

who is a social worker at the Montreal Children's Hospital. She has provided me with some worth-while information and comments on this whole problem.

My first reservation in respect of the bill is the obligation to report a case of child abuse under the criminal law. I realize that this bill is merely a method by which the hon. member for Qu'Appelle-Moose Mountain (Mr. Southam) can put forward his concern regarding the subject matter and the need for legislation. I submit, however, that what is required is comprehensive law, whether it be national or a series of provincial laws, which will accomplish two things: first, protection of children against abuse and, second, rehabilitation of a family, either the mother or the father or both, responsible for child abuse.

Such law should contain a compulsory reporting procedure. The reporting procedure should go further than that suggested in this bill. The reporting procedure should include nurses, social workers and teachers, in addition to doctors. I understand that some 50 states of the United States have such a reporting law and require nurses, teachers and social workers to report cases of child abuse or battered children, as well as doctors. This is necessary because if you merely require doctors to do the reporting, some parents will not bring their children to doctors. Other people may come to know about the problem, such as the teacher in school, nursery school, kindergarten, social worker or nurse in a clinic. It is necessary that these other categories of persons be obliged to report cases of battered children as well as doctors.

Secondly, such a law must protect a person who in good faith reports the case of a battered child, that is, protection against liability if the facts reported are found to be wrong. As you can well understand, if a nurse, teacher or social worker did not have this protection they might be very hesitant to report the case of a battered child. Thirdly, law on this subject should set out the agency to which the person must report and it must be someone other than the Attorney General. It might be that the Attorney General would delegate an authority. As has been pointed out by the hon. member for Sault Ste. Marie, this could be the Children's Aid Society or, in the province of Quebec, the social welfare court or another group which deals with family problems.

The reason for this is twofold. First of all, the Attorney General is more concerned with punitive procedures than rehabilitation. What we need in a law like this is a method of treating the parents. If the parents are merely convicted or fined, the child may be returned to them and harmed again, or other children may be harmed. If this happens, we have not solved the problem. That is why I do not believe the criminal law is the right vehicle to deal with the problem of battered children.

Reporting of these cases should be to an agency which is able to carry out rehabilitative procedures in respect of the parents. One reason for reporting to other than the Attorney General is that most provincial Attorneys General are too far from localities in which cases of battered

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children occur. Another doubt I have about the reporting procedure as set out in the bill put forward by the hon. member is the requirement to report within seven days. I am not a doctor and I do not know whether a doctor, a teacher or anybody else who might be required to report can carry out a proper investigation within seven days of his knowledge of the injury. Seven days may be sufficient, but that is a question on which I should like more expertise.

● (5:40 p.m.)

In addition to the compulsory reporting procedure, a system of rehabilitation for the family should be set out in law. This is essential. As I said before, the best way to proceed is not through the use of the traditional criminal law. In the last few years such a rehabilitation program has been set up at the Montreal Children's Hospital. Its purpose is to deal with the parents so that the child eventually may be safely returned to the home. The program at the Montreal Children's Hospital is based on a similar program in the United States, at the Colorado medical centre, where much research has been done on this subject and where treatment is provided based on the medical, social, psychological and legal aspects of the problem.

Finally, I believe there is need for a great deal more research, information and statistics in this area. Last year very few cases of this nature were reported in Montreal. I have here the exact number of cases, and it is rather surprising. At the Montreal Children's Hospital only two cases of child abuse were reported each month, but the authorities know this is only the tip of the iceberg. In 1967, there were 6,000 reported cases of child abuse in the United States, and the potential was even higher. In the state of Wisconsin, with the implementation of compulsory reporting, it was found there was a 30 per cent increase in the number of identified cases in one year. Canada is very short of statistical information and research in respect of the battered child problem.

In conclusion, Mr. Speaker, I urge the minister and his parliamentary secretary, who is here today, to take note of this bill and the arguments put forward in the debate and to implement a comprehensive law to deal with the problem. If it can be done at the national level, I urge that a government bill be introduced in this House. If not, I urge the Minister of Justice (Mr. Turner) and the Minister of National Health and Welfare (Mr. Munro) to give leadership to the provinces so that law of this type may be introduced in the whole of Canada.

[*Translation*]

**Mr. Ovide Laflamme (Montmorency):** Mr. Speaker, I have listened with great interest to hon. members' comments on Bill C-28, and particularly in regard to the social unrest which may develop when we have to deal with parents who do not shy away from physical or mental cruelty towards their own children.

Although I fully agree with these ideas and compassionate feelings with regard to these social ills, I wonder if this matter is being dealt with by the competent