

Government Orders

All too often we spend time discussing situations after they happen. How do we assist a business after it is nearing the stage of bankruptcy? How do we assist a region after it is in a state of economic decay?

Once again this provides us with a reminder that while this must be done—important interventions by various members have already been made today—let us provide an opportunity to identify ways and means to initiate policies and legislation to encourage young people to not participate in illegal activities and get into trouble so that they may have a more fulfilling life that makes sense to them and contribute to society as positive citizens rather than being waylaid by behaviour that is unacceptable.

Mr. Jack Whittaker (Okanagan—Similkameen—Merritt): Mr. Speaker, I just want to make a brief intervention with respect to the Young Offenders Act and some of the things we have been dealing with, not only with the amendments themselves but the over-all act.

The incarceration clauses and some of what has come before us show that there is a movement in my riding of Okanagan—Similkameen—Merritt and throughout much of the country to examine the problem of youthful offenders, to examine in what situations they should be incarcerated, the rehabilitation provisions and how to best work with young people who have been misguided.

In doing that I think we have examine not just the severity of the offence. As the member for Port Moody—Coquitlam has pointed out it is so easy to raise children into adult court, with all that comes with that such as the incarceration, the conviction and the time limits. That is a major problem. People are saying: "If there is the crime, the punishment must be suited to the crime".

• (1520)

There is another perspective on this, and I think the member alluded to it in his earlier talk on the incarceration provisions, that perhaps we should be looking at the Young Offenders Act and punishing young offenders as youths and making the punishment more fitting within the Young Offenders Act to the crime. This should be done because of the circumstances of for example a 16 or 17 year old child who may well know the ramifications of his or her actions entering into a crime but still being

young, foolish and impressionable, not looking at the end result of what is going to occur to them with respect to robbery with violence, 10 years imprisonment; second degree murder, 25 years with a minimum 10 years without ability to be paroled, or first degree murder provisions being life imprisonment with a minimum of 25 years.

This is pretty serious stuff when we are looking at a 16 or 17 year old. Yet I cannot disagree certainly with many of my constituents and many others who say the punishment must be more fitting to the crime. I think perhaps this is the area that we should be looking at, the provision of strengthening within the Young Offenders Act the penalty provisions.

Those are the words that I would like to say at this juncture.

Mr. Ian Waddell (Port Moody—Coquitlam): Mr. Speaker, I am pleased to agree with these government amendments. The amendment was very much like my amendment. I also want to tell my mother I still have my head on here so that I can speak.

Anyway, the amendment 4A is very much like the amendment I proposed and I am pleased that the government has really looked into this in some depth and that the government has moved on this. I congratulate the parliamentary secretary. It may have helped that the Prime Minister went to New York and chaired a committee of the United Nations and ran smack into the middle of some United Nations rules on this very subject. As a matter of fact, those rules I speak about are the United Nations standard minimum rules for the administration of juvenile justice and at the United Nations Convention of the Rights of a Child, of which Canada, and I congratulate the government again on this, was one of the leading advocates, promised to ratify this by the end of this year.

I just want to quote from the brief of the Canadian Bar Association to our committee. The Bar Association said:

Detention of young offenders in adult institutions appears to violate the new United Nations Convention on the Rights of the Child, which Canada proposes to ratify in the near future.

Article 37 of the convention contains the following provision: