

Private Members' Business

someday I will suggest ways to help young people avoid the negative influence of such television programming.

[English]

Ms. Val Meredith (Surrey—White Rock—South Langley, Ref.): Mr. Speaker, it is my pleasure to rise in the House to speak on Bill C-242. It is a very rare occasion to see anything concrete coming from the government side of the House that makes any sense and actually deals with the real issues. I guess it is because it is coming from the back benches and not from the government that I can appreciate we are dealing with the real issues here.

Having had the opportunity to sit on the Standing Committee of Justice and Legal Affairs with the member for Scarborough—Rouge River, I can appreciate his approach to legislative changes. During his tenure on the committee the member for Scarborough—Rouge River has been able to identify problems with the current laws, propose legislative changes before the committee and try to promote them. Unfortunately he has had very little support from members of his own caucus.

He is attempting with Bill C-242 to deal with the real issues, the real concerns, and to suggest legislative changes. There is nothing earth shattering about the changes he is recommending. Serious repeat offenders should be denied statutory release. Loopholes should be removed from the calculation of parole eligibility which allow repeat offenders not to serve their full new sentences. Victims of sexual assaults should be allowed to request that their assailants provide blood samples to check for infectious diseases. Bail procedures should be toughened up. Crack houses should be outlawed and the age of criminal responsibility for young offenders should be reduced from 12 to 10 years old.

The member for Scarborough—Rouge River has identified a number of flaws in the justice system and has offered workable solutions to these flaws. Either that, or I would suggest he has been reading the Reform Party's policy book again. Bill C-242 reads like it came directly out of the criminal justice reform section of our policy book. In either event the Reform Party certainly supports each and every one of the amendments in Bill C-242.

It is a shame that these issues will only receive one hour of debate this afternoon and then will die. All these amendments have the support of the Reform Party. I am certain they also have the support of an overwhelming majority of Canadians. Canadians are demanding justice reform. There are just too many cases where the law is not protecting the average citizen.

Canada's justice system needs to adopt one underlying principle: when the rights of a convicted offender are in conflict with the rights of the victim or the rights of society as a whole, the rights of the victim or of society shall take precedence every

time. A prime example of the need for this principle is contained in clause 7 of Bill C-242.

The need for legislation sprung out of a case in Quebec a few years ago when a mother was sexually assaulted by an inmate on parole. The inmate had previously been incarcerated in an institution with a very high number of AIDS cases. Since her assailant had been an intravenous drug user the victim was naturally concerned that her assailant may also have carried HIV. When her assailant refused to voluntarily give a blood sample the victim went to court to have one given. Her request was rejected because conducting a blood test against the offender's will was deemed to be a violation of his rights under the charter.

• (1405)

This is a prime example of what is wrong with the Canadian Charter of Rights and Freedoms. This offender who committed a serious crime of sexual assault should have lost some of his rights. One of the rights he should have lost was the right to refuse to take a blood test.

On the day of the sexual assault the victim's life was irrevocably changed. Sexual assault leaves emotional scars that never leave the victim. One additional burden should not have been her daily concern about whether or not she had been infected by HIV or any other sexually transmitted disease.

Clause 7 would have addressed that issue. Unfortunately Clause 7 like the rest of Bill C-242 will never be enacted.

In the last days of June we finally got the government to move on the question of taking DNA samples. Why could blood samples not be given the same consideration where there is justifiable cause?

Another aspect of Bill C-242 I should like to address is the amendments the member for Scarborough—Rouge River wishes to make to the Young Offenders Act. He felt it was necessary to lower the minimum age from 12 years to 10 years. The member for Scarborough—Rouge River cites the example of the murder case in Great Britain where two 10-year old boys murdered a 3-year-old. The member correctly pointed out that had the offence occurred in Canada the police would have had little recourse but to simply accompany the boys back to their parents, and that would have been the end of it.

It is interesting this example was used because I have used it myself on many occasions. I have been criticized because such a horrendous event has not occurred in Canada and therefore it is inappropriate to use it.

Then I switched to my Mikey Smith story. Mikey Smith is an 11-year old boy from Surrey who has for the past couple of years been one of the most active car thieves in the lower mainland area. While I am not sure what his current total is, it is probably well over 100 cars. Mikey Smith publicly admitted that he