

*Government Orders*

morning's debate except to say that I listened to my colleagues very carefully and what they had to say.

Getting on with the justice amendments. This is the Young Offenders Act. It has been around for a long time. There are amendments to the Young Offenders Act. These amendments have been around a long time. They were around even before prorogation of the House. They have been brought back, and we have been waiting and waiting and finally they have arrived. I am pleased that the government has brought them forward because I believe the Canadian public and my constituents I know want action in matters to happen in juvenile matters.

There has been an increase in juvenile crime in the country. There have been some real concerns about the alleged weaknesses of the Young Offenders Act. There is a great concern in my riding. A few weeks ago there was a meeting on juvenile gangs. The public is really interested in that and it wants us to respond to that.

To deal with the specific amendments let me say, before I go into that, generally what the act does. I think it is important that the members know the three principal objectives of the act, just to bring people back to what this act is doing. The act has three principal objectives, that is the government's amendments to this bill, C-12, to make it easier to transfer a youth to adult court. The youth can be transferred up to adult court and be treated as an adult. That is a rather unusual procedure, if I might say. It is a harsh procedure and that is in this bill. That is what I am going to deal with in proposed amendment 3 and proposed amendment 5.

The second objective of this act is to increase the penalty for youth convicted in youth court of first and second degree murder from three years to five years less a day. Part of the debate today will deal with the murder provision, over which there has been a lot of press and a lot of objections and difficulty.

The third principle of the government's bill is to permit earlier parole eligibility for youths transferred to adult court on murder charges. The adults were getting the paroles and the youths who were transferred and being treated like adults were not being eligible for parole.

Therefore that is the thrust of the government's Bill C-12. These are the first amendments. What I am trying

to do with the first amendment is this. I am really addressing a principle and let me put the principle like this. Although he speaks adequately for himself, the justice critic for the Liberal Party, my friend from Cape Breton, expressed in committee, and we believe, that you should treat children as children in the criminal justice system. This is the period to reach them. This is the period when you can rehabilitate them and stop them from being adult criminals. If you are ever going to reach them, this is the place.

When the Young Offenders Act came in a number of years ago, what happened was that we did have a principle in this bill.

It is a very forward-looking bill, a very progressive bill, and the principle in the bill was that we would treat juveniles as juveniles. The problem was, having done that, we never provided facilities for that.

My first amendments, therefore, tackle the notion of transferring kids to adult court. Amendment No. 5 wants to abolish that provision.

Amendment No. 3 is somewhat more difficult and more complicated. My amendment was in line with the the Canadian Council on Children and Youth's recommendation. It did not favour, in transferring children to adult court, the paramountcy of the principle of protecting society. It was felt that there should be a balance in here and we should also consider the interest of the child as well.

The government's approach to affirming the principles of rehabilitation in the test for transfer will affect only those who are eligible for transfer. The government's wording implicitly assumes the young person is guilty as charged and is in need of rehabilitation. If the government is serious about affirming the principle of rehabilitation it should do so in the statement of principles. I believe it is set out in section 3 in the Young Offenders Act and that is where it should put it.

If I might sum up, my amendments here have the thrust of tackling the major issue and that is the issue of having these transfers. Why do we not just deal with juveniles as juveniles and provide tough juvenile penalties? We should not be afraid of providing tough penalties for them, but should deal with them as juveniles. Let us not make them adults and put them in a prison which