

*Government Orders*

I believe I have heard all sides of this complex, emotional and controversial issue and I agree that there is urgent need for appropriate and sensitive action. It is in this light that I have assessed the amendments to the Young Offenders Act proposed by the justice minister.

I will not go into specific details of each amendment, as time does not permit. I will instead deal with the overall intent and philosophy of these changes. I believe that they need to fulfil three specific criteria: safety and protection, accountability, which must include punishment and rehabilitation, and cause and prevention.

We need to balance within these concerns the rights and responsibilities of all persons, the victim, the offender, the justice system and society at large.

I will deal first with the issues of safety and protection. I think we all agree that our responsibility as parliamentarians is to ensure that Canadians are protected from harm and to maintain a safe environment for them to live in wherever possible. We know that women, seniors, youth and the most vulnerable in our society live with anxiety and fear because of the perceived or real escalation of violent crimes among our youth.

• (1710)

Allaying these fears and ensuring safety are of prime importance. To do this it is essential to securely isolate young offenders at least until we can be sure that they are rehabilitated enough to re-enter society without threat.

The Minister of Justice's amendments concerning the lengthening of sentences for severe violent crimes regardless of age address this issue appropriately. The provisions for the sharing of information regarding the violent offender with those in society who have responsibility for the safety and protection of others such as school authorities, law enforcement officers and child welfare workers will also be effective in ensuring public safety.

At the same time by restricting the information only to those who have a clear need to know and authority to act, the minister has achieved a balance between protection of society from the young offender and protection of the young offender from understandable but illegal vigilante action and media sensationalism.

With regard to the second issue of accountability and punishment, I believe that the amendments separating the punishment for severe violent crimes such as murder, rape, aggravated assault and manslaughter from those of the less severe young offences address appropriately the maxim from Gilbert and Sullivan's "Mikado", that the punishment must fit the crime.

Punishment should take into consideration not only the enormity of the act and the culpability of the perpetrator but must also be mindful of the responsibility to impart a lesson. If this responsibility is not observed then punishment is nothing more than revenge.

I believe this important balance is achieved in the new proposals that would allow a judge to authorize medical or psychological assessment of a serious or chronic offender and to impose treatment in rehabilitation as part of a sentence. The amendment that allows for a victim impact statement is another extension of this accountability lesson. It teaches the offender that singular, specific acts of violence have far reaching consequences that affect the lives of more than the victim.

Further to this whole issue of culpability, I support fully the minister's decision to keep the minimum age of the young offender to 12. I believe, based on my experience as a parent and family physician, that young people under 12 do not fully comprehend the broader, more abstract concept of cause and effect, especially in the very serious crime of murder.

There is a clear difference between a child's understanding of right and wrong and the more mature understanding of the tragic consequences of murder and rape, especially on the victim's family and on the permanence of the deed. Our children do not live in a vacuum. Media messages today glorify and condone these extreme acts of violence and minimize the enormity of effect, often rendering them trivial and commonplace, especially to a child. Persons under 12 are children.

Moreover, the amendments that now require a young offender between the ages of 15 and 17 to be treated in adult court further strengthen this concept of maturity as a factor in culpability.

Finally, I would like to address the proposed amendments to the Young Offenders Act under the third criterion of cause and prevention. In this, the International Year of the Family, we have a clear duty to all children, especially as parliamentarians to Canadian children.

Children and youth are among the most vulnerable in society. In the early years of life they depend on us completely for security and protection. We have a responsibility as parents and later as teachers to guide and nurture them, imparting to them a sense of self-esteem and worth, an understanding of our societal values, also furnishing them with the skills for coping with the conflicts and stresses of life within the context of good citizenship and with regard for rights and responsibilities.

Our children and youth have no secure ground on which to build a future. In these times of economic instability and unemployment our children are filled with a sense of futility and hopelessness. As they see us, adults, buffeted often helplessly by these endless stresses, they also experience our sense of powerlessness.