

*Government Orders*

• (1915)

**The Deputy Speaker:** I declare the motion carried.

I might put on the record that the House leader for the Reform Party indicated—I did not hear it—that the Reform Party would not give consent to Bill C-32 to be read a third time today. Therefore that matter will count as if it were noted earlier.

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[Translation]

**YOUNG OFFENDERS ACT**

The House resumed consideration of the motion that Bill C-37, an act to amend the Young Offenders Act and the Criminal Code, be read the second time and referred to a committee.

**Mr. Michel Daviault (Ahuntsic):** Mr. Speaker, I welcome this opportunity to speak on Bill C-37 to amend the Young Offenders Act and the Criminal Code, and the amendment put forward by the Bloc. This bill has been introduced at this time only in response to the pressure exerted by certain radicals and a certain press thirsty for sensationalism which revels in fuelling the common perception that crime is on the increase among young people.

Passed in 1984, the legislation has been amended twice, in 1986 and 1992. Really, can the situation have already deteriorated to such a point that it now warrants introducing this bill?

• (1920)

[English]

In his final report called "Beyond the Red Book", a workshop on recommendations for amendments to the Young Offenders Act, Mr. Doob of the University of Toronto said: "We do not have a youth just crisis that requires immediate fundamental change in the Young Offenders Act. Members of the public, especially those in the media who purport to represent public opinion about crime, have for centuries expressed the view that youth crime is out of control. Youths commit a disproportionate amount of crime in society. They always have and always will. But changes in the Young Offenders act are not likely to have any measurable impact on crime".

[Translation]

In Quebec, a compromise has been struck between the principles of youth protection and societal protection.

I would like to remind hon. members that a motion on this subject was adopted on May 5 last by the Quebec National Assembly. It read as follows: "That this Assembly demand that any amendment to the federal Young Offenders Act respect Quebec's laws and policies with regard to youth protection". The motion was unanimously endorsed by Quebec's two main political parties.

In Quebec, youth protection workers help the young offender and his family discover the best options for reintegrating into society and the community. Of course, the system in place is by no means perfect, but at least it places equal emphasis on prevention programs and on rehabilitation and reintegration programs.

The bill now before us does not provide this kind of balanced approach. On the contrary, the emphasis here is on repression in that the preferred option appears all too often to be referral to the courts, while no provision seems to be made for rehabilitation. With the passage of this bill, 16 and 17 year olds would have their cases proceed in adult court. For the purposes of the Young Offenders Act and the Criminal Code, the term "young person" now includes 10 to 16 year olds. Furthermore, depending on their age group, young persons will be treated differently by the courts.

Although the legislation does not distinguish between 12 to 15 year olds and 16 to 17 year olds, it is clear that as a result of these amendments, these two groups will be treated differently in the case of offences involving serious bodily harm. Some lawyers will argue that this flies in the face of section 15 of the Canadian Charter of Rights and Freedoms which guarantees equal treatment to all under the law.

While public safety demands that young offenders be sometimes kept in secure custody, rehabilitation should always be our overriding concern. Young persons who are in contact with other offenders are exposed to influences which fuel their delinquent behaviour.

In an article published in *La Presse* on June 8, Mr. Trépanier, a criminologist and researcher at the Université de Montréal, reminded readers that: "Quebec compares favourably with the rest of Canada. Quebec is the province where the number of