

Government Orders

I think what we must get is fairness in the system. We must get equal opportunity and equal treatment across the country. We must get proper time for young people to be able to receive their rehabilitation and treatment, and we must get a fair period of incarceration so that we can have this.

It has been said that organized crime will not be influenced by the fact that the youth will get a longer period of time. In most cases organized crime cannot make the youth do anything they do not want to do. The youth are more susceptible to committing these crimes if they feel that they will not get a long period of incarceration. The longer period of incarceration may cause them to rethink exactly whether they want to become involved in that. I do agree that there is a tremendous inclination here for our young people to become involved in crime and to be subjected to the influence of organized crime and adult criminals. Hopefully this can be addressed but it is certainly not going to be addressed with this bill.

Mr. Rob Nicholson (Parliamentary Secretary to Minister of Justice and Attorney General of Canada): Mr. Speaker, first of all just a point of clarification to make sure we all understand. Motion no. 12 is grouped with No. 13 and I did not hear hon. members address motion no. 13.

The Speaker earlier today ruled that a group of motions would be put together, and I think it is a good way to proceed. I would like to address my comments both to motions Nos. 12 and 13. If the hon. member who proposed No. 13, the hon. member for Port Moody—Coquitlam, would like unanimous consent to re-enter the debate and talk about motion No. 13, that would certainly be acceptable on this side.

The Acting Speaker (Mr. DeBlois): Order, please. I apologize for interrupting the member. I think motion No. 13 will be debated separately. We are on debate on Motion No. 12.

Mr. Nicholson: That is fair enough, Mr. Speaker.

I heard the Speaker this morning say they would be grouped together, but it is neither here nor there. I will confine my comments then to motion No. 12.

Motion No. 12 removes one of the considerations that would be before the court and, as the government thinks, should be before the court in determining the release of an individual who has been convicted of murder.

This section and the criteria involve the case of a young person, say a 17 year old, who has been convicted of murder but has remained in the youth court. The government has suggested that there would be a three year custodial sentence and a two year period of supervision.

I suppose I ask the public and I ask you, Mr. Speaker, and the House to see whether it is fair for a judge considering the application to release an individual who has been convicted of murder to take into consideration: "The availability of supervision programs in the community that would offer adequate protection to the public from the risk that the young person might otherwise present until the expiration of the disposition the young person is then serving".

We have heard the debate. Some would say it is unreasonable to put that section in there. I am suggesting to the House that when we are about to release an individual who has been convicted of murder, we should consider whether there would be adequate protection to the public from the risk of a young person and whether there is adequate supervision available. I think it is reasonable to put it in.

Others may disagree, and as a result I hope the House turns down the motion by the NDP to have that removed as one of the considerations that a judge has at his disposal.

Mr. Jim Karpoff (Surrey North): Mr. Speaker, I rise again to support my colleague in his amendment. I do so from the basis that what is happening here is basically an application to be released.

The government is responsible for providing adequate supervisory services. That is the government's responsibility. It is not the youth's responsibility. What you are saying is if collectively we the community and the government have not met our responsibility, we are going to punish the youth. We are going to leave them in custody.

We are not saying: "Look, if we failed to provide these resources that should be there, we are going to punish ourselves". We are saying: "We are going to put the onus on the youth". Again, let us think of who we are talking about.

These are kids who have been in difficulty. Most of them have been in difficulty all their lives. They have been incarcerated and now they get ready to be released and somebody comes along and says: "Look, I am sorry.