

*Government Orders*

A federal-provincial committee studied the minimum age issue in 1990 and recommended keeping the age of 12 and strengthening provincial legislation where required. The act covers youth under the age of 18 and was set at 17 because many adult rights and responsibilities, for example voting, alcohol consumption, et cetera, begin at age 18.

However many criminologists have argued that the preventive and rehabilitative strategies available in the youth court system are in the long run more effective at reducing youth crime than strategies which rely mainly on the deterrent factor associated with the adult penal system. In the long run harsher jail sentences, tougher parole laws and bigger prisons will not make our communities any safer from violent youth crime. Quick measures will not provide a long term solution to the issue of young violent offenders.

• (1815)

What should be done and what will be done once the second phase of the government's plan goes into action is to change the conditions that create violence among young people. We must respond to the issue of violence among young people with well thought out strategies to change the root causes of such behaviour.

I know that over the next six to eight months the justice committee will be undertaking a thorough assessment of the Young Offenders Act. We must involve our young people in these discussions, as well as those in the community who are most affected by fear of crime.

We must not create a punitive repressive youth justice system that will target blacks, natives and the poor. The long term solution will call for co-ordination between the community, social services and the justice system to tackle the complex questions surrounding youth crime.

Violence against women and children, poverty, shortage of recreational facilities, lack of opportunities, dysfunctional families, racism are all underlying factors which lead to youth crime. We must all work together toward seeking alternatives.

Prevention of violence and crime will surely be our ultimate goal, not the punitive way in which some members of this House would have us go.

[Translation]

**Mr. Michel Bellehumeur (Berthier—Montcalm):** Mr. Speaker, I have an easy question for the hon. member. In her speech, she talked about the transfer to adult court and she seemed to be in favour of the system proposed by the Minister of Justice in his amendments. Does the parliamentary secretary not realize that under the present system a young offender between the ages of 14 and 17 can be transferred to adult court? If the prosecution asks for the transfer to adult court of an accused

between the ages of 14 and 17, the judge can order the transfer, in which case the regular system applies and the sentences are the ones set for adults.

If she is aware of that, why does she want to change a system which has been operating for 10 years? If it is because of a particular problem, I would like to know what it is and how we could solve it, apart from the proposed amendments.

[English]

**Ms. Augustine:** Mr. Speaker, the changes that are proposed and the changes that have occurred are as a result of the serious consultation which has taken place. We have also looked at the age at which the responsibility of sentencing could be placed on individuals as a result of the kind of crime committed. When the member says they could be transferred at age 14 directly into adult court, I am not sure whether he has missed the part in Bill C-37 which speaks to this consideration. The decision of moving from youth court to adult court is made by the judge.

[Translation]

**Mr. Michel Bellehumeur (Berthier—Montcalm):** Mr. Speaker, I would like to tell the hon. member that I know that, according to the bill, a young offender between the ages of 14 and 16 can be transferred. The transfer system remains, but I wanted to draw the attention of the hon. member to the fact that the system exists in the present act, for young offenders between 14 and 17. I wanted to point that out to the hon. member.

In her answer the parliamentary secretary says that the decision to propose automatic referral to adult court for offenders aged 16 and 17 had been taken after serious consultation. I would like to know which groups asked for those changes or in which provinces they were most vocal?

[English]

**Ms. Augustine:** Mr. Speaker, at this point I cannot delineate for the member which provinces and which groups provided the specific input for the bill before us. It is important to note that we were attempting to deal with serious crimes, first and second offences, the ability of the judge to decide whether the crime is serious enough or the offence is serious enough to be moved.

• (1820)

**Mr. Jesse Flis (Parliamentary Secretary to Minister of Foreign Affairs):** Mr. Speaker, I am very pleased to participate in this debate.

As a member of Parliament from metropolitan Toronto I can assure members that many people in my riding of Parkdale—High Park do not feel safe in their neighbourhoods any more. Seniors are afraid. Women live in fear. They are afraid to come out to town hall meetings in the evenings. Even some of the schoolyards appear to be dangerous places for the children. Parents complain that they are finding syringes in the sandboxes