

Government Orders

public pressure put on them, hopefully, to keep it within the youth court.

The government, however, is not resolving anything except a public relations problem with the amendments in this particular bill. It has not addressed the real problem, which is a problem of financing between federal and provincial jurisdictions, of the rehabilitation of young offenders. There is no mention or addressing of that very real problem. There are no amendments or changes in procedure which would permit a real evaluation of what the young offenders court is doing to our young people and why it is that the young offenders court seems to be so very much aimed at hitting young offenders who are native or Indian in ancestry.

A very high proportion of young offenders are of Indian ancestry. My friend from Surrey North has put the statistics on the record, particularly those concerning Manitoba, where 92.8 per cent of the young women held on remand are native—92.8 per cent. Forty-seven per cent of the young men are Indian.

When you get to the open custody unit, the units where they are supposed to be able to receive some assistance, we find that 87.5 per cent of the people in open custody are native girls and 55.5 per cent are native boys. When you get into the closed facilities you find that 100 per cent of the girls are native.

There is no excuse for that. As a population they make up less than 10 per cent of the population of Manitoba. I expect that if you did the same kind of study in Saskatchewan, my home province, you would find very similar results. Again, a population that makes up less than 10 per cent of the population populates the young offenders facilities on a far higher rate than can be explained away as normal.

I was quite disappointed that the government did not propose real amendments to the Young Offenders Act that would permit these kind of changes so that rehabilitation would be possible and so that young native offenders might have a better chance of being represented at their hearings.

It seems to me that the tendency is that more native youth are charged. They have a higher proportion of charges, but they also seem less likely to try to defend themselves in court. It is a system they do not understand. They do not have court workers, nor do they hire

counsel to give them advice. They generally are not only native but poor as well. Our legal system discriminates against those two classifications. To be poor, you have a better chance of ending up in the system. If you are native and poor you have an extremely high chance of being in the system, as these statistics point out.

There are a number of background problems that the government is choosing to ignore. It is hoping that this legislation will gloss them over simply by changing some of the more-discussed-in-the-press aspects of the Young Offenders Act and by stretching the three-year maximum that has existed for young offenders between 12 and 17 to five years less a day. It will perhaps make it a little easier to shift young offenders into adult court, a situation which exists now but which this bill seems to make easier.

Having raised concerns about the way the government has attacked this particular problem, I will end my remarks. I regret that the government chose to respond to some public outcries on a couple of very public cases where young offenders did in fact conduct fairly heinous murders and received a three year sentence which is the maximum. I regret that that created a flurry of pressure to have the government introduce these kind of amendments.

I wish it had spent more time to provide amendments which would have had a better long-term effect on the rehabilitation of young offenders who are very special cases in our system. They are not juvenile or adult. The court has a certain amount of discretion to check out the maturity of these individuals. I am not sure that these amendments make that any better.

I regret that the government did not spend more time in introducing more comprehensive reforms, particularly the type of reforms which would have permitted the kind of rehabilitation programs that are desperately needed at the provincial level where the Young Offenders Act applies.

Mr. Joe Comuzzi (Thunder Bay—Nipigon): Mr. Speaker, it is a pleasure for me to be able to say a few words this afternoon on the bill to change certain clauses of the Young Offenders Act.

The reason I am interested in this particular bill is, before I became a member of Parliament, I was an acting Crown attorney for the district of Thunder Bay. In that