

*Young Offenders Act***FINANCE****INQUIRY AS TO INTRODUCTION OF TAX REFORM  
LEGISLATION**

**Mr. Frank Moores (Bonavista-Trinity-Conception):** Mr. Speaker, my question is for the Minister of Finance. In view of the decision by Wabush Mines to shelve plans for a three million ton expansion of its iron ore production in Labrador because of tax uncertainty, and in view of Brinco's reluctance to develop the Lower Churchill Falls power project for the same reason, can the minister say when he will present his tax reform legislation to the House?

**Hon. E. J. Benson (Minister of Finance):** Mr. Speaker, I, first of all, do not agree with the preamble to the question. As a matter of fact, I understand that Wabush Mines is proceeding with its development in Labrador and Northern Quebec. In respect of tax reform, it is our intention to present this legislation some time this spring.

**Mr. Speaker:** Orders of the day.

[Translation]

**GOVERNMENT ORDERS****YOUNG OFFENDERS ACT****PROVISIONS DEALING WITH CHILDREN AND  
YOUNG PERSONS**

**Hon. Jean-Pierre Goyer (Solicitor General)** moved that Bill C-192, respecting young offenders and to repeal the Juvenile Delinquents Act, be read the second time and referred to the Standing Committee of Justice and Legal Affairs.

He said: Mr. Speaker, it is my duty today to submit for second reading a very important bill. It concerns young persons, those who need special assistance and protection from society. Our young people represent our future generations, the fate of our country depends on them. The Juvenile Delinquents Act has been in substantially the same form since 1929, and it may no longer reflect a number of contemporary concerns.

The recommendations for reform of the Act have required a great deal of effort and careful reflection, which explains why it is only in 1971 that the necessary amendments are brought before the House.

[English]

Before I outline the policy of Bill C-192 I wish to pay tribute to the work of my predecessor the hon. member for Ottawa Centre (Mr. McIlraith). Many years and much expertise has gone into this bill, but it was the efforts of the hon. member for Ottawa Centre which resulted in the bill being put in final form and introduced here on November 16, 1970. My colleagues I am sure will want to join me in applauding the hon. member's decision to carry on as a Member of Parliament.

**Some hon. Members:** Hear, hear!

[Mr. Lang.]

**Mr. Goyer:** In this way Canadians will be able to continue to take advantage of his parliamentary experience and they are not likely to forget the services he has rendered to this country throughout the years, not only as a conscientious Member of Parliament but also as a minister holding different portfolios.

[Translation]

In outlining the research and work in preparation for this bill, I will mention only a few of the stages through which it has passed.

On November 6, 1961, a Department of Justice committee was set up to study the problem of juvenile delinquency in Canada; the committee's report was tabled in Parliament on February 7, 1966. The implementation of its recommendations required consultation with the provinces and a Federal-Provincial Conference was held in Ottawa in January, 1968.

It became clear from the beginning that provincial delegates would have to examine the proposed Bill in light of their existing social legislation and administrative structures. Cooperation was required to arrive at acceptable compromises.

One of the main problems was that of the maximum age limit for jurisdiction; another was the kind of offence to be dealt with under the proposed legislation.

As stated in the brief submitted to the Justice Department committee by the Canadian Corrections Association (now known as the Canadian Criminology and Corrections Association) the existing Act created

a new kind of all-encompassing offence, that of "delinquency". This is an offence unknown at common law. No matter how a child is before a juvenile court, he can be tried and found to be in a state of delinquency. No legal distinction is made, between the young person who has committed a serious crime like armed robbery, and one guilty of an offence under municipal by-law, such as riding a bicycle without a licence.

Mr. Speaker, I wanted to read this quotation because representative of the attitude of a number of public bodies to the Juvenile Delinquents Act, and emphasize the need for the reforms proposed in this bill. On this point, I should also point out that delegates from all provinces agreed that offences under provincial or municipal legislation should no longer be dealt with under federal law. The Juvenile Delinquents Act, which is in effect criminal legislation, should be applied only to clearly defined offences. Nevertheless, unanimity could not be achieved on all the proposed reforms, and some compromise solutions had to be adopted in order to win approval by a majority of the delegates. Consequently, and I wish to make this clear right from the beginning, the bill which I am submitting to you today for second reading is certainly not perfect. It does however ensure greater homogeneity in the treatment of young people appearing before courts across the country, and it does uphold certain provisions which attempt to eliminate, as far as is possible, arbitrary treatment.

As I have already said, the Juvenile Delinquents Act has not been changed significantly since 1929. However, during this long period of forty-two years, provincial and municipal legislation has evolved in varying degrees in the general direction of greater precision, and often of