• (2110)

Why change the Young Offenders Act now when the Conservatives did so in 1992—that was only two years ago—also to impose stiffer penalties? We do not have any statistics or comprehensive studies that can help us evaluate the consequences of the amendments made to the act in 1992. The people involved do not even have a good understanding of this legislation and the minister is already asking us to revise it.

We would have liked more information and more studies on the ramifications of the amendments made in 1992 before embarking on a substantial revision of the Young Offenders Act. What I find unfortunate and even irresponsible, if not unparliamentary, in the attitude of my friends from the Reform Party is that they reinforce the popular belief that youth crime is on the rise. Just look at the numbers; there is no indication that this is in fact the case.

In closing, I would like to say that people are not born to a life of crime. That is simply not true. Sometimes there are circumstances that lead people to act a certain way. I want to read an excerpt from a brief submitted to the justice committee, which says: "Children who are abused will become abusers. Children who are mistreated are three times more likely than other children to become violent as adults. Children who are physically abused are five times more likely than other children to commit acts of violence against a member of their family as adults. Children who are sexually abused are eight times more likely than other children to sexually abuse a member of their family as adults. And the determining factor is not the severity of the abuse, but rather the mere fact that the child was abused in the first place". I would have liked the Reform Party to look to this brief for inspiration.

Mrs. Madeleine Dalphond–Guiral (Laval–Centre): Madam Speaker, on June 6, the Minister of Justice moved in this House that Bill C–37 be read the second time and referred to a committee for further study. On that occasion, the minister reiterated his desire that this bill to amend the current Young Offenders Act be passed.

During the last federal election, the Liberal Party of Canada made this bill the centrepiece of its policy on criminal justice. The Official Opposition has had the opportunity to note that this bill has major flaws. Like many experts on that subject, both in Quebec and in Canada, the Official Opposition believes that Bill C–37 is essentially a repressive measure and that it ignores, to a large extent if not completely, the fact that the purpose of any criminal legislation is not only to protect the public but also to rehabilitate and reintegrate them into society.

Despite the minister's good intentions, we have to recognize that Bill C–37 serves only one purpose, that is to silence the hard liners in his own party and try to mollify those in the Reform Party. So, what is the Minister of Justice proposing? Essentially, the bill is based on three major elements. It radically changes the statement of principle in the current act, and I quote: "the protection of society, which is a primary objective of the criminal law applicable to youth, is best served by rehabilitation, wherever possible".

Moreover, it provides for more severe penalties for young offenders and an automatic transfer to adult court for 16 and 17–year–olds charged with serious crimes. Finally, Bill C–37 brings in an important amendment by providing that professionals involved in a case may share information on young offenders, and the police may retain for ten years records of offenders convicted of serious offenses, and only for three years in the case of minor offenses.

In 1984, the Juvenile Delinquents Act was replaced by the Young Offenders Act.

• (2115)

It only applied to young people between the ages of 12 and 17, and its goal was to help young people face the reality of their own criminal behaviour even if their degree of responsibility may differ substantially from that of adults. Society was also made more responsible.

If our society is entitled to protection against acts that threaten its security, crime prevention is nonetheless an important social responsibility. Young offenders were entitled to a fair treatment since their young age and lack of maturity called for a special kind of help that was not provided by the justice system for adults.

That is why the 1984 act forbade the media to disclose the identity of young people charged with offences and that of witnesses in their cases. That ban did not last for long. As early as 1986, an amendment allowed the identification of wanted or convicted young persons considered a threat to public security.

In 1992, the Conservative government brought in more amendments to increase sentences for murder from three to five years in prison. It also introduced the principle that a young offender could be transferred to adult court if measures to protect public security were not considered adequate. Since 1986, there has been an undeniable movement toward the two overriding principles on which this bill is based: stiffer penalties for juvenile offenders and a major change to the statement of principle in the law.

In effect, the harshness of the sentences imposed for crimes or serious offences means more time in prison. In the case of first–degree murder, it would increase from five years to ten. For second–degree murder, it would increase from five years to seven years, during which those teenagers would not be eligible for parole. The present period is five years.

Many specialists and social workers in the field of juvenile delinquency have observed that the harshness of sentences for serious crimes has very little deterrent effect on young offenders. Many studies have clearly shown that individuals who become serious delinquents are incapable of thinking about the