

*Children's Rights*

At the present time the federal government, through the enactment of the Criminal Code, has followed the first approach in that parents or guardians are punished if they neglect or harm children under their care. Under the Criminal Code, parents or guardians can be charged for such offences as using undue force as a method of discipline—sections 26 and 43; for endangering the morals of the child—section 168; for failing to provide the necessities of life—section 197; and for exposing a child so that its life is endangered, likely to be endangered, its health injured or likely to be permanently injured—section 200. These laws help to protect the rights of the child by punishment through criminal proceedings. We have more amendments to the Criminal Code before the House now whereby it will become a punishable offence to exploit children sexually, through pornography or through the use of children to produce this kind of offensive material.

Negative sanctions can only be used when some infraction has occurred. Usually, as in the case of Adrienne, it is too late, because even if the child is saved all too often it is marked mentally for life. A preferable way to protect the rights of a child is by making sure that certain provisions are in place so that these infractions do not take place. It is therefore essential to place firmly in the minds of the public the idea of children's rights.

I do not mean giving Johnny and Jane the right to ridiculous things, like the right to vote. That is not what children's rights are about. Children's rights are what the UN declaration talked about in 1959. Many people are puzzled and bewildered by the concept of children's rights. I submit it is the task of legislators in Canada, and especially in this House, to provide leadership. It is an idea whose time has come and is absolutely essential. A child is an individual with certain basic rights and freedoms. Canada must take steps to show that the value and importance of the family and children are fundamental aspects of the future development of this country.

The last time this House addressed itself to laws affecting children in a serious way was in 1885. We passed laws in parliament patterned after those in Great Britain and the United States to protect children from exploitation in the labour market. For the first time children were recognized as citizens. The time has come for us as a nation to recognize in law that children have rights. I refer to the 1959 declaration of the United Nations. It is time that we as a nation started to live up to our commitments as a signatory to that declaration of 1959. I can think of no better time to start than now, 20 years later, as we approach 1979, a year that has been designated by the UN as the year of the child.

We have yet to hear anything from the government on how they propose, as a signatory to the UN declaration of 1959, to mark the year of the child. What better way for us to discharge our responsibilities under that declaration and to show the world we care about our children than for our government to provide for some kind of a forum where the provinces, which have the majority of the responsibility in this regard because of the constitutional provision regarding property and civil rights, are brought together to at least ensure

that across this land—in a child custody case or in the case of a battered child or in the case of malnutrition—the child will have an advocate before the law to make sure its rights are protected. Let us make sure there are no more Adriennes.

**Mr. Marke Raines (Burnaby-Seymour):** Mr. Speaker, I have had an opportunity to look over Bill C-243 as proposed by the hon. member for St. John's East (Mr. McGrath) and I wish to say that I am in favour of this bill and that I hope it will not be talked out at five o'clock.

The rights of children have been and are blatantly abused. I would like to share with the House an unforgettable incident which I witnessed more than ten years ago in British Columbia and which I cannot forget. At that time I was in a different role; I was a reporter and not a member of parliament. I was covering what I thought at the time was a story, as I still do. It was the case of four children all of whom were of pre-school age in British Columbia.

When I arrived on the scene in this home in the greater Vancouver area I came upon a father lounging in an armchair, a relatively young social worker about 30 years of age, and four children. My first question was, "Well, what is going to happen to these four children? The mother has left the house, where will they go?" I was told by the social worker, "Oh, we will find a home for them, a home here or there or somewhere but hopefully in British Columbia, but perhaps elsewhere, we are not sure." My response was, "Well, surely you can keep these children together and find a home for them?" The social worker replied, "Oh, no, that is too difficult in our society, you know; it is rather difficult to find a home that will take four children so we will scatter them around." My reaction at the time was, "Well, even puppies get better treatment, or the same treatment at least."

So there are no rights for children, and these children were no doubt handed around to various homes. Under our present system of doing things children have no rights later on if they want to know who their natural parents or brothers and sisters were. They are told that that is a bureaucratic secret. This is not right. Even as children they should have the right to know, and surely there should be no question when they are adults.

A task force should be set up to look into situations like these. Another such situation is the splitting up of a family. In countless cases today, in child welfare cases as well as custody cases, the children should be represented by somebody, perhaps a lawyer in this case. We should get away from the concept of various Children's Aid Societies and other groups we now have institutionalizing humanity. Their aim should be to bring the family together, not to act as a broker in breaking the family up.

I appreciate the comments of the hon. member for St. John's East in proposing this legislation, particularly as it concerns television program advertising that exploits children. This too should come under the bill and be looked into by a task force.

I do not want to take up the time of the House in outlining what the task force should encompass, but I believe that since