers very often do not have that time because they are busy making money to pay the rent. These academics have expressed the opinion I have put forward. This is the opinion of the scholars of Canada.

In view of this situation, I would ask the few members who are present on the other side of the House to take this bill back to the cabinet. The new Solicitor General (Mr. Goyer) has inherited a very bad package and he has my sympathy. I should like to move, seconded by the hon. member for Halifax-East Hants (Mr. McCleave):

That all the words after "that" be deleted and the following substituted therefor:

"Bill C-192 be not now read a second time but that the subject matter thereof be referred to a task force appointed under the Inquiries Act by the Governor in Council after consultation with the leaders of the opposition parties of this House".

We should also have a bill of rights for the young people of Canada, because that is what they need.

Mr. Deputy Speaker: Order, please. Before I recognize the next speaker I might read the amendment. I do so without accepting it because I should like to have an opportunity to consider it at greater length. I have some doubts as to its acceptability in view of the reference to consultation with the leaders of opposition parties. With the permission of the House, I will read the amendment which is as follows:

That all the words after "that" be deleted and the following substituted therefor:

"Bill C-192 be not now read a second time; but that the subject matter thereof be referred to a task force appointed under the Inquiries Act by the Governor in Council after consultation with the leaders of the opposition parties of this House".