

Private Members' Business

The charter of rights and freedoms merely lets criminals and lawyers look for loopholes so that criminals can be released. Justice is somehow lost in the equation. Right and wrong are lost. They are lost and subjugated to legal points of order.

For example, let us look at the Paul Bernardo case, which is now being heard. It never ceases to amaze me that in this case, where we have an individual who on videotape has been shown committing the most heinous of acts, we have to go through a four-month to six-month court case. Why are we doing it? Because the defence is looking for procedural irregularities that will let this individual off. Is that right? If it happens in this case it will happen in other cases.

This murder case is very interesting, because it brings a number of other issues to the fore. I again ask the minister to look at the aspects of the videotapes that have been presented in this case. Was it fair to the families? Was it fair for them to have to fight with their own money to prevent those videotapes from being shown publicly? It is not a right of the public or of the media to have access to those videotapes. They can only be used to hurt and harm the families, who have already been victimized. There is no law to protect them right now.

I ask the minister to look at this case and to enact legislation that would protect the victimized families in the future. We do not want a repeat of the situation being faced by the families of Kristen French and Leslie Mahaffy.

I would look at revising procedures in the courtroom. Currently justice in our courtrooms grinds to a halt. Part of that has to do with adjournments. Defence and prosecution alike continually put forth adjournments that make court cases so long they are eventually dropped and the accused persons go free because too much time has passed. I ask the minister to look at this and determine how many adjournments are allowed for a person to have a fair case. We could look at limiting adjournments.

Another aspect is disclosure. We need fair and honest disclosure by both the defence and prosecution.

Another aspect is the use of preliminary hearings. They are much abused. Preliminary hearings in cases such as murder trials are not required. All that happens is that the same evidence is repeated. There would be a significant cost saving if preliminary hearings were eliminated in certain cases.

With respect to the Young Offenders Act, we should publish the names of young offenders. I know from working in a young offender penal institution that many of them think it is a joke. There is little or no deterrence to prevent young offenders from continuing to commit acts against innocent victims. There is very little punishment and there is very little deterrence. One

simple thing that can be done is to publish the names of those young offenders who are committing these acts.

● (1750)

Another aspect I would like to bring out is that in my experience in working with young offenders the recidivism rate is extremely high. It costs us almost \$100,000 per young offender per year to keep them incarcerated. Yet the recidivism rate is over one-third. That patently speaks for itself. It does not work. We need to look at a different model.

We need to pull young offenders out of these closed custody cases of putting them in for three months or six months. After that they go back to the same environment they were in before. We cannot undo 12, 14, 15 years of being in a situation that is patently self-destructive where they have witnessed sexual abuse or have been a victim of sexual abuse, violence, drugs, alcohol abuse, and expect them to be changed in three months or six months of closed custody. No matter how much counselling you put forth, it simply is not going to work.

Why do we not look at putting them in closed custody camps away from cities? There are some examples in northern British Columbia. We should put them away not for a few months but for a year or two years and focus on them working for their incarceration, focus on education, focus on skills, focus on discipline, focus on them learning the skills necessary for them to work as productive members of society. They are certainly not learning it now in the youth areas we have.

Legal aid is the fastest growing aspect of our justice system now. There are many abuses in it. I ask the justice committee to look at the legal aid situation we have now, look at the abuse that is taking place, and look of ways of changing that. If we are pouring money into this we are taking money away from the other functional aspects of justice.

Gun registration does not work. It has never worked anywhere. It is not going to work in the future. It will take money away from the functional aspects of justice and put it into an area that simply is proven not to work. This will be counter to what the minister intends; it will make our streets less safe than they are. That was not the intent. I plead with the hon. minister to not enact this legislation and please listen to what we have been saying in the Reform Party. Enact the good laws that are to be in that bill against those who are committing criminal acts with firearms, but please do not make our streets less safe by enacting gun registration. It will not work.

In summary, the three strikes and you are out bill is but one arm of what we can do to make our streets safer. The purpose of the bill is to get violent offenders, those individuals who have proven to show a flagrant disregard for innocent civilians, off the streets and protect society.