

*Government Orders*

In the present case, it has been difficult for me to understand the minister's position and to follow his logic, but in spite of it all, I would have never meddled with the Young Offenders Act.

The problem is not the act, but its application. Indeed, if I had been in the place of the Minister of Justice, I would have outlined the situation in this way. First, I would have encouraged Western provinces and other Canadian provinces to follow the example of Quebec where rehabilitation is the basic objective. In summary, I would not have reinvented the wheel, I would simply have insisted on respect for the meaning and the purpose of the Young Offenders Act as it now stands. We do not even know the results of the latest amendments to the act and we already want to bring in some new ones. We cannot deal with such an issue on the short term, we must know where we are going.

Second, I would have talked about statistics because they are important. The most recent statistics show that crime by youths is declining. The media exaggerate the situation and the public has the wrong impression about today's young people. However, in larger cities, statistics seem to be influenced by a series of factors like the presence of gangs, new cultural communities, et cetera. Some of the things that certain members said in their speeches called this to mind.

Also in my dream, as justice minister, I would have introduced a program in partnership with the Minister of Human Resources Development in order to encourage the development, effectiveness and efficiency of youth houses, streetworkers, centres and other places for young people, by means of employment and development programs and sections like section 25. I think that prevention, education and consciousness-raising can prevent crime. I would not have condemned anyone but I would have tried to understand the problem and eliminate it at the root. The bill does not mention anything to that effect.

Third, the public rightly responds to the facts reported by the media. One particular case which recently resulted in a general outcry deals with the robbery of a convenience store by minors who were controlled by adults. The organizer of the crime, an adult, was sentenced to two years in jail even if a murder was committed in that store. This kind of case is not new. It is well-known that well organized criminals and unscrupulous bums use young people to do their crimes.

● (1750)

Is the minor the problem or the adult? We all know that a 10 or 11-year-old looks up to his elders. They are prepared to do anything to be accepted, even commit armed robbery or kill someone. In this case, the culprit is not the 10 or 11-year-old. The real criminal, the dangerous offender is the adult who uses a young person for his own perverted ends.

And what did the minister put in his bill to stop this shocking and shameless exploitation of young people? Nothing.

If I were the minister, I would have proposed amendments to the Criminal Code. I would not be satisfied with the current sentences these adults receive when they are caught. A person who conspires with a minor to commit a crime should answer for the same crime as the minor. That is why I would have proposed a new section in the Criminal Code, to follow section 465 which deals with conspiracy, and to be referred to as section 465.1 "conspiracy with a minor".

I am not an expert on legal drafting, but to give hon. members an idea of what I would like to see in this section, I will read you a section that would have read as follows: "Except where otherwise expressly provided by law, the following provisions apply in respect of persons who conspire with minors to cause them to commit offences: (a) everyone who conspires with a minor to cause him to commit an offence in the meaning of section 231, first degree murder or second degree murder, in the meaning of section 239, attempt to commit murder, in the meaning of sections 233 and 234, manslaughter, in the meaning of section 273, aggravated sexual assault, in the meaning of section 268, aggravated assault, is guilty of the indictable offence of which the minor is accused and liable to the same punishment, provided under each of these sections, to which he would be liable if he had himself committed the offence".

The second paragraph of this section would have read as follows: "Everyone who conspires with a minor or causes him to commit any other offence punishable on summary conviction or an indictable offence is, if the offence is committed by the minor, guilty of the offence as though he had committed the offence himself and is liable to the same punishment".

This section is intended to fill a gap in our legislation. It would send a very clear message that trying to be clever by using young people in our country is a criminal offence. In this way we would deal with the real problem.

Since in many cases, the adult would receive a more severe sentence than the young offender, the objective of this amendment would soon be reached. We cannot just stand there and let a young person's life be ruined. We need constructive proposals. Unfortunately, I am not the Minister of Justice, and this House has to live with Bill C-37, where it looks like in the minister's mind, there has to be a link between repression and crime. However, nothing could be further from the truth.

I believe that we should not forget the extensive study undertaken last year in the United States, in two or three states where the young offender legislation had been amended to lengthen sentences. It shows that, instead of going down as expected, the crime rate among young people went up. How do you explain this? I do not know. I am not a psychologist, but I do