

*Government Orders*

I say that the essence and the very reason for the law have been set aside. Moreover, by seeking the maximum deterrent effect through repression, the means to act and the courts' authority are being reduced.

A law is not just a piece of legislation in a collection of statutes. It must be applied and people have to live with it, so we must think of its impact on society. I say that it will be a social disaster.

Just as much as the minister, I am revolted by violence, but not only youth violence. Do we hear those fanatics from the West who demand internment for ten year old children complain about the non-stop violence on television? Will the Liberal Party table a bill to control these programs broadcast to young people? These same reactionaries flood us with letters denouncing gun control. Reform members and the Liberal Party's right wing should do some serious soul searching.

One of the reasons why our society generates violence is the lack of effective control over firearms, which are the weapon of choice for murderers of all ages including young people.

Yes, I am outraged, as outraged as these reactionaries, by murder. I am revolted by sexual assault. I am outraged and disgusted by the decline in morality in our society as a whole. And I am outraged when I see that these murders are committed with firearms that the right-thinking members of the Reform Party and the Liberal Party would like to see circulate without restrictions. But my outrage is not like that of the pharisees who single out young people to assuage their own guilt because they feel powerless to educate our youth.

Social violence does not come from young people but it is picked up by some of them. Newspapers put isolated cases on their front pages to sell more copies. How do they invariably report on cases involving young people? By denouncing the sentences given out and fuelling the spirit of vengeance and powerlessness. This spirit of vengeance is the symptom of a disease which undermines our Western society, a society that generates its own violence like an internal combustion engine. This violence tears at the social fabric and isolates the young people who are its first victims. This violence that we show and maintain as a favoured way of affirming success, we pass it on to these children and we then act outraged when one of them commits a murder, as though we as adults should have a monopoly on evil and stupidity.

We are transferring our feeling of guilt. We refuse to accept that a person who cannot yet be seen as responsible can be tried for a crime in the same way as someone who ought to be considered a responsible person. This instinctive, irrational and

primary reaction is triggered by the notion of vengeance, something which is foreign to Canadian democracy.

Ten years ago, a reform of the whole process was undertaken after countless public consultations. Since then, in those provinces where the law is well understood and implemented adequately, juvenile delinquency is controlled in a modern, effective and humanistic way.

In 1984, we chose to deal with the problem by putting in place a rehabilitation process rather than leaving young offenders stuck in the dead end of the criminal justice system.

Juvenile delinquency certainly does exist. The law is not designed to prevent it but to control it. Social conflicts will exist as long as we live as a society.

Crime is the expression of social conflict at the level of the individual. Whether the delinquent is an adult or a minor, he must face the justice system when he violates the social peace code. There is social conflict when an act committed by an individual disturbs social peace. Delinquency and crime will always exist because they are social phenomena. Criminal laws do not make criminality.

• (1620)

Hardliners think that juvenile delinquency exists because of our Young Offenders Act. In their narrow view, they see a cause and effect relation between the cold blooded murder of a corner store owner and the fact that no criminal liability is put on the young murderer. For them, everything is simple. If a young person becomes or remains a delinquent, it is because he is not subjected to the Criminal Code provisions. Based on this view of the past, young people would be better citizens if sentences were harsher.

They still do not understand that the Young Offenders Act did not invent juvenile delinquency. They fail to see that young people are more violent because society as a whole has become more violent. They do not realize that despite the existence of the Criminal Code, in Canada about 500 murders are committed by adults in Canada every year. These murders are just as intolerable as those committed by young people.

Reform Party members, whether they are in Liberal disguise or wear the true colours of the Reform Party, may not have realized that the 1984 legislation was a considerable change from the previous legislation on young offenders that had been in effect since the beginning of the century.

Contrary to what they say in their speeches which smack of disinformation, the present legislation treats the young person who commits an offence as a responsible human being, but always within a special framework set up to provide for his rehabilitation

In 1984, Canadian society had become sufficiently mature to realize that a young person who committed a first offence, even