

*Government Orders*

At the same time we have to be able to rehabilitate them. We want to do something to get these people on the path of being good and constructive citizens.

The other feature as was mentioned by the parliamentary secretary is the transfer provisions. There can be an application to transfer an individual from the youth court to the adult courts.

Then, if that application is made and approved, the young offender can in turn appeal that and have it moved back to the youth court.

This whole process could take up to two years. It is counter productive. We should have one youth court, quite probably and realistically, combined with the family court to deal with all of these issues.

Family courts at the present cannot deal in jury trials, but that can be changed. We need a continuity in this area where we are talking families and young offenders because one quite often is part of the other.

I feel this bill does not deal with that. All we are doing is papering over the problems in our society and the anxiety faced by our citizens, particularly in our urban communities.

I would like to offer my support to the member for Port Moody—Coquitlam on his motion No. 5. I think it goes to the heart of what is wrong with this bill.

**Mr. Jim Karpoff (Surrey North):** Mr. Speaker, I want to support the motion that my hon. colleague has made.

One of the things that people get concerned about is the problem of juveniles and they feel that the solution is an ability to transfer to adult court. I want to recount a couple of my own experiences. Before I comment in more detail, my own background is working with youth and working in correctional systems. I became interested because of an incident involving a young fellow I knew when I was in university. A young man from my home town, as a young teen, was cutting through a lumber yard one night and picked up a splitting wedge. For that he was sentenced to nine months in reform school.

Of course while in reform school he met many youths who were much more sophisticated than he was, much more involved in crime than he was. They convinced him to go on a little trip up through the central part of B.C. There were five kids travelling in the car. Three of them had been sitting in a restaurant, two of whom were hardened kids who had relieved an elderly gentleman of

his wallet. The kids were charged with robbery with violence.

They were raised from juvenile court to adult court. They were convinced to plead guilty. They were sentenced to two and a half years in the federal penitentiary. The court asked them to waive their rights to appeal, which they did.

Here is a situation where a boy who had some difficulties had been treated in a manner by the court system that simply guaranteed he would spend his life in crime. It did not rehabilitate him. It did not treat him as a youth or a child. It pushed him into the federal penitentiary system as a young teenager. And what had he done? Very little.

I wrote my master's thesis on the whole business of the Juvenile Delinquency Act and the Juvenile Court and came to the conclusion that it was a star chamber court. Kids could be removed from their homes, sentenced to long periods in reform schools, raised to adult court for offences that would be considered as an adult trivial. The Young Offenders Act made great process in the handling of youth. The principles of the Young Offenders Act are sound. The problem has been that the resources necessary to invest in our youth who are in trouble have not been forthcoming. Because of that there are those people who say: "We have to be more punitive. We have to be more harsh. We have to teach these kids a lesson. Let's make it easier to raise them to adult court. Let's make it easier to send them to adult penal institutions".

The New Democratic Party and I simply say that this is a wrong approach. Let us look at whom we are talking about when we are talking about youth in conflict with the law. A large proportion of them in this country, regrettably, are native. There are indications that in Manitoba as high as 84 per cent of kids in detention centres are native. Native youth in this country have more of a chance of going to jail than going to university. These are the youth we are talking about making it easier to raise to adult court.

• (1230)

In child welfare circles in some jurisdictions 80 per cent of the children in care of the Superintendent of Child Welfare are native youth. There is a tremendous overlap between child welfare, young offenders and poverty in this country.