

Private Members' Business

would continue to steal cars until he was 12 years old because there was nothing anybody could do about it.

Mikey's mother asked that he be charged before he either killed himself or somebody else, before he reached a point where he could not turn his life around. The Surrey RCMP would have been more than happy to have accommodated the mother but the law did not allow it. The Surrey crown counsel would have loved to have been able to have accommodated Mikey's mother, but as the Young Offenders Act currently stands there was nothing they could do.

I questioned the Minister of Justice about it in the House and in committee. He expressed concern about the issue. He basically said that while they can do something about it they are not prepared to do so.

In the meantime one of my constituents was going home one afternoon, going through an intersection on a green light, and was sideswiped by a car stolen and driven by Mikey Smith. Fortunately no one was seriously injured, but it is incomprehensible that this kind of situation can continue to be allowed and that Mikey Smith should be allowed to continue the mayhem.

One response I received from the federal government was that it was a case in which the provincial social services should have intervened. Just for the government's information, they did. They sent Mikey on a wilderness program so that he could develop a better attitude. The program helped so much that on the day Mikey returned to Surrey he stole a car to celebrate his return.

Unfortunately Mikey is not the only youngster under 12 to be engaged in crime. Youth gangs are recruiting 10-year olds and 11-year olds to carry out some of their crimes because they know that they cannot be charged. Still there is no hint from the government that it will support this kind of change. In fact when the Reform Party put forward a votable motion last year not one Liberal voted in favour of it.

In conclusion, Bill C-242 is a good example of how some Liberal backbenchers have proposed good legislation but how the government is not prepared to let the legislation be enacted. It is apparent to me that the only way these criminal justice reforms will ever be enacted is if there is a more Reform minded government in place. I assure the member for Scarborough—Rouge River that such a government would be much more sympathetic to supporting these initiatives.

• (1410)

Mr. George S. Rideout (Parliamentary Secretary to Minister of Natural Resources, Lib.): Mr. Speaker, it has been interesting to listen to the debate.

I have looked at some aspects of the bill and think it would make good law. However when I hear the position of the Reform Party then I think I must be wrong.

I have studied the proposals that have been put forward. Some I agree with and some I do not. When trying to come up with criminal law we must always look for a balance. The protection of society is always a primary concern. That has to be balanced with the rights of the accused. In recent years the interests of the victim have also come to the fore.

I believe that the bill put forward by the member for Scarborough—Rouge River tries to strike that balance, particularly in the area of someone who continues with the commission of crimes while he or she is out on early release. The proposal for change so that the person will no longer be eligible for statutory release is a good one.

The threshold for statutory release is also good because it is not at the two-year level but at the five-year level, which indicates that a rather severe crime has been committed. Therefore, more sanctions for the protection of society require that we have this type of an amendment. The example used by the member for Scarborough—Rouge River of a person who commits a murder and would only have to serve roughly a year and half before being eligible for parole is something that needs to be amended. I support those two aspects of the proposed changes in Bill C-242.

I share the concerns of members from the Bloc about changing the age for people who have committed a crime. It seems to me that lowering the age is really not the proper direction to proceed. Perhaps what we have to do is what has been done in some jurisdictions, which is introduce more flexibility. Rather than trying to come up with age limits, we should allow the court in specific circumstances to determine whether the child has the capability of understanding the crime he or she has committed and whether the process would be better served either inside or outside the criminal justice system, rather than come up with some magic line drawn in the sand.

In that sense I cannot support the part of the bill calling for change to a 10-year age limit, although it is very convenient when we hear the stories put forward by the Reform Party for Mikey Smith or the stories that come forward from the situation in Great Britain. Most often we hear of the extremes but we have to come up with laws that deal with the norms. Therefore, I see no real benefit in that aspect of the proposed bill.

There is some benefit in looking at stiffer bail procedures, crack houses and those types of things to see whether we can grapple with those issues and come up with a system that works.