

[English]

Mr. Werner Schmidt (Okanagan Centre): Madam Speaker, it is with pleasure that I rise to address Bill C-37 this afternoon. I want to pay particular tribute at this time to two young people in Kelowna who really gave me a lot of impetus and got things going. These are Jennifer Schuller and Tammy Carvallo. I have mentioned their names in the House before. They are two grade 10 students who took it upon themselves to become familiar with the conditions of the Young Offenders Act and found out about it in a way that was not all complimentary.

They learned about it when they asked the police to please help them because they were being bothered by a 13-year old who was giving them a lot of difficulty. They discovered when they asked the police to do something, the police said unfortunately they could do nothing. They became so concerned that they launched a petition. Four thousand six hundred people signed that petition for these young people to show that the current system does not work.

When I found out what they were doing I thought this was so inspirational and so illustrative of the problems of the Young Offenders Act that I decided to get involved in the debate leading up to this evening. If young people feel that this act is not working, what does that say to us as adults who are supposed to be looking after the world for them? What is the problem?

It seems to me that violent crime is on the rise. I would like to list briefly some of the very tragic events. First, there was a drive-by shooting here in Ottawa; then a random fatal stabbing in Edmonton; a senseless shooting in a Toronto dessert restaurant; and finally, a brutal beating in a small community in my constituency in the Okanagan.

These have all raised alarms about youth crime in the recent past. We are at a point where it frightens people to challenge young people who misbehave. In the particular instance I am talking about in Oyama, for example, a gentleman criticized a group of young people who refused to stop at a stop sign and in doing so practically caused an accident to take place. He said: "Look, boys, you shouldn't be doing that". He was beaten up on a weekend with an axe.

The Minister of Justice has responded to the concerns of Canadians. He has introduced a package of measures and amendments to the Young Offenders Act that are designed to meet these particular concerns.

I want to state for the record that I believe the minister and the amendments that he has proposed are moving in the right direction. They are a step in the right direction, but it is a tiny step. The minister deserves marks for moving in that direction. I would like to suggest where the minister has not gone far enough.

Government Orders

First, the main problem in the bill is that it does not recognize that the primary function of justice in Canada is the protection of life and property of law-abiding citizens. How has he failed to do this? I suggest he has done that by not permitting the disclosure of the names of most serious offenders in the media and thereby the public.

We cannot feel completely safe in our communities if we do not know the names or the identities of people who are in the position of seriously offending again. For example, the school administrators might know and be aware of the offenders that are in their schools and that is a provision in the new amendments. However, that does not mean the people in the school or in the community know who are the potential violent offenders living in their midst. This situation leaves the community with a certain amount of fear and trepidation. The minister has missed the mark in this regard. It comes down to this. There are times when the public's need to know outweighs the offender's rights to confidentiality. It is that simple.

• (1935)

The second aspect of Bill C-37 that gives me some difficulty is the fact that the age provisions for the act are left untouched. I contend that the act's age provisions should be changed to apply to persons between their 10th and 16th birthdays and anyone older than that should automatically be tried in adult court.

Why do I say this? If we are going to allow young people, 16 and 17, to accept the responsibility of adult activities such as driving a car, surely it is not unreasonable to expect them to behave in a manner that is consistent with that kind of responsibility. Neither is it unreasonable to expect them to accept the responsibility for their actions, be they criminal or otherwise.

If the age provisions are changed to the level that I have indicated there exists no need for the amendment that is in the proposed bill that would allow for automatic transfer to adult court of 16 and 17-year olds rather than putting the onus on these people to say that they should not be tried in adult court. This step is not a large one and is something that the minister should consider very carefully. Perhaps he should reconsider the lack of that provision in the act.

Third, I have difficulty with the provision in the bill governing the paper trail that follows the offenders. If we assume that one of the goals of the exercise is to try to get our young people to take greater responsibility for their actions and to get them to realize that there are going to be more serious consequences if they choose to engage in criminal behaviour than exists at the present time, then we ought to make them understand that if they