

radical departure from the principles of the Act, I would feel very uncomfortable taking the path that he suggests.

[*Translation*]

**Mr. Marcel R. Tremblay (Québec-Est):** Mr. Speaker, I would like to comment on the Bill presented by the Hon. Member for Scarborough—Agincourt (Mr. Karygiannis) concerning the possibility of amending the Young Offenders Act.

All the citizens of our country, and especially the people of Québec-Est, are well aware of the importance of the Young Offenders Act and its impact on young people who have been in trouble with the law.

This legislation creates a special status for young people. It provides that although young people are responsible for what they do, they cannot be considered responsible to the same extent as adults. Because of their dependent status and their level of development and maturity, they have special needs and require advice and support, but also monitoring, discipline and supervision.

Society is afraid of delinquency. It is also afraid of violence. However, it has understood the need for rehabilitation. The treatment of young persons who are in trouble, in institutions provided for that purpose, should not only be tolerated, it should be actively sought, approved and supported.

It is not easy, however, to deal with the problem of rehabilitating young people. It is a task that should become the responsibility of everyone. I am convinced that with this proposal, the Hon. Member for Scarborough—Agincourt wants to improve the situation and promote measures that are more effective and more efficient in helping young offenders and at the same time protect the public.

For many years, Canadians have acknowledged the need for rules of criminal justice specifically for young people, as opposed to those that apply to adults. That is why we have a Young Offenders Act, and we take great satisfaction in the fact that at the international level, it is one of the most progressive pieces of legislation in the field.

### *Young Offenders Act*

It is progressive, but it is not perfect. Recent unfortunate incidents have shown that the legislation must be improved. We agree, but not in haste and not indiscriminately!

The amendments proposed by the Hon. Member for Scarborough—Agincourt are not realistic and fail to take into account some very important factors.

First of all, the Hon. Member suggests that all young persons accused of murder after attaining the age of 14 be heard in ordinary adult court. This would mean that the age difference, the circumstances of the offence, and so forth, would no longer be considered. It would also mean rejecting principles that are nevertheless well established in the Act, such as holding young people responsible for their acts, not in the same way as adults, but as young people who are developing and maturing.

It would also mean rejecting the principle that young people not be punished in the same way as adults; the young person's degree of maturity could no longer be taken into consideration.

It would also, Mr. Speaker, mean eliminating the principle that young offenders need not only supervision, discipline and control but also support, assistance and advice, because of their dependency and their degree of development and maturity. The Young Offenders Act clearly states that these requirements, especially those related to delinquent behaviour, determine the nature of the advice and support that the young person must receive. With this Bill, all this help would be denied to the young person.

The Hon. Member's Bill also raises the problem of increasing the charges—the more serious the offence, the stricter the penalty provided by the Criminal Code—and decreasing them—to avoid the severe penalties prescribed in the Criminal Code. Neither of these procedures is desirable or acceptable. Furthermore, if the young person is found guilty of an offence less serious than murder, he will not be able to benefit from the juvenile court system and will be treated differently from the others. It must be supposed that this situation would probably be challenged under the Canadian Charter of Rights and Freedoms.