

*Government Orders*

A reference document dated May 1994 and published by the Department of Justice says that the public is very concerned about the need to control youth crime and to protect society. Therefore some believe that stricter sentences are the best way to deter young people from committing criminal acts.

• (1545)

By the way, what does the experts' famous report say about stiffer sentences? I quote:

[English]

"Variation in dispositional severity will have little, if any, impact on crime" and "there is no obvious pressure within the youth justice system for higher maximum penalties".

[Translation]

In other words, the experts who rely on facts, on their experience, on what they see, contradict those who rely on perceptions and their own imagination: tougher sentences are not the way to reduce youth crime.

Faced with this dilemma, what does the minister do? He decides not to take the path suggested by his experts. He even ignores the fine principles set forth at the beginning of his own bill and he opts for more severe sentences. Nevertheless, this same document issued by the department says: "All our efforts in criminal justice seek to prevent crime, including youth crime. Prosecuting someone who committed a crime may provide some comfort to the victim and reassure the public, but it cannot be as satisfactory as preventing the crime as such.

It is often harder to implement crime prevention programs than to merely sue an offender after the fact. Prevention is based on the economic, educational, social, moral and legal conditions which generate crime and it requires efforts to change those conditions. The co-operation of many departments from all levels of government, as well as of the private sector and the public in general is needed. Making crime prevention programs effective is a major challenge. However, the results obtained with such programs, namely a reduction in crime, is much more beneficial for young people, and also for Canadians who, otherwise, might have become victims. Consequently, the rehabilitation of young offenders must be a major objective of the legislation".

This is an ambitious program. Joint action is necessary. We must co-operate with the other governments, the private sector and the public. We must change the economic, educational, social and moral conditions in our society. We must promote awareness, education and tolerance. Together, we must meet the challenge of reducing crime because, in the end, it will prove more beneficial for everyone.

Experts also insist that rehabilitation is more effective outside the criminal system. The Canadian Sentencing Commission says that 70 per cent of Canadians want more money to be allocated to the development of other types of sentence than incarceration.

Yet, this is not what the minister has decided to do. He prefers the easy solution. The challenge was probably too big for his government. We must look elsewhere to find out why the minister tabled such a bill, especially considering that the Young Offenders Act was amended in 1992, precisely to extend by three to five years the sentences for violent crimes. Merely two years later, when we have not even had a real chance to see if the amended act works and to assess its impact, the government comes up with new amendments to once again lengthen sentences for violent crimes, this time by five to ten years.

It seems obvious to me that the government's chief concern, in bringing this amendment, is to keep an election promise, perhaps made off the cuff by the leader of the Liberal Party during the last election campaign when he was being pressured with questions in the Reform Party's stronghold. Or perhaps the minister bowed to various pressures by trying to please everybody, but satisfying no one. The bill does not go far enough for hard-liners who want society to be protected at all cost, and it also turns a deaf ear to those who would like to maintain the status quo and those who support the social reintegration and rehabilitation of young offenders.

The second important amendment to this bill concerns the presumption of transfer to adult court.

Youth crime and violence by young people are of real concern to the public. But this concern is based on the public's perception, not on actual facts. More and more Canadians are afraid of rising crime, particularly involving young people, and many Canadians feel that the government is not doing enough to address this problem.

• (1550)

In a 1987 report, the Canadian Sentencing Commission noted that 75 per cent of the population believed that 30 to 100 per cent of crimes were violent crimes.

But the reality is quite different. In 1992, for example, only one of every ten crimes under the Criminal Code that were reported to police was a violent crime. In its background paper, the government recognizes that the extent of violent crime in Canada is not well known, and that rational responses to criminal behaviour among young people should be based on facts and not on perceptions. Since 1970, the average number of homicides allegedly committed by adolescents has declined sharply. The department also tells us that young people between the ages of 12 and 18 make up 8 per cent of the population, and that about 6 to 9 per cent of suspect investigations in all