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OFFICIAL REPORT
(HANSARD)

Monday, June 6, 1994

Speaker: The Honourable Gilbert Parent

HOUSE OF COMMONS

Monday, June 6, 1994

The House met at 2 p.m.

Prayers

STATEMENTS BY MEMBERS

[*English*]

ENVIRONMENT

Hon. Charles Caccia (Davenport): Mr. Speaker, on the occasion of Environment Week, I would like to report that the Standing Committee on Environment and Sustainable Development recommends the appointment of a commissioner who would help to ensure that the federal government pursues policies and programs that are environmentally sustainable. What does all that mean?

It means the commissioner would evaluate and review federal policies, laws, regulations and programs and identify those which encourage and those which impede Canada's shift to environmentally sustainable development. The commissioner would report to Parliament. The commissioner would help in the shift toward sustainable development and would also comment on whether Canada's policies meet international commitments.

The members of this committee, most of them at least, urge the government to act quickly in the implementation of the recommendations contained in this report.

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[*Translation*]

BATTLE OF NORMANDY

Mr. Jean H. Leroux (Shefford): Mr. Speaker, fifty years ago today, the Allied Forces reversed the course of history on the beaches of Normandy. The operation that took place on June 6, 1944, marked the beginning of the end of the military and political hegemony of the Nazis and the Axis forces.

Taking part in the invasion on D–Day were units of the Canadian 3rd Infantry Division and the Canadian 2nd Armoured Brigade. Also present at this historic moment in the liberation of Europe by the Allied Forces were more than 50 ships of the Canadian Royal Navy and 37 squadrons of the Royal Canadian Airforce.

This day is dedicated to all those Canadian and Quebec men and women, for the sacrifices they made in the defence of freedom on a day that was finally to lead to the end of the Second World War.

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[*English*]

SRI CHAUDHURI

Mrs. Diane Ablonczy (Calgary North): Mr. Speaker, I would like to share with members of this House the pride we feel in my riding of Calgary North at the achievements of Ms. Sri Chaudhuri.

Sri Chaudhuri is a grade 12 student at Sir Winston Churchill High School in northwest Calgary. She has just received top honours at the National Science Fair in Guelph, Ontario. Sri won six awards including best overall project, the gold medal in the physical sciences division, and the Manning award for innovation.

Her project demonstrated it is possible to use high frequency sound to break down toxic organic compounds that contaminate the environment.

Sri is the first young scientist from western Canada to have won this national honour.

Today as we remember the men and women who fought valiantly to safeguard our future, it is especially fitting to celebrate the achievements of a new generation of young Canadians like Sri Chaudhuri who is conquering obstacles to help preserve our environment.

On behalf of the citizens of Calgary North, I extend sincere congratulations to Sri Chaudhuri.

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THE LATE TOM GOODE

Mr. Harbance Singh Dhaliwal (Vancouver South): Mr. Speaker, I rise today to pay tribute to the late Tom Goode.

Tom Goode served this House, the constituents of Burnaby, Richmond and Delta, as a fine member of Parliament. He served with dedication, energy and enthusiasm between 1968 and 1972.

Tom was a people's person. He continued to serve and work in his community even after his term as an MP. Between 1974 and 1979 Tom Goode was mayor of Delta.

People who knew him will remember Tom as a warm and hard–working man who had the ability to put the people around him at ease by making them feel comfortable. He had a sense of humour and enjoyed life. Tom Goode liked to keep himself busy. He was a man of many interests and talents.

In addition to being an active member of his community, Tom was involved with the business life of Delta and the lower mainland through the construction industry. He built buildings as he helped to build the community where he lived to which he gave so much of himself.

Tom's good nature, warmth and kindness will be greatly missed.

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NATIONAL TRANSPORTATION WEEK

Mr. Gordon Kirkby (Prince Albert—Churchill River): Mr. Speaker, His Excellency Governor General Ramon Hnatyshyn has said that this year's observance of National Transportation Week is a special one as it marks the 25th anniversary of the celebration of the achievements and importance of jobs done by thousands of workers in the transportation industry.

This year's theme is ''Intermodalism—The Perfect Fit''. Intermodalism is surely the way of the future. It counts heavily on computer applications and streamlined procedures to get goods to market quickly and cheaply.

The transportation industry is making the best use of new initiatives and electronic data interchange and other electronic commerce techniques. Barriers to more integrated and cost–effective transportation services are falling.

The transportation industry can be proud of its achievements. To the organizers of the 25th annual National Transportation Week, I extend best wishes for continuing success.

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D–DAY

Ms. Albina Guarnieri (Mississauga East): Mr. Speaker, today marks the 50th anniversary of the allied invasion of Europe.

On June 6, 1944 Canadian troops joined allied forces in their attack on the coast of Normandy. Canada was a full partner in the D–Day landings, with units of the Third Canadian Infantry Division and the Fourth Canadian Armoured Brigade. Over 50 ships of the Royal Canadian Navy and 37 squadrons of aircraft from the Royal Canadian Air Force took part in the attack.

(1405)

[*Translation*]

For Canadians, remembering D–Day is a very emotional experience. Our veterans recall what they went through fifty years ago, and today, they remember their comrades who fell in action.

Canadians must never forget the courage and sacrifices of those who, in the name of freedom, changed the course of history in the twentieth century.

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BATTLE OF NORMANDY

Mr. Paul Mercier (Blainville—Deux–Montagnes): Mr. Speaker, I was living in Belgium during the last war. In fact, I was born there, and I want to take this opportunity to express the gratitude of my former compatriots to the Canadian, American and English troops who crossed the seas 50 years ago to free Europe from tyranny.

I remember as if it were yesterday, that morning on June 6, 1944, when the radio announced that the tremendous news of the invasion in Normandy, which was the first step towards our liberation.

Three months later, a deliriously happy Brussels welcomed those allied troops, covered with dust and glory, and I decided to join them for the last part of the war.

I remember that among our liberators, the first two soldiers to whom I spoke were two Quebecers from the 22nd Regiment. Of course, I did not know then that one day I would become their compatriot, but today, I am happy and proud that is the case.

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[*English*]

D–DAY

Mr. Jack Frazer (Saanich—Gulf Islands): Mr. Speaker, those who watched television programming from the beaches of Normandy this morning will have been given some idea of the conditions which prevailed when Canadian troops came ashore 50 years ago on June 6, 1944.

Overcast skies and cold blustery winds made for a rough sea, especially for the small landing craft carrying our troops to the Normandy shore. As a result, many seasick Canadian soldiers flung themselves into the swells and on to the windswept Juno beach to face their determined and well–fortified enemy. By the end of this longest day, 359 Canadian soldiers would be killed, 541 would be wounded and 47 would be taken prisoner.

By the time the second world war ended more than 42,000 Canadians gave their lives for our freedom.

In these days, such a threat requiring such a sacrifice seems almost unthinkable. Let us hope it remains that way. But if it

does not, let us hope that once again Canadians will come forward to fight for that most precious of all commodities, freedom.

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YMCA

Ms. Mary Clancy (Halifax): Mr. Speaker, today the YMCA movement world–wide celebrates its 150th anniversary. It was 150 years ago today, on June 6, 1844, that George Williams and his colleagues founded the YMCA in London in an attempt to replace disorderly behaviour with constructive activities.

The YMCA's benevolent spirit soon caught the attention of Montreal, thus initiating its expansion throughout Canada and the U.S.

Since its inception the Y has been instrumental in addressing a multitude of social needs. To the implementation of such programs as health and recreation, child care, employment training, literacy and language training and international development aid, the YMCA movement exemplifies the Canadian spirit. This movement has not only helped to build stronger communities and goodwill but it can be said that the YMCA has been instrumental in building the mind, body and spirit of humankind.

Join us today in celebrating the spirit of George Williams' dream and the immeasurable contributions of the YMCA in Canada. It is fitting we should celebrate this on the 50th anniversary of D–Day.

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[*Translation*]

BATTLE OF NORMANDY

Mr. John Bryden (Hamilton—Wentworth): Mr. Speaker, 50 years ago today, Canadian troops landed on the beaches of Normandy to begin their mission to free France. The three major Allied powers, the United States, Great Britain and Canada, joined forces to liberate Europe from the Nazis, to restore democracy and to deliver the millions suffering under the iron grip of fascism. The battle was hard–fought and many soldiers lost their lives.

So many years later, we remember that day when Canadian soldiers, francophones, anglophones and allophones, represented all of Canada. The language spoken mattered little when the freedom of the world hung in the balance.

* * *

(1410)

[*English*]

D–DAY

Mrs. Eleni Bakopanos (Saint–Denis): Mr. Speaker, there are many battles in our history from which countless Canadian lives have been lost. Today let us remember those gallant men and women who 50 years ago gave their lives to the cause of freedom and democracy.

Let us also remember the unsung heroes of World War II, the resistance fighters of France, Norway, Belgium, Holland and Greece, who played an important role in helping to divert the Nazi forces away from Normandy and aid in the victory of the allied forces.

Today I salute these men and women.

[*Translation*]

I would like to thank the members of the Royal Canadian Legion Flanders Branch No. 63, as well as all veterans in the riding of Saint–Denis for their sacrifices. It is because of their courage and their love of country that Canada is today a free, united Canada. We will remember.

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BATTLE OF NORMANDY

Mr. Maurice Godin (Châteauguay): Mr. Speaker, on this the 50th anniversary of the Allied landings on the beaches of Normandy, the Bloc Quebecois joins today with the entire international community in commemorating this event.

During World War II, Canada participated in campaigns in the Pacific, the Atlantic, Italy, France and the Netherlands. On June 6, 1944, thousands of people took part in what was to be the pivotal battle to free Europe from Nazi oppression. Veterans remain the faithful witnesses to these trying times and we must never forget, or be indifferent to, their actions.

The Bloc Quebecois salutes the sacrifices made and feats of bravery and courage displayed by all those involved 50 years ago. We salute the people who served on the battle front and on military bases, and especially those who served on the home front, the wives and children who often anxiously awaited word of their loved ones.

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[*English*]

"THE ROVING MIKE"

Mr. Paul E. Forseth (New Westminster—Burnaby): Mr. Speaker, May 16 marked the 15,000th broadcast of the longest running one host show in radio history. The show is called ''The Roving Mike'' and has been part of CKNW Radio New Westminster since 1944.

It is my pleasure to honour CKNW's Bill Hughes who has hosted the show since 1950. In fact he has hosted well over 14,000 of its broadcasts. When Bill Hughes retires in August so will the show ''The Roving Mike''.

Bill Hughes has shown people in British Columbia that dreams can surely come true. In a recent interview Hughes said that he often liked to pretend having a microphone in his hand when he was a kid and often went into the bathroom to practise his hockey game voice, despite his mother thinking he was mentally disturbed.

Bill Hughes has given British Columbia's lower mainland a radio broadcast enjoyed by all. He will surely be missed by all British Columbians following his final program in August.

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D–DAY

Mr. Chris Axworthy (Saskatoon—Clark's Crossing): Mr. Speaker, 50 years ago today allied forces stormed the beaches at Normandy marking the beginning of the end of World War II.

Some 150,000 troops took part in D–Day including 14,000 Canadians. Every province and territory of Canada was represented on land, in the air and at sea. All wore a similar shoulder badge with ''Canada'' on it and stood together not as westerners, French Canadians or maritimers, but as Canadians. They fought for freedom, for democracy and for the future generations many of them would never see.

We celebrate them today and pay tribute to all who played a role in the allied victory. We celebrate also the opportunity victory brought to build a better Canada, one free from pain and suffering for ourselves and for future generations. We continue in earnest toward this end and we do so with tremendous gratitude for those who made it possible.

On behalf of the citizens of Saskatoon—Clark's Crossing and on behalf of my New Democrat colleagues in this House, I would like to express sincere thanks to all the women and men who played a role in D–Day and in ensuring that freedom reigned.

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D–DAY

Mrs. Dianne Brushett (Cumberland—Colchester): Mr. Speaker, I am proud to rise in remembrance of the Canadian allied assault which marked the beginning of the liberation of Nazi occupied Europe 50 years ago today.

D–Day was a day of courage, a day of fear, when more than 15,000 Canadians landed on the beaches of Normandy not knowing whether they would be driven back into the sea or advance inland to capture the enemy posts. Soldiers from every province were part of that invasion and the Canadians fought with courage, unprecedented and unsurpassed.

On the home front, Canada was a woman's world with more than one million women in the factories turning out the products of war and running the farms. Canada was a unified nation, a nation with a focus, a nation with a goal, a goal of victory.

Today we salute our veterans for achieving that goal and we thank them for securing our future. In particular I salute the North Nova Scotia Highlanders whose Gaelic motto translated was ''Breed of manly men''. May we always remember D–Day.

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(1415)

[*Translation*]

BATTLE OF NORMANDY

Mr. Patrick Gagnon (Bonaventure—Îles–de–la–Madeleine): Mr. Speaker, on this 50th anniversary of D–Day, I want to pay tribute to the veterans of World War II.

It reminds me of a trip I made not so long ago to Bernières–sur–Mer, in Europe, where I saw young people, unregistered people, non–francophones, non–anglophones, natives, people from every linguistic community in the country. I was struck by how young those Canadians were: between 17 and 20 years of age. Few of them were over 25. They were young Canadians. They fought together and I will tell you this: I am deeply touched by the fact that those young Canadians gave their lives to defend our democratic values, that they threw off the yoke of tyranny in Europe and that they did it for us, for their children and for their country.

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[*English*]

D–DAY VETERANS

The Speaker: My colleagues, in a small departure from precedent I wonder if you would permit me on your behalf to welcome the representatives of D–Day who are not in my gallery, but in the diplomatic gallery. We receive them on behalf of all of our veterans who were there on this day 50 years ago. Gentlemen, would you stand?

Some hon. members: Hear, hear.

ORAL QUESTION PERIOD

[*Translation*]

COLLÈGE MILITAIRE ROYAL IN SAINT–JEAN

Hon. Lucien Bouchard (Leader of the Opposition): Mr. Speaker, while the ministers of Defence and Intergovernmental Affairs are passing the buck on the closing of the military college in Saint–Jean, we learned in Saturday's issue of *Le Devoir* that it costs 60 per cent more to train an officer in Kingston than in Saint–Jean. In addition, the work to expand the college in Kingston in order to accommodate the officer cadets

from Saint–Jean will amount to $75 million. The negotiations between Quebec City and Ottawa are still deadlocked.

I ask the Deputy Prime Minister whether she continues to use economic arguments to justify the decision to close the military college in Saint–Jean, when the cost of training an officer cadet in Saint–Jean is $52,000 per year compared to $83,000 in Kingston.

Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment): Mr. Speaker, it will not cost a penny more to transfer the students now at CMR to Kingston.

Hon. Lucien Bouchard (Leader of the Opposition): Mr. Speaker, I would invite the Deputy Prime Minister to rectify the facts she has just stated by reading the articles in *Le Devoir* which were written by an authorized and very credible journalist.

I would also ask her how she can insist on invoking budgetary reasons to justify the decision to close the military college in Saint–Jean, when for the expansion alone of the college in Kingston required because of this closure, the contracts that will have to be awarded in order to accommodate the officer cadets from Saint–Jean, will cost almost $75 million.

Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment): Mr. Speaker, unfortunately, the information given by the Leader of the Opposition is not true. It will not cost a penny more to teach students at the college in Kingston than it would in Saint–Jean.

Hon. Lucien Bouchard (Leader of the Opposition): Mr. Speaker, am I to understand from the Deputy Prime Minister that the government now denies it will expand the military college in Kingston and that the expansion plans, that we know about, are justified by the transfer of the officer cadets who used to study in Saint–Jean? I would urge the Deputy Prime Minister to check the facts and to make accurate statements in the House! We are dealing with serious issues here!

I would ask her to follow up on what her colleague, the Minister of Foreign Affairs, said last weekend in Montreal, namely that the federal government has presented proposals on the military college in Saint–Jean to the Quebec government, and to tell us whether these proposals include maintaining military training operations in Saint–Jean.

[*English*]

Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment): Mr. Speaker, I said it twice in French. I will repeat it in English.

The cost of educating the students who are being transferred represents not a single additional penny of extra expenditure in the federal military budget.

(1420)

[*Translation*]

FRANCOPHONE AFFAIRS

Mrs. Suzanne Tremblay (Rimouski—Témiscouata): Mr. Speaker, my question is for the Deputy Prime Minister. Ontario's Minister of Francophone Affairs refused to act on the request from the Commissioner of Official Languages, who asked the Government of Ontario to make an exception so that Kingston could become a bilingual area. This refusal by the Ontario government comes just before the cadets are to move from the military college in Saint–Jean to Kingston.

How can the Deputy Prime Minister still maintain that her government wants to make RMC in Kingston a bilingual institution and make that city a showcase of bilingualism when the Government of Ontario systematically refuses to make Kingston bilingual?

Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment): Mr. Speaker, I think that the Ontario government's decision expresses more or less the same policy as the Bloc Quebecois. It accepts institutional bilingualism at the federal level but not at the provincial level. That is similar to the Bloc Quebecois's policy in their platform.

Mrs. Suzanne Tremblay (Rimouski—Témiscouata): Mr. Speaker, does the Deputy Prime Minister not agree that the Ontario government's attitude means that Kingston will not have French services before the year 2000 if that city is not bilingual? Is it really the Liberal Government of Canada's bilingual showcase?

Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment): Mr. Speaker, I repeat, unfortunately the Ontario government's policy is exactly the same as the Bloc Quebecois's: it does not accept bilingualism at the provincial level. I ask you, as I ask them, to join us in defending the rights of minorities wherever they live in this beautiful country, Canada.

* * *

[*English*]

MEMBERS OF PARLIAMENT RETIRING ALLOWANCES ACT

Mr. Jim Silye (Calgary Centre): Mr. Speaker, my question is for the Minister of Finance.

Time and again we have asked questions in the House on MPs' pensions. We were promised a review and action. Nothing has happened in six months and we are three weeks from the break. It was not in the newspaper was it? On March 7 the Prime Minister stated that when MPs quit it is not necessarily easy for them to get re–established in private life. Eighty–two per cent of MPs find work within one year of leaving office.

How can the Minister of Finance continue to justify the fact that MPs are still entitled to and continue to collect pensions for life after only six years of contributions?

Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development –Quebec): Mr. Speaker, as the government House leader has indicated on many occasions, a commission has been set up to examine this. The government will be dealing with it when the commission has made its report.

Mr. Jim Silye (Calgary Centre): Mr. Speaker, I hope it does not take another six months.

On February 8 I asked the Prime Minister about the exorbitant pension plan. He told me I did not understand the system. I do understand the system. The retirement allowance is legal and represents 4 per cent of what we contribute and is matched in a multiple of 2.4. The retirement compensation allowance represents 7 per cent and each dollar we put in is matched by a multiple of 7.8.

Some hon. members: Question.

Mr. Silye: I have to elaborate so you people understand. Is the 7 per cent portion of the retirement allowance act legal in light of the fact that the private sector can only match funds up to 5 per cent each?

Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada): Mr. Speaker, I simply want to repeat what my colleague the Minister of Finance said.

The government is committed to legislating the matter of members' pensions. He said we would be dealing with the matter after receiving the report of the commission which is studying issues involving the pay and pensions of members which has to be set up after every election. The government will be proceeding along those lines as soon as it gets the report, has a chance to study it and reach some conclusions.

(1425)

The Speaker: I would again encourage all members to please include your Speaker when you are addressing questions or giving answers.

Mr. Jim Silye (Calgary Centre): I apologize, Mr. Speaker.

The fact is a two–tier system has been set up by politicians for their pension plan that is completely out of line with the private sector. There should not be two sets of laws in our country; one for the people and one for the politicians.

Before the House recesses in three weeks, can the Minister of Finance or the Solicitor General guarantee our party that we will get a response to this overly generous retirement compensation allowance?

Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada): Mr. Speaker, I said that the government would be carrying out its commitments to act on members' pensions.

In the meantime I would ask the hon. member if he can give us a report before the House adjourns about the double dipping, on the record, of all the Reform members.

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[*Translation*]

GOODS AND SERVICES TAX

Mr. Yvan Loubier (Saint–Hyacinthe—Bagot): Mr. Speaker, at the end of this month, finance ministers will meet in Vancouver. It appears that the federal government intends to discuss the main recommendation contained in the preliminary report of the finance committee on the GST reform, and follow up on it. The recommendation proposes that the current GST be replaced by another GST, that all provincial taxes be combined with this tax, and that the tax base be expanded to other goods and services not currently covered.

My question is for the Minister of Finance. Will the minister confirm that, at this conference, he intends to start negotiating with his provincial counterparts on the amalgamation of the GST and provincial sales taxes to create a single tax, and that the technical aspects, the procedures and the scope of that tax will be determined by Ottawa?

Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development—Quebec): Mr. Speaker, the hon. member is well aware that I have not yet received the report. As soon as we receive it, hopefully before the meeting to be held at the end of the month, we will certainly want to have discussions with the provincial Ministers of Finance.

Mr. Yvan Loubier (Saint–Hyacinthe—Bagot): Mr. Speaker, will the Minister of Finance confirm his government's intention to force Quebec to extend the new GST to food items, medical care and medication, and to impose, in Quebec, this new hidden tax which will be even more despicable than the original GST for Quebec and Canadian taxpayers?

Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development—Quebec): Mr. Speaker, the hon. member knows full well that this is not our intention. Our intention is to sit with all the provincial finance ministers, have real discussions and implement, if we can, what consumers, small businesses and Canadians want, namely a truly harmonized tax.

[*English*]

GOVERNMENT APPOINTMENTS

Mr. Elwin Hermanson (Kindersley—Lloydminster): Mr. Speaker, week after week we in the opposition have shown examples of Liberal patronage appointments.

The recent appointment of Michel Robert as the new Oka negotiator is a perfect example of the Liberal do as I say, not as I do policy.

Who can forget the howls of outrage and indignation when the former government appointed Bernard Roy, a former Tory aide, as Oka negotiator, yet the Liberals have done exactly the same thing.

My question is for the government House leader, whose government has made a big deal about its ethics counsellor, yet it has proven that it does not have the basic integrity required to live up to its rhetoric. Does the government expect a new ethics counsellor to be its moral conscience or to clean up the awful mess of patronage it is creating?

Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada): Mr. Speaker, when the Prime Minister makes an announcement of his proposal on the commitment to have an ethics counsellor it will be open to the opposition parties to comment. In the meantime I would ask them to wait until the Prime Minister formally puts his proposal to the House and the public.

I think that would be the only fair and reasonable way to do it.

Mr. Elwin Hermanson (Kindersley—Lloydminster): Mr. Speaker, that was not the question. I was talking about restoring faith and integrity in Parliament itself.

Time after time we have seen appointments to big *L* Liberals for advertising contracts, for committee contracts. The list goes on.

How can the government House leader stand up and say these appointments of well known Liberals are not patronage appointments and will he stop them?

Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada): Mr. Speaker, we made a commitment to appoint people on the basis of merit and on the basis of competence. The hon. member's suggestion that there are not any competent people in a particular political party flies in the face of common sense.

The government is committed to making appointments on the basis of merit and competence. Since close to 51 per cent of Canadians support the Liberal Party, I do not think that half the Canadian population should be excluded from consideration for appointments.

(1430)

[*Translation*]

DOUBLE HULLED SHIPS

Mr. Benoît Sauvageau (Terrebonne): Mr. Speaker, last Monday, in answer to a question from the opposition about double hulled ships, the Deputy Prime Minister stated, and I quote: ''The double hull legislation was passed last year. I do not know where the Bloc member and his colleagues were at that time, but the legislation already exists''.

In fact, the legal counsels of the transport department we talked to confirmed that there is no such legislation in force. Let me remind the House that Bill C–121, an Act to amend the Canada Shipping Act, passed in 1993, does not require ships to have a double hull.

My question is for the Deputy Prime Minister and Minister of the Environment. To avoid any further misunderstanding, can the minister tell us exactly what piece of legislation on double hulled ships she was referring to?

[*English*]

Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment): Mr. Speaker, the Canada Shipping Act which was passed in 1993 requires all new ships plying the waters in Canada to have double hulls.

[*Translation*]

Mr. Benoît Sauvageau (Terrebonne): Mr. Speaker, how can the Minister of the Environment claim to be able to face any potential environment crisis in our waters, when she does not even know that there is no legislation concerning the transportation of dangerous goods in double hulled ships?

[*English*]

Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment): Mr. Speaker, the member asked if there was legislation on double hulling. Indeed there is legislation on double hulling. It was passed last year. It applies to new ships.

The reality is that we also have double hulling applying to ships that are carrying oil cargo.

In respect of other ships, which I assume is the member's intention, if he is suggesting that all ships be double hulled in order to ply Canadian waters in any part of the country I would suggest that his own proposition would see the port of Quebec closed down today if he had his way.

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PEARSON INTERNATIONAL AIRPORT

Mr. Ed Harper (Simcoe Centre): Mr. Speaker, my question is for the Minister of Transport.

For two consecutive governments the Pearson airport privatization has been shrouded in secrecy, first by the Conservatives and now by the Liberals. It is time to lift the fog over Pearson airport.

Will the minister commit that all documents related to the Pearson deal will be released to the public?

Hon. Sergio Marchi (Minister of Citizenship and Immigration): Mr. Speaker, I would like to thank the hon. member for his question.

As he may know, the hon. Minister of Transport is away from the House of Commons on government business.

I would be more than happy to relay his question directly and try to get a generous and accurate response to the member as soon as possible.

Mr. Ed Harper (Simcoe Centre): Mr. Speaker, I have a supplementary question.

In anticipation of the response, would the minister assure the House—

The Speaker: We cannot have hypothetical questions or answers, nor hypothetical reception of answers that are not given.

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[*Translation*]

FÉDÉRATION DES FEMMES DU QUÉBEC

Mrs. Christiane Gagnon (Quebec): Mr. Speaker, my question is directed to the Deputy Prime Minister. The chairperson of the *Fédération des femmes du Québec* has sounded the alarm about the situation of women groups in Canada. These groups have not yet received the $9 million grant they were promised.

Will the Deputy Prime Minister see to it that her government fulfils its commitment and grant $9 million to the various organizations which protect the interests of Canadian and Quebec women?

[*English*]

Mr. Maurizio Bevilacqua (Parliamentary Secretary to Minister of Human Resources Development): Mr. Speaker, I would like to thank the hon. member for her question and I can tell her the reason why the funding has not been made available yet is that the federation did not give us the evaluation reports at the time it should have.

Obviously this matter will be resolved as soon as the evaluations are evaluated.

[*Translation*]

Mrs. Christiane Gagnon (Quebec): Mr. Speaker, will the Deputy Prime Minister recognize that the delay in the payment of the federal grant jeopardizes the operation of these women groups, including the *Fédération des femmes du Québec*, whose line of credit request was turned down by a financial institution?

(1435)

[*English*]

Mr. Maurizio Bevilacqua (Parliamentary Secretary to Minister of Human Resources Development): Mr. Speaker, it is extremely important that we review the evaluation but since the hon. member is extremely concerned about the government's commitment to women, a quick reading of the budget will illustrate to the hon. member that women's programs were not cut.

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[*Translation*]

FOREIGN AFFAIRS

Mr. Eugène Bellemare (Carleton—Gloucester): Mr. Speaker, we have learned that a Canadian Hercules aircraft was attacked yesterday in Kigali.

[*English*]

Can the Minister of National Defence inform this House on the status of the Canadian forces airlift operations in Rwanda?

Mr. Fred Mifflin (Parliamentary Secretary to Minister of National Defence and Minister of Veterans Affairs): Mr. Speaker, in response to the member's question, I wish to inform the House that yesterday, June 5, the Kigali airport came under artillery fire during the unloading of a Hercules aircraft. The operation was ceased and the aircraft took off, returned to its base in safety, and there were no injuries nor any damage to the aircraft.

The airlift has been suspended until the investigation into this incident has been completed and assurances given from both sides that the safety of the airlift operation will be respected.

I also want to inform the House that Canadian forces right now are providing the only airlift into and out of the airport in Kigali and it is the only means of communications right now into and out of Rwanda. I want to report that they have airlifted 1,600 people to safety to date and continue to do their job, as they do in other peacekeeping operations, with professionalism and in this case with outstanding service to an essential operation.

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NATIONAL FORUM ON HEALTH

Mr. Keith Martin (Esquimalt—Juan de Fuca): Mr. Speaker, my question is directed to the Minister of Health.

Last week in this House the minister refused to release the terms of reference for the national health forum. The minister said: ''The terms of reference of the forum will be released when we are ready to release them''.

If the minister is truly interested in using the national forum to stimulate a nation–wide debate on the future of our health care system which is currently falling to pieces, why is she unwilling to release the terms of reference?

Hon. Diane Marleau (Minister of Health): Mr. Speaker, we are trying to work as closely as possible with the provinces in order to accommodate their role.

It is very important that we do our very best to make sure they participate in this forum, to make sure it is as effective as we would like it to be. We will be releasing the terms of reference very shortly.

Mr. Keith Martin (Esquimalt—Juan de Fuca): Mr. Speaker, this health forum seems to be a bit of a farce. The Prime Minister says one thing, the Minister of Health says something else. The terms of reference were supposed to be released. They have not been.

What, if anything, specifically does the minister know about this health forum? What are its terms of reference? When is it going to be?

Hon. Diane Marleau (Minister of Health): Mr. Speaker, as much as the Reform Party would like to set the agenda, we set the agenda. If the hon. member wants to know more about the forum on health perhaps he should read the red book for starters.

We are continuing to negotiate. The Prime Minister and I are working very closely on the health forum because we think it is a very important exercise. We will, when we are ready, release the terms of reference.

* * *

[*Translation*]

FOREIGN AFFAIRS

Mr. Stéphane Bergeron (Verchères): Mr. Speaker, my question is for the Deputy Prime Minister. After trying for days to convene talks on a permanent ceasefire in the former Yugoslavia, the special envoy of the Secretary General of the United Nations decided yesterday to abandon his efforts aimed at bringing together all of Bosnia's warring factions in Geneva.

Can the Deputy Prime Minister confirm that the United Nations and the great powers have failed in their diplomatic efforts to get the parties involved in the conflict in the former Yugoslavia to negotiate a lasting ceasefire in Bosnia–Hercegovina?

Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment): Mr. Speaker, we are all aware of the diplomatic efforts that are being made. We are also aware that the best way to solve these problems is through negotiations, and that is exactly the avenue that we are pursuing with our Minister of Foreign Affairs.

(1440)

Mr. Stéphane Bergeron (Verchères): Mr. Speaker, can the Deputy Prime Minister tell us if the United Nations and the great powers intend to propose new peace initiatives in Bosnia–Hercegovina?

[*English*]

Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment): Mr. Speaker, obviously the Canadian government is very concerned about the situation there. We are anxious to pursue a negotiated settlement.

We have, along with other members in the United Nations, been sending very strong messages to the belligerents that we would like to see the ceasefire hold. Obviously the foreign minister, who is now in Europe, will be dealing very specifically at the negotiating level with these issues.

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CANADIAN VIETNAM VETERANS MEMORIAL

Mr. Jack Frazer (Saanich—Gulf Islands): Mr. Speaker, my question is for the Minister of Canadian Heritage.

On Friday the minister said the decision to offer space for the Canadian Vietnam veterans memorial in the capital region is to be taken by the National Capital Commission.

However, we have been told by the NCC that if the minister or cabinet so instructs, the NCC will give permission for such a memorial.

This government has the authority to make this decision if it so desires. Will the minister take action now to ensure that the NCC will make available a site for the Canadian Vietnam veterans memorial?

Ms. Albina Guarnieri (Parliamentary Secretary to Minister of Canadian Heritage): Mr. Speaker, I am happy to take note of the member's question and will relay his request to the minister.

Mr. Jack Frazer (Saanich—Gulf Islands): Mr. Speaker, I would just like to make it plain that over 10,000 Canadians served in the American forces in Vietnam; hundreds of them lost their lives.

Canadians have placed a memorial at Arlington to honour Americans who served in the Canadian Armed Forces during the second world war. We would like the minister to allow Americans to honour Canadians who served with the American forces in Vietnam.

* * *

FISHERIES

Mr. Derek Wells (South Shore): Mr. Speaker, my question is for the Minister of Fisheries and Oceans.

In recent days questions have arisen about the tuna fishery and especially about Japanese involvement in this fishery.

Does this government intend to permit a Japanese tuna fishery in 1994 in Canadian waters?

Hon. Brian Tobin (Minister of Fisheries and Oceans): Mr. Speaker, the panel on the use of foreign vessels in Canadian waters, otherwise known as the Harris panel, met in Halifax last week and heard representation from appropriate members of the appropriate gear sectors in Nova Scotia. The panel's advice or recommendations will be forthcoming to me in the next few days at which time I will make a decision.

Let me remind the House that the Japanese have been taking a share of an international tuna quota in Canadian waters with Canadian consent since 1977. Canada enjoys an excellent relationship with the people and government of Japan. All of this will be taken into consideration in making our decision this year.

* * *

[*Translation*]

TOBACCO ADVERTISING

Mrs. Pauline Picard (Drummond): Mr. Speaker, my question is for the Minister of Health.

On May 31 last, the Minister announced that the government would allocate $55 million for the development of an advertising campaign aimed mostly at young people to make them aware of the damaging effects of tobacco.

Can the Minister of Health tell us whether the government intends to call for tenders for a $55 million advertising contract, or are we to understand that the McKim Communications agency will be responsible for this advertising campaign through the extension of its previous contract?

Hon. Diane Marleau (Minister of Health): Mr. Speaker, for the moment, we are working with our provincial counterparts and with anti–tobacco groups to develop a campaign which will really do the job we want it to do. We have not yet decided how we will proceed.

Mrs. Pauline Picard (Drummond): Mr. Speaker, before investing $55 million in a new advertising campaign with an agency very well known to the Minister of Human Resources Development, what new guarantees of success does the Minister now have, since the last campaign, as she admitted herself, has been a complete failure?

(1445)

[*English*]

Hon. Diane Marleau (Minister of Health): Mr. Speaker, in terms of advertising to convince people not to take up smoking or to quit smoking, some campaigns work better than others. That is not to say they all fail.

In terms of our own anti–smoking campaigns in times of very tough money, we are working closely with all groups, the non–smokers groups and the provincial ministries, to make sure we work together to most effectively use those dollars, to most effectively convince young people especially not to take up smoking.

* * *

BARLEY MARKETING

Mr. Allan Kerpan (Moose Jaw—Lake Centre): Mr. Speaker, my question is for the minister of agriculture. The minister has promised farmers that he will consider holding a plebiscite on the matter of barley marketing. He has said that representation should be made to him regarding ideas on how to organize such a plebiscite.

The minister has now had such representations. Could he inform the House of his assessment of those recommendations and if he will now support a plebiscite?

Mr. Lyle Vanclief (Parliamentary Secretary to Minister of Agriculture and Agri–food): Mr. Speaker, the matter has been before the government as we know for some time and before the previous government as well.

Some players and some stakeholders in the industry have responded to the six questions the minister put out with their answers and their suggestions. The minister is reviewing them at the present time in full consultation with the industry as he is doing so.

Mr. Allan Kerpan (Moose Jaw—Lake Centre): Mr. Speaker, does the minister support the existing system of the Canadian Wheat Board monopoly on barley sales, or does he see merit in allowing individual farmers and grain companies to market barley and barley products directly?

In a simple yes or no I would ask: Should not farmers have the freedom to choose?

Mr. Lyle Vanclief (Parliamentary Secretary to Minister of Agriculture and Agri–food): Mr. Speaker, the government supports very strongly orderly marketing systems. We will work with the industry to continue the success of orderly marketing systems in the country for agricultural products so that farmers and Canadians can benefit from them in the future as they have in the past.

* * *

HUMAN RIGHTS

Hon. Audrey McLaughlin (Yukon): Mr. Speaker, my question is for the Deputy Prime Minister.

Today we are all very much aware of the role that Canada has played in fostering democracy in the world and the price that Canada has paid.

Yesterday, June 5, was the fifth anniversary of the massacre in Tiananmen Square in Beijing. According to Amnesty International there continues to be very serious human rights violations in China. There were over 1,400 executions last year.

Does the Deputy Prime Minister's government have a specific plan to pursue the human rights abuses with China on either a national or a multilateral level?

Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment): Mr. Speaker, obviously the Government of Canada like other governments around the world is concerned about human rights violations wherever they occur, whether it be China, Haiti, Cuba or any other country around the world. We would hope national governments could be encouraged to respect democracy, something that unfortunately does not exist in any of the three nations I mentioned.

We are working with the Department of Foreign Affairs and with other parliamentarians to ensure that while we press for a strong position on human rights we keep the dialogue going. There must be a balanced approach in terms of keeping the doors and the lines of communication open while at the same time recognizing that to join the world community one should respect human rights.

I think that has been an integral part of our message on human rights in relation to foreign affairs.

Hon. Audrey McLaughlin (Yukon): Mr. Speaker, I say to the Deputy Prime Minister that we all hope there will not be human rights violations in the world.

Does the Deputy Prime Minister's government have a specific plan at multilateral trade talks to raise human rights issues beyond simply hoping that it will change and to express positive views about that?

(1450)

In the past, I remind the Deputy Prime Minister, Canada has taken action on boycotts or embargoes. Does her government have a specific plan on the issue?

Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment): Mr. Speaker, obviously any policy the government advocates is going to be striking the proper balance between normalization in keeping the lines of communication open and emphasizing our commitment to human rights.

I know her colleague, Premier Bob Rae, when he spoke out last week in concern of normalization, obviously reflected that same balance in foreign affairs.

I am sure the hon. member already knows, because she has a longstanding interest in the issue, that one of the reasons as a first act of government we launched the foreign policy review was specifically that we wanted to get the input of Canadians, Canadian premiers like Bob Rae and the views of ordinary Canadians, to make sure that when our final foreign policy review analysis was tabled in October it would reflect that proper balance.

* * *

[*Translation*]

POLITICAL PARTIES

Mr. François Langlois (Bellechasse): Mr. Speaker, my question is for the Deputy Prime Minister. A few days ago, some federal public servants received, at their place of work, a letter signed by the Prime Minister and the hon. member for Glengarry—Prescott—Russell, asking them to contribute financially to the Liberal Party of Canada.

You will recall that the same member for Glengarry—Prescott—Russell complained about such a practice when used by the Conservatives in 1986. Could the Deputy Prime Minister tell us whether the government intends to ask Liberal members to apologize to civil servants who might have received, at their place of work, letters asking them to contribute to the Liberal Party of Canada?

Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment): Mr. Speaker, I am confident that the hon. member accepts last week's statement by the Prime Minister's Office to the effect that these letters were sent by mistake. There was never any intention of putting pressure on public servants and that is why the Prime Minister's Office itself stated that these letters were sent by mistake.

Mr. François Langlois (Bellechasse): Supplementary, Mr. Speaker. Would the Deputy Prime Minister not agree that the government should introduce legislation limiting party financing to voter contributions, that is to say excluding corporate donations, the way it has been in Quebec for 17 years?

[*English*]

Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment): Mr. Speaker, the question raised by the hon. member was a legitimate question. He asked whether there was any intent to force public servants into contributions that they should not be making.

The answer is no, clear and simple. There is no intent to twist anybody's arm or indeed to have any direct contact with public servants. It was a mistake made because we purchased a list from a private company.

I would hope the member would honour the fact that a mistake was made. We apologized for the mistake we made. We said to every public servant across the country: ''Don't feel compelled to respond to this letter that was sent in error''.

AGRICULTURE

Mr. Gary Pillitteri (Niagara Falls): Mr. Speaker, my question is addressed to the parliamentary secretary to the minister of agriculture.

The tender fruit industry is presently experiencing trying times and it has asked the minister to recognize its plight and to come to its aid before we lose some of the best agricultural land in Ontario and indeed in Canada.

Is the parliamentary secretary ready to give some assurances to the tender fruit growers in the Niagara Peninsula?

Mr. Lyle Vanclief (Parliamentary Secretary to Minister of Agriculture and Agri–food): Mr. Speaker, the government recognizes full well the importance of the Ontario tender fruit industry. I emphasize the fact and stress that the industry has about $25 million in commercial sales a year.

The industry presented the government recently with a document entitled ''Partnership for a Revitalized Ontario Tender Fruit Industry''. That document is under review by the staff of the department.

As recently as this morning I met with a number of department personnel to discuss that. I can assure the hon. member and the industry that we will be meeting in the very near future with the industry participants to work together to strengthen and revitalize the industry.

* * *

(1455)

JUSTICE

Miss Deborah Grey (Beaver River): Mr. Speaker, my question is for the Minister of Justice regarding the FAC or firearms acquisition certificate. I have a question from members of my constituency wondering about training personnel to administer the courses.

Could the minister assure us that he does have personnel in place to teach the courses because the courses are mandatory?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada): Mr. Speaker, in each of the provinces there are people who have been trained to give the courses to ensure that those who make application for the FAC can be prepared for the course requirements.

Miss Deborah Grey (Beaver River): Mr. Speaker, it has come to my attention that there are factual errors in the handbook or the manual that has come out. I would ask the minister to check that out. Firearms experts in my constituency say there are factual errors in that.

I have a supplementary question for the minister. In terms of setting the fee for this particular course we have heard anywhere from $75 for the course up to $200 and $300. Is the actual amount of the fee for the course mandatory, or is it up to the trainers' jurisdiction or their personal preference?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada): Mr. Speaker, I have been assured that the contents of the course are complete and accurate, but in view of the statement made by the hon. member I will make further inquiries of the department to ensure that is so. I will let her know what I learn as a result of those inquiries.

So far as the fees are concerned, the fees are actually prescribed by the provinces on the basis of cost recovery. I can again research further detail on that and let the hon. member know in writing what the details are. However the principle is cost recovery and the amounts are set by the provinces.

* * *

[*Translation*]

COLLÈGE MILITAIRE ROYAL IN SAINT–JEAN

Mr. Michel Gauthier (Roberval): Mr. Speaker, the mistake the government made when it decided to close the Collège militaire royal in Saint–Jean and transfer the students to Kingston is obviously turning into a nightmare. The expected savings will not materialize and might even be offset by renovation costs.

My question is for the Parliamentary Secretary to the Minister of National Defence. Can he confirm whether RMC officials in Kingston are planning major renovations to accommodate students from Saint–Jean and offer special courses which are available in Saint–Jean but not in Kingston?

Hon. Marcel Massé (President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister responsible for Public Service Renewal): Mr. Speaker, as the Deputy Prime Minister mentioned, I personally checked today to see if the statements published this week–end in *Le Devoir* were correct.

According to National Defence officials they are incorrect and there is no plan to spend $50 or $75 million in Kingston. Furthermore, they indicated that the area where the cadets have their meals was being upgraded, but that the work had been approved by the previous government as part of a larger renovation project which had been planned before it was decided to close the Collège militaire royal in Saint–Jean.

Therefore, no new money has been allocated to transfer the cadets from Saint–Jean to Kingston.

AGRICULTURE

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, my question is for the Parliamentary Secretary to the Minister of Agriculture. Last December, certain pessimists took delight in saying that the future of supply management in Canada was doomed. Obviously, the truth was quite another story.

Can the parliamentary secretary give this House some idea of the long–term projections for this industry? Can he also give us a status report on his department's review of supply management?

[*English*]

Mr. Lyle Vanclief (Parliamentary Secretary to Minister of Agriculture and Agri–food): Mr. Speaker, yes, I am able to report, as we know, that a task force was established in January to discuss with all stakeholders in the industry the future of supply management and orderly marketing in those sectors in Canada.

Those meetings have been taking place. The five commodity committees are meeting on a regular basis. I am proud and pleased to say that all stakeholders in the industry are taking part in those discussions. We will be reporting the very optimistic results of those discussions. The industry will be prepared to meet the challenges and the opportunities of the Uruguay round of GATT negotiations when they are implemented in 1995.

ROUTINE PROCEEDINGS

(1500)

[*English*]

D–DAY

Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment): Mr. Speaker, 50 years ago today boys became men. Fifty years ago today men became heroes.

[*Translation*]

Mr. Speaker, I was there this morning with all other hon. members who felt an incredible pride when the national anthem *O Canada* was sung everywhere for those who worked for democracy in Canada 50 years ago.

[*English*]

D–Day began the Normandy campaign. The Normandy campaign began the liberation of Europe.

Today we honour the 14,000 young soldiers who landed on Juno Beach. We honour the 1,000 who were killed during that landing and we honour the combined efforts of millions of women and men who sacrificed terribly for five years to end the scourge of Nazism.

The Regina Rifle Regiment, the Canadian Scottish Regiment, the Royal Winnipeg Rifles, le régiment de la Chaudière, the North Shore (New Brunswick) Regiment, the Queen's Own Rifles of Canada, the Stormont Dundas Glengarry Highlanders, the North Nova Scotia Islanders, the Highland Light Infantry, the Cameron Islanders of Ottawa, the First Canadian Parachute Battalion, les Fusilliers de Sherbrooke, the Fort Garry Horse Regiment and the Sixth Armoured Division.

The names ring of history but the landing on the beach of Normandy was not the romance of history books. War is not romantic. Real human beings died on the beach. Real human beings died in the frigid channel. Real human beings died on the barbed wire. Real human beings lost husbands, fathers, brothers and friends. Real human beings lost their children.

Many of us alive today have no memories of D–Day and yet we must remember. To paraphrase the Prime Minister speaking this morning as he did so eloquently in Normandy: ''They didn't ask us if we were Quebecers, Ontarians, westerners, easterners; they didn't ask us what language we spoke when they called us to the service of our country, and we responded literally by the hundreds of thousands''.

[*Translation*]

Yes, I was proud this morning. I was proud to hear *O Canada*, which symbolizes democracy because of everyone who died 50 years ago. Very few of us will ever be called upon to display as much courage as our soldiers on the beaches of Normandy.

My great–grandfather, an Acadian whose name was Gaudreault and who died in the First World War, the Magdalen Islanders and people from all over rallied to the cause of democracy and represented Canada with incredible pride. Very few of us will have to choose to give our lives for others' freedom.

(1505)

[*English*]

The liberty to speak out; the liberty to separate; the liberty to exercise democracy in a way that Canada has shown both at Dieppe and on D–Day and over the years that they did not die in vain.

[*Translation*]

As we celebrate the decisive battle for the liberation of Europe, we praise the survivors and we mourn the dead.

[*English*]

It would be wrong to imagine that victory was foreordained. The war was not a book or a movie in which the good guys were bound to win. Except for the bravery of our soldiers and our allies, we could be living under the swastika today. Our soldiers faced down a criminal regime which deliberately murdered millions of people.

The efforts of 50 years ago set the foundation for peace and unity in Europe and the democracy that we experience in our country today.

[*Translation*]

Our way of life, our prosperity, our pride in being Canadian, our being ranked first among all coutries in the world, our individual and collective freedom, our sense of international community were built on the determination of all those soldiers who had to land in the icy waters of the English Channel on June 6, 1944. Thanks to them, the Gaudreaults, the Baldwins and the Clancys, thanks to them, we have made tremendous strides in the past fifty years and forged solid ties of friendship with other peoples.

[*English*]

The great danger is the belief it could never happen again. The sad reality is that today in many places throughout the world forces of great evil are in control and are continuing to slaughter innocent people. Hundreds of millions of human beings on our earth remain deprived of the most basic human rights.

[*Translation*]

Hundreds of millions of human beings in this world are deprived of the most basic human rights. Hundreds of millions of our brothers and sisters live under tyrannical and murderous regimes.

[*English*]

The vigil for peace must be constant. We pay true honour to our heroes only if we use the lessons of the past to guide us into the future. We pay true honour to our heroes only if we understand that liberty and freedom can never be taken for granted.

We pause today for a few moments of reflection out of respect, but our obligations remain for a lifetime. Our duty is to pass on to coming generations the principles for which our armed forces fought on D–Day.

Throughout Canada today children prepare for their summer vacations and their trips to the beach without a care because 50 years ago soldiers, barely older than children, put their lives on the line on the beaches of Normandy. People gave up their youth to safeguard the future of young people.

We say prayers for those who lost their lives and we offer thanks to those who survived. However, we remember that the soldiers at Normandy did not fight just so that we could say a few words of thanks. They fought to give us a chance to build a better world. Our true thanks can only come through our actions in offering future generations the same opportunities that they gave to us.

We can best pay tribute for the sacrifices made 50 years ago if we keep faith with the ideals that inspired those sacrifices.

[*Translation*]

Sometimes democracy hurts.

[*English*]

Sometimes democracy and free speech hurt. Sometimes they hurt people who are concerned about the future of their country, but the reality is that what Normandy gave us 50 years ago is the opportunity to stand in this place and fight for the survival of our country or for its breakup. The reality of what those soldiers did on D–Day was to bring to Canada a real sense of liberation that says: ''Whatever your views, whatever your opinions, whatever your agenda, we welcome them'' because that is the democracy for which they fought.

(1510)

[*Translation*]

Hon. Lucien Bouchard (Leader of the Opposition): Mr. Speaker, the ceremonies taking place here today and elsewhere are an expression of the gratitude we feel as well as an opportunity for us to reflect on the meaning of June 6, 1944, and on the lessons to be learned from that fateful day on which the largest military operation of all time unfolded.

The word gratitude does not begin to convey the full measure of the debt we owe to the 5,000 Canadians of all origins and to the tens of thousands of allied soldiers who selflessly made the supreme sacrifice during the battle of Normandy.

Words can never express the debt we owe to those lying silently in the cemeteries doting the coast along the landing beaches, their graves marked by white crosses and bearing inscriptions which tell the tale of 20–year–old boys who died in the name of democracy and freedom.

We also owe a debt of gratitude to their fellow soldiers who survived the fury of battle. They returned home to their families carrying with them the memory of their fallen comrades. How can we not think of the mothers and fathers, brothers and sisters, widows and betrothed, and orphaned sons and daughters left to grieve for those buried on foreign soil? Their pain, sacrifices and selfless actions were made greater by the reasons that inspired them. On this day, we must also remember the nurses who worked in the hospitals on the front, as well as all those who toiled in the factories and plants.

The importance of the Allied landings in Normandy cannot be overstated. The invasion marked the beginning of the final assault by the Allied forces on Berlin. Forced to defend itself on two fronts, Hitler's army surrendered less than one year later, shortly after our troops linked up with Soviet divisions.

The success of the landing in France clearly demonstrated the combined industrial might of the United States, Great Britain and Canada. Above all, it was an expression of democratic solidarity. Hearts and minds were mobilized in the quest to

defend the principles of freedom that underlie all truly democratic societies.

At a time when the very principle of our collective allegiance was threatened, our citizens rallied to take up arms. The threat must have been perceived as great indeed for a people as fundamentally peaceful as we are to become involved as we did in the most devastating armed conflict in history.

The determination was also great to erase the threat of any future conflict. If there is one view shared by all veterans who are haunted by the terrible atrocities they witnessed, it is their condemnation of war.

We owe more than mere gratitude and admiration to those who lay down their life or endured terrible suffering. We have a duty to them to remember, because it is by remembering the horror of war that we will remain vigilant defenders of peace.

[*English*]

It is with gratitude and humility that I pay tribute to the Canadian men and women of every background, race, religion, language and political persuasion who laid down their lives in Europe, or lost their friends and comrades and returned to Canada, some maimed, and all forever marked by an experience of tragedy and a knowledge of bravery and sacrifice of a kind rarely encountered in our times.

In remembering the sacrifices made on D–Day, let us resolve once more to honour the memory of the men and women who fought against fascism by continuing in our day the struggle for democracy and human rights. In order that the spirit of democracy be allowed to flourish, and not simply its structures, I would wish for us all throughout the coming years the understanding and sensitivity that we perhaps experience in heightened degree on occasions such as this when we remember, above all, our shared values and common democratic goals.

(1515)

Mr. Jack Frazer (Saanich—Gulf Islands): Mr. Speaker, on the sixth of June, 1944 Canadians joined allied forces in the assault on Festung Europa, Fortress Europe, a continent held for more than four years in the iron grip of the Axis forces: Adolf Hitler's Third Reich and Benito Mussolini's fascist regime.

Prior to the D–Day invasion Canadians had twice been engaged against the Axis: at Dieppe on August 19, 1942 and in the Italian campaign which started with the invasion of Sicily on July 10, 1943.

In these previous actions Canadians took heavy casualties but established themselves as a formidable adversary; determined, courageous and effective fighting troops, respected and feared by their opponents.

On D–Day the five Normandy beaches to be assaulted were designated Utah, Omaha, Gold, Juno and Sword. On this, the longest day, more than 150,000 allied soldiers would complete their crossing from England to occupied France.

Inland over 23,000 U.S. paratroopers had jumped into battle while another 57,000 American soldiers landed on the beaches designated Utah and Omaha.

Concurrently British and Canadian troops had jumped or landed in gliders while 60,000 British and 15,000 Canadian troops joined the assault on the beaches, the British on Gold and Sword while the Canadian came ashore on Juno. Thus, one in ten of the allied forces landed in the D–Day invasion was Canadian.

This ratio carried through to the total Canadian population with over one million of Canada's 11 million people in uniform and behind them was a Canadian public committed to supporting the war effort. Canadians were united in rejecting the totalitarian forces of Germany, Italy and Japan, a regime which had it not been effectively opposed would have subjected the world to a reign of terror, discrimination and oppression.

Canada's D–Day success resulted from a combined effort of navy, army and air force units, 109 ships and 10,000 sailors, 15,000 soldiers and 37 RCAF squadrons working as a team.

Canadians achieved two firsts during the Normandy campaign. The Canadian 7th Brigade was the first formation to reach its D–Day goal, and 441, 442 and 443 squadrons RCAF were the first to commence air operations from French soil since the allied 1940 withdrawal from France.

The Canadians who went ashore at Dieppe, at Pachino, at Normandy and those who fought to liberate the rest of Europe considered themselves ordinary people but they were willing to jeopardize their all to support a cause in which they believed.

I want to conclude with a quote from Jack Granatstein's book, *Normandy, 1944* where, speaking of Canadians who landed on D–Day, it is said:

> They were not all saints. They were not all heroes. But there were saints and heroes among them. Remember them and remember their achievements.

Mr. Blaikie: Mr. Speaker, on a point of order. I wonder if I could have the unanimous consent of the House to speak on this occasion on behalf of the New Democratic Party caucus.

Some hon. members: Agreed.

Mr. Bill Blaikie (Winnipeg Transcona): Mr. Speaker, my thanks to colleagues for agreeing to my request.

I think it is only appropriate on the 50th anniversary of D–Day that we have an opportunity to reflect in the House and across the country, to gather together all those feelings and thoughts and reflections that we have had over the last few years as a number of different 50th anniversaries have come to us as a result of the 1990s.

I think of the 50th anniversary of Dieppe, the 50th anniversary of the Italy campaign, the 50th anniversary of Hong Kong, the Battle of the Atlantic, and all the other campaigns and battles in which Canadians participated with equal courage.

(1520)

Today is the 50th anniversary of D–Day and something which I think brings it all together because this was the last big push; this was the beginning of the end.

I am very glad to be able to rise on behalf of my colleagues in the NDP caucus to express our appreciation for the men and women who participated in the D–Day landings and to extend our warmest wishes to all the survivors who are here today in Ottawa and overseas with the Prime Minister.

I would like to particularly mention, if I might be parochial for a minute, the two Winnipeg regiments that participated in the D–Day landing, the Fort Gary Horse and the Royal Winnipeg Rifles.

Finally, as a young person I had an opportunity to go to Europe. The people of my generation went with packsacks on their backs, Canadian flags on their backs, hitchhiking or bicycling as the case may be. I first came face to face with the sacrifice that young Canadians of a previous generation made when I was cycling through Holland in May 1971. I saw a big cross and a monument. My friend and I stopped. We had a good look. It turned out we were in a placed called Bergen–op–Zoom. There is a Canadian war cemetery with about 2,000 Canadians buried there.

We started to look around and seeing it was a Canadian war cemetery, we started to look at all the different headstones. It struck us, as we were 19 at the time, that most of the men lying there were the same age as we were. We could not leave until we had visited every grave. It took us a number of hours. We were captured by the weight of the images before us.

Ten years later as a member of Parliament I had an occasion to go to another Canadian war cemetery in Edegem. It struck me then, as it struck me when I returned again when I was 40 to Vimy, how really young these men were. I did not know how young they were the first time I was in a Canadian war cemetery because I was the same age as they were. Having looked again when I was 30 and again when I was 40, I realize what these people gave up and what they sacrificed. That is what we remember here today.

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MUNICIPAL GRANTS

Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development –Quebec): Mr. Speaker, I wish to announce today on behalf of the President of the Treasury Board that the federal government is lifting the freeze on the amount of grants in lieu of taxes which agent crown corporations pay to municipalities across Canada.

The decision to lift the freeze that applies to properties owned by agent crown corporations such as Canada Post and the CBC is retroactive to January 1, 1994.

[*Translation*]

The federal government's objective was to remove a major irritant in relations between municipalities and the federal government. This is the area in which municipalities have not collected their fair share of realty taxes since 1992. The amount available for paying these grants in lieu of taxes had been frozen since an announcement by the previous federal government.

[*English*]

The Minister of Public Works and Government Services will undertake a review of the municipal grants program so as to ensure that the fiscal relationship between the federal government and the municipalities is stable and predictable.

Finally, the federal government expects to face severe fiscal constraints in its 1995 budget. Municipalities have been asked to recognize this and refrain from taking advantage of the lifting of the freeze by targeting crown corporation properties for tax increases.

(1525)

[*Translation*]

Mr. Richard Bélisle (La Prairie): Mr. Speaker, it is normal for the federal government to give grants to municipalities in return for their services to Crown corporations. To lift the freeze on these grants and continue to index them to inflation is only fair and should always have been done in the past.

The Minister of Finance tells us that the government expects to face severe fiscal constraints in its 1995 budget. His statement contains no surprise. Given the 1994 budget plan, all Canadian taxpayers will face harsh financial realities in 1995. What is really needed is a global and comprehensive review of the tax system and of all federal government spending, instead of what is being proposed today in the minister's statement.

[*English*]

Mr. Jim Silye (Calgary Centre): Mr. Speaker, I would like to extend a compliment, although a qualified one, to the Minister of Finance for today's announcement regarding the lifting of the freeze on grants in lieu of taxes that crown corporations pay to municipalities.

Certainly governments should live up to their tax responsibilities if they expect the public to do so, especially since the Minister of National Revenue and taxation has just raised the interest from 6 per cent to 8 per cent on late payments on income tax payments.

Recently higher levels of government have been accused of passing on the burden of fiscal restraint to lower levels. It is nice to see the situation changed in this instance. Now if only the federal government would take the same attitude toward such things as maintaining funding for health care, another source of intergovernmental dispute might disappear, or if it cannot, allow provinces some flexibility.

One small comment in the minister's announcement does however cause me a bit of concern and that is his comment that the federal government expects to face severe fiscal constraints in its 1995 budget.

I wonder if this is the same minister who has been assuring this House and the Canadian public for months now that the government will meets its budget targets, it will reduce the deficit to 3 per cent of GDP, and it will create jobs for everyone, and yes everything is coming up roses. Has he looked at the interest rates lately?

I look forward to hearing just what kind of fiscal constraints the minister expects so the Canadian taxpayer can have an idea of what to expect as well.

* * *

[*Translation*]

COMMITTEES OF THE HOUSE

PUBLIC ACCOUNTS

Mr. Richard Bélisle (La Prairie): Mr. Speaker, I have the honour to present the fourth report of the Standing Committee on Public Accounts.

In addition to its annual report and the special reports provided for in section 8(1), the Auditor General should be allowed to present to the House up to three additional reports a year. We also recommend that the Auditor General send a detailed advance notice to the Speaker of the House. The additional report would be submitted to the Speaker of the House on the 30th day following the advance notice.

* * *

[*English*]

AUDITOR GENERAL ACT

Mr. Jean–Robert Gauthier (Ottawa—Vanier) moved for leave to introduce Bill C–255, an act to amend the Auditor General Act (approval of appropriations for the office of the Auditor General and an audit of the office of the Auditor General).

He said: Mr. Speaker, this bill provides that the public accounts committee of the House of Commons would be responsible in future for examining the annual estimates provided by the office of the Auditor General, and where the committee approves the estimates the chairman of the committee will transmit them to the President of the Treasury Board who will lay them in front of the House of Commons as government business.

This bill also provides that the public accounts committee will be responsible for appointing a qualified auditor to examine the operations of the office of the Auditor General every five years.

This bill is very interesting. It gives this House a say. It gives this House credibility. It will give Canadians accountability.

(1530)

(Motions deemed adopted, bill read the first time and printed.)

* * *

PETITIONS

HUMAN RIGHTS

Mr. Ovid L. Jackson (Bruce—Grey): Mr. Speaker, the right to petition is one of the oldest rights of Canadians. On behalf of my constituents I table a petition asking the Minister of Justice not to go ahead with the same sex rights with regard to the human rights bill.

ASSISTED SUICIDE

Mr. Jack Ramsay (Crowfoot): Mr. Speaker, pursuant to Standing Order 36, I am pleased to present this petition on behalf of my constituents in Crowfoot.

The petitioners believe that if section 241 of the Criminal Code were struck down or amended, the protection of the most vulnerable members of society would no longer exist and the disabled, the terminally ill, the depressed, the chronically ill and the elderly would feel an implied pressure to end their lives.

They are therefore asking that Parliament not repeal or amend section 241 in any way and to uphold the Supreme Court of Canada's decision of September 30, 1993 to disallow assisted suicide.

KILLER CARDS

Ms. Jean Augustine (Etobicoke—Lakeshore): Mr. Speaker, I present this petition on behalf of a number of constituents in my riding. They are asking that we amend the laws of Canada.

They petition the House of Commons and Parliament assembled to amend the laws of Canada to prohibit the importation, distribution, sale and manufacture of killer cards in law and to advise producers of killer cards that their product if destined for Canada will be seized and destroyed.

RIGHTS OF THE UNBORN

Mr. Dick Harris (Prince George—Bulkley Valley): Mr. Speaker, pursuant to Standing Order 36, I am pleased to present two petitions today, both of which I would like to say that I personally support.

In the first one, the petitioners are saying: ''Wherefore the undersigned, your petitioners humbly pray upon Parliament to enact legislation that would give protection in law to pre–born human beings and, as in duty bound, your petitioners will ever pray''. There are several names on the petitions.

ASSISTED SUICIDE

Mr. Dick Harris (Prince George—Bulkley Valley): Mr. Speaker, the second duly certified petition which I support states that section 241 of the Criminal Code of Canada states: ''Everyone who counsels a person to commit suicide or aids or abets a person to commit suicide, whether suicide ensues or not, is guilty of an indictable offence and liable to imprisonment of a term not exceeding 14 years''.

The humble petitioners therefore pray that Parliament not repeal or amend section 241 of the Criminal Code in any way and to uphold the Supreme Court of Canada decision of September 30, 1993 to disallow assisted suicide, euthanasia.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

Mr. Fred Mifflin (Parliamentary Secretary to Minister of National Defence and Minister of Veterans Affairs): Mr. Speaker, I would ask that all questions be allowed to stand.

The Deputy Speaker: Shall all questions be allowed to stand?

Some hon. members: Agreed.

The Deputy Speaker: I wish to inform the House that because of the ministerial statement Government Orders will be extended by 26 minutes pursuant to Standing Order 33(2)(*b*).

GOVERNMENT ORDERS

(1535)

[*English*]

YOUNG OFFENDERS ACT

Hon. Allan Rock (Minister of Justice and Attorney General of Canada) moved that Bill C–37, an act to amend the Young Offenders Act and the Criminal Code, be read the second time and referred to a committee.

He said: Mr. Speaker, I am very happy to introduce debate on second reading with respect to Bill C–37.

In beginning may I observe that last week the government took steps to improve the youth justice system in Canada, both in terms of immediate and long term changes to the justice system for young people. By introducing Bill C–37 the government addressed the very real public concerns about crimes of violence by youths in Canada.

The government recognizes the importance of public protection in the justice system, but it recognizes that protection of the public is best achieved through the rehabilitation of offenders wherever possible.

The government emphasized the accountability aspect of the justice system and at the same time, it fulfilled commitments it had given to the electorate last year during the election campaign.

[*Translation*]

All Canadians want to raise their children in safe and crime–free communities. But we do not always agree on the best way to reach our goal.

There is no miracle solution, no panacea. However, I believe that this bill represents a step in the right direction, a better way for the federal government to deal with young offenders, especially those guilty of serious offences.

[*English*]

I wish to touch upon the essential elements of Bill C–37 as I introduce second reading debate in this Chamber. As I do so, may I invite the attention of hon. members to the balancing aspects of the legislation, to the distinctions it draws between for example, violent and non–violent crime, and between young offenders in different parts of the age groups covered by the legislation. I ask hon. members to agree that those distinctions based on a rational assessment of risk and of need are an appropriate adjustment for the youth justice system in Canada.

I deal first with maximum penalties for murder. Bill C–37 would increase to 10 years in the case of first degree murder and to seven years in the case of second degree murder the maximum penalties in youth court for those convicted there of murder. This change is motivated by an acknowledgement on the part of this government that Canadians recognize that the present maximum penalty for first degree murder of five years is simply not sufficient to reflect society's abhorrence and condemnation of what is simply the most serious single criminal act.

[*Translation*]

By toughening up sentences, we give a clear indication to our young people that serious offences also have very serious consequences, whether they come before a youth court or an adult court.

[*English*]

The second significant change introduced by Bill C–37 has to do with those 16 and 17–year old young people who are charged with the most serious crimes of violence. The bill would adjust the present transfer provisions in dealing with those young persons so as to obligate them to satisfy the youth court judge that their trials should be held in youth court. Failure on the part of such persons to persuade the judge would result in their being

tried in adult court and facing the sanctions which the criminal law provides in adult court.

I ask members of the House to observe that this is not an automatic treatment of 16 and 17–year olds in the youth justice system. We do not favour an automatic transfer of people in that age group. Rather it is simply a reverse onus for the test on transfer that exists at present, obligating those persons of that age when charged with the proscribed crimes to bear the burden of persuading the youth court judge that they should remain in the youth court.

(1540)

The offences in respect of which this changed onus applies are: murder in the first and second degree; attempted murder; manslaughter; aggravated sexual assault; and aggravated assault. Simply, it applies to the most serious crimes of personal violence in the code.

Our purpose in proposing this change to the transfer provision is to reflect the belief of this government that when alleged offenders at the highest ages of the age range covered by the act are accused of crimes of the most serious violence, then they should bear the burden of establishing their entitlement to be tried and sentenced in youth court.

The third change to which I would draw the attention of the House has to do with victim impact statements. As I met with victims and their families over the last several months, I was impressed with the extent to which such persons want to have a role in the administration of criminal justice, particularly youth justice, that permits an acknowledgement of their pain and their loss. By introducing in youth court the same opening for the filing of victim impact statements in the sentencing process as exists at present in criminal courts generally, we will extend that right to victims and their families.

The next change of significance has to do with the sharing of information. The changes we propose will enable peace officers and the provincial director for youth justice and other appropriate authorities to share with school boards, schools or other institutions or agencies, information about young people involved in the criminal justice system.

[*Translation*]

The current provisions have had the unintended result of impeding the communication and sharing of information between experts working with young offenders, such as police officers and school authorities.

[*English*]

I have been persuaded from my meetings with members of police forces, school board trustees, high school principals, worried parents, indeed young people themselves, that the structure and the scheme in place at present often works against the kind of partnerships we need in society to deal with the threat of youth crime, to deal more effectively with protecting students and staff and others when young people are prone to violence. The changes we propose will enable the sharing of information responsibly so as to overcome that structural difficulty.

The new system proposed in Bill C–37 will require the recipient of information, for example the principal or the official in the school, to keep that information private. It will be shared only with those with whom it must be shared for the purpose of putting precautions in place. It will be kept separate on file from the educational record of the young person, and then the information will be destroyed when the young person has left the jurisdiction, for example of the school board.

The next change to which I wish to refer has to do with the way in which Bill C–37 affects the manner in which the courts respond to non–violent crime by those covered by the Young Offenders Act.

[*Translation*]

Adolescents who are guilty of minor infractions should assume concrete responsibility for their acts and repair the damage done to their community whenever possible.

(1545)

[*English*]

For us the emphasis should be and must be upon non–jail sentences for young offenders who commit non–violent crimes.

Some 10 years ago, when the Young Offenders Act was drafted, introduced, debated, enacted and proclaimed, the stated expectation was that the emphasis for young people caught up in the criminal justice system would be on community based, positive, rehabilitative dispositions so that they were not sent to custody and nothing more. The emphasis was to be on restorative justice so that young persons who made mistakes would be punished and corrected but could learn from it through a community based program involving supervision to get them back on track.

For the most part that promise has not been fulfilled. In fact the level and extent of custody as a sentence for young offenders are vastly higher than first expected. Over 30 per cent of those young offenders found guilty in youth court receive a sentence involving custody. Over half those in custody are there for non–violent crime.

Studies establish the outcomes for those held in custody are not as good as for those who are not. At the same time the cost of custody vastly outweighs the cost of other dispositions. Over $350 million a year is spent in the youth justice system on the costs of custody nation–wide.

The federal government which contributes $160 million a year to youth justice finds that $130 million of that sum goes to help defray the cost of custody. The Department of Justice estimates that it costs somewhere between $70,000 and $100,000 a year to keep a young person in custody.

Surely the direction we must take is that plotted by Bill C–37 in this respect which emphasizes that in cases involving non–violent crime jail as a penalty must be a last resort. The emphasis in that direction flowing from the bill arises by the provisions that require those who prepare reports about young offenders, predisposition reports for example, to explain if they are recommending a custody term why all other dispositions are inappropriate. They call upon the judge sentencing the young offender to resort to custody only when other dispositions are not appropriate. Then they call upon the judge to state the reasons, if custody is the sentence, why other dispositions are not appropriate or available.

If we shift the focus through these changes in the statutory framework and if we follow up on this initiative in working with our partners in the provinces to ensure community based dispositions are there in a meaningful way, we will surely turn the page to a better day for youth justice in the country.

We encourage community based dispositions in the statute. These changes will advance that encouragement. Hopefully the money saved with the reduction in custody costs can be devoted toward the development, the funding and the administration of positive and helpful community based dispositions for non–violent young offenders.

Let me now turn to the question of records.

[*Translation*]

Through this bill, we are proposing changes, for example, to the provisions on offenders' records. These amendments will facilitate the difficult work of police officers who conduct inquiries concerning these offences, and they will enable authorities to retain for a longer period the criminal record of young offenders who are found guilty of serious crimes.

[*English*]

Surely the provisions with respect to records in Bill C–37 reflect common sense. Those young offenders who are convicted of minor infractions or the less serious offences for the first time should have their records kept for a shorter period so as not to stigmatize them or interfere with efforts to advance their education or their employment. At the same time those who commit serious offences should have their records retained for a longer period, and in the most serious offences some forever.

(1550)

Those are some of the principal changes proposed in Bill C–37. I also emphasize that the bill must be seen in the context of the general parliamentary review we have initiated through my letter last week to the chair of the House Standing Committee on Justice and Legal Affairs, the hon. member for Notre–Dame–de–Grâce.

In that letter I asked the chair of the standing committee, after considering and reporting to Parliament with respect to the bill, to undertake a comprehensive review of the Young Offenders Act and of the youth justice system in Canada in general; to look at present social circumstances; to examine our experience with the Young Offenders Act during the past 10 years; to engage Canadians in the discussion; to hear from a wide spectrum of persons with experience with the act; to examine how the youth justice system in general could be improved; to look at the cost, the purpose and the principles of the present act; to determine how to weave our priority for crime prevention into the system; to comment on how the youth justice system should reflect the changes we are considering in connection with special program review, on how we can get parents more involved in juvenile justice, and on how best to restore and enhance public confidence in the youth justice system.

[*Translation*]

Mr. Speaker, this review is essential, to allow for a more thorough examination of other aspects of the act and to get the public's reaction on juvenile delinquency in general.

[*English*]

It is essential that Canadians be involved in the process of reassessing this statute. As I made clear in my letter to the chair of the standing committee, I want the committee to look at fundamental issues surrounding the present act including the ages to which the statute applies and how best to deal with repeat offenders.

At the same time I tell the House there will be a parallel process in place involving the provinces and territories so we will have the views of our provincial and territorial partners in the process and we can look together at questions like cost sharing because they have the responsibility for administering the statute and we must be sensitive to their views.

I should also tell the House I have asked the standing committee to report on the second phase of its work by February 1 next. I have given the chair my assurance that the government will respond quickly to the recommendations the committee may sees fit to make.

[*Translation*]

Therefore, Mr. Speaker, the government firmly believes that these changes will provide adequate flexibility to provinces, so that each will be able to administer and implement the act while taking into account its own specific situation.

[*English*]

We believe the changes we have proposed, the distinctions we have drawn and the emphasis we have selected meet the imperative of public protection while preserving the fundamental principles of the statute and enhancing juvenile justice in the country.

I commend the bill to the House.

Some hon. members: Hear, hear.

[*Translation*]

Mrs. Pierrette Venne (Saint–Hubert): Mr. Speaker, the Minister of Justice has finally caved in to pressures from the most conservative elements of his party. Bill C–37, which proposes to amend the Young Offenders Act and the Criminal Code, draws its inspiration from a philosophy that is repressive.

Although they criticized the amendments proposed by the Liberals as lacking in vigour, I am sure Reform Party members will be very satisfied. This bill responds to many of their demands. I remind you of the debate on May 12, 1994, on the Reform Party motion.

(1555)

This debate gave us a chance to measure the full extent of the philosophy—I know that is a very big word—of the Reform Party with respect to youth.

How do they see young people, these people who want to punish them at all costs because they imitate adult behaviour? How do these supporters of repressive policies see young people? Listen to what was said by the hon. member for Westminster—Burnaby: ''Our young people, the promise for our future, are seen by many not as our hopeful legacy for tomorrow but as strangers to be feared''. There is more: ''Young people speak differently, they do not want to dress anything like the rest of us, they do not seem to value or give due regard to what we hold dear''.

The hon. member went on to say: ''Indeed there is an innate sense that the fundamental social order of the community has broken down when the average Canadian thinks of youth crime''. At the time, I responded by saying that if the hon. member introduced this kind of motion, he must be convinced that young offenders were, both numerically and socially, a criminal group that was a severe threat to public safety.

At the time I objected to this motion because it reflected the hysteria of a few agitators who were using some unfortunate aspects of recent cases for clearly political ends. On the same occasion, I asked the Minister of Justice not to give in to reactionary pressures within his own party.

Today, we see that the bill introduced by the Minister of Justice is intended first of all as a concession to unruly members of his own party, who could easily be mistaken for members of the Reform Party. A repressive bill, because its only purpose is to repress, despite the high sounding principles contained in the amendments in the first clause.

This kind of legislation would reflect a disturbing view of society, and I think what was said by the hon. member for New Westminster—Burnaby during the debate on May 12 was the most incredible and most disturbing embodiment of this view.

If these comments had not been reproduced in *Hansard*, it would have been hard to believe that this was actually said in the Parliament of a country that is supposed to be the most democratic in the world. I would like to make a few general comments before discussing the merits or lack of merits of this bill.

The attitude of these reactionaries tells us far more about their perception of the problem of juvenile delinquency than about the problem itself. Both Liberal and Reform Party members have only one thing to say about youth crime, and it is that the solution to the problem is in the penitentiary. I believe, and I am supported in that belief by my colleagues in the Bloc Quebecois, that repressive legislation never achieves anything but repression.

Using repression as a deterrent will never reduce the already low rate of youth crime. Does prison prevent adult crime? Why would it be more of a deterrent in the case of a young person who is less aware of the consequences of his acts?

This bill sends a very positive message indeed to our young people. You are children and infants as far as civic duties go, but responsible adults before the Criminal Code. You do not have the right to vote or buy a house or open a business, because you are not responsible, but if you do not act like good citizens, you will go to jail, because you are responsible for your actions.

This is very simply put, but I think we must use simple terms to explain to some people that the problem is not that simple, that it is not enough to throw a young person into prison to make him smarten up, that society will not be better protected if our prisons are filled with new inmates, and that being sentenced like adults will not deter young people from committing adult crimes.

However, this is tantamount to asking that the legislation be dropped. Unfortunately, although the government means well, the bills sole purpose is to appease a faction of the public by sending young people over 16 to court for very serious crimes. This will surely reassure the fanatics and quiet them down for a few months, but this will not prevent criminally inclined gangs from continuing their activities. On the contrary!

(1600)

Here again, we see an adult model. Just as adult criminal elements resist police by organizing, we see juvenile criminal elements banding together to resist law enforcement. The message is clear: you are criminals, act like criminals and we will treat you like criminals.

I wholly subscribe to the words of Queen's University law professor Nicholas Bala, an expert in the area of young offenders, who was quoted in the *Toronto Star* of June 3 as saying that ''Whoever believes that our society will be better protected by this legislation is sadly mistaken''. The same article also quoted Dr. Clive Chamberlain, a Toronto psychiatrist who treated 65 young people who had committed murder. He was saying that the money would be better spent on family support than on amendments to the act.

We could go on for hours quoting all the arguments against harsher treatment of young offenders, but they would not impress those who want an eye for an eye, a tooth for a tooth.

I will conclude this long introduction by an observation. Several members, especially from the Reform Party, quote at length letters they received from constituents concerned about young offenders. I am starting to believe that the concerns of these citizens are directly related to the political activism of the extreme right. I see a direct relationship between the number of virulent letters we receive and the fact that the riding has elected a Reform Party member. Indeed, I did not receive a single letter from Atlantic provinces, Quebec, Ontario or Manitoba, but I got boxes full from ridings in southern British Columbia and Alberta who, strangely enough, elected Reform Party members.

I ask you: are people in Langley, Rosedale, Courtenay or Chilliwack really scared of young people? Do they consider young people like strangers you should be wary of? Are they hiding in the closet waiting for these barbarians, armed naturally since, by a strange coincidence, they are also opposed to arms control? Are young people in British Columbia and Alberta more dangerous than those in the east? What inspires such a frenzy against young people?

I am convinced that citizens in both these provinces are just as well informed and democratically minded as people in the rest of the country. The scare campaign orchestrated by a few members from western Canada brings us a daily quota of stereotyped form letters, often mailed in bulk. None of them articulate a personal opinion. I would have liked one of those who signed them to send me a hand–written letter he would have composed and mailed himself. The Reform Party does not impress anyone with those tons of impersonal documents.

Through its excess, this campaign shows its authors for what they really are. I hold Reform members responsible for the fear expressed by some of their constituents. It should not impress the minister nor the House. Even if I were to be harassed by such tactics till the end of my mandate, I will never depart from my principles.

They are simple and can be summed up in one small sentence: Treat humans humanely. It is something I have never heard in all the emotional speeches given by the hardliners. Humanity, generosity, understanding. It is indeed what the first clauses of the bill seem to promise. We are told with great pomp that the bill is preventive, that it will set up intervention mechanisms to address crime by young persons and that it is aimed at rehabilitating young offenders.

(1605)

It is all talk, no action. Young persons are going to be rehabilitated in prison. It is in prison that intervention mechanisms will be set up. It is in prison that the underlying causes of crime by teenagers will be dealt with and that the framework for disciplinary action will be developed. And it is again in prison that young persons will learn that they are responsible for their crimes.

We had not seen such an example of legislative deceit in a long time. Where are the provisions for implementing clause 1? How is the minister planning to follow through on this lofty statement of principle which sounds the death knell on all the efforts of these past 30 years?

Clause 1 marks the end of the rehabilitation philosophy. It signs its death warrant, making sure that it will be bogged down in correctional red tape. It is a smokescreen.

I will now deal with the major provisions of the bill, the ones the minister would quote if we were to ask him where is the beef? The major reform brought about by this preventative piece of legislation aimed at rehabilitating young offenders, is to automatically send them to adult court.

Indeed, in spite of the consensus on this issue in Quebec which, incidently, administers a true youth protection act, in spite of all the valuable opinions provided to the minister to the effect that the legislation gives good results, is spite of all that, and because of the cries of a handful of activists, 16 and 17–year–olds will be proceeded against in adult court for murder, attempted murder, manslaughter, aggravated sexual assault and aggravated assault. In every case, the young person will have to convince the youth court that he should remain under its jurisdiction and not be referred to an adult court.

This new legislation, which is primarily concerned with rehabilitation, provides that the maximum sentence will be lengthened to ten years for first degree murder, and to seven years for second degree murder. In the case of an accused over 14 years of age, the court will have discretion to order that the young offender be referred to an adult court, except where a minor offence is involved.

Several MPs will certainly point out that juvenile crime has been declining drastically since the initial amendments made to the former Young Offenders Act. Statistics compiled by the Department of Justice also tell us about the proportion of serious crimes committed by young people. You do not have to be an

expert to figure out that most offences against a person involve 16 and 17–year–olds. Social conditions, personality changes, the existence of gangs and leaving the family home explain, to a large degree, this unavoidable and normal result.

Babies do not commit murders. Children do, exceptionally, and young teenagers, rarely. By the age of 16 or 17, young people are closer to the adult model. It is therefore unavoidable that this group will commit somewhat similar offences. People keep referring to the murder committed by two 10–year–olds in Great Britain, but this tragic incident must not make us forget that childhood is the universal age of innocence and that when children do something wrong, it is invariably the reflection of something done by an adult. Close to 54 per cent of crimes against a person are said to be committed by 16 and 17–year–olds.

I also noted that the group just before that one, namely the 14 and 15–year–olds, accounted for 36 per cent of those crimes. In other words, 90 per cent of offences for which the legislation seems to provide diversion mechanisms are, or could be, dealt with by a common law court.

Why does the minister not simply repeal the act? At the rate things are going, the legislation will only apply to 12 and 13–year–olds, unless the minister implements the brilliant proposal by the Reform Party and lowers the age for criminal liability to ten years of age. In fact, why not bring it down to seven? Is that not the age of reason?

(1610)

This bill reinforces the transfer procedure to the judicial system. Even though the minister announced that he would not force any of his provincial counterparts to go along, he is obviously helping those who favour harsher justice. The minister can rest assured, because he probably will not have to force any of the ministers, since his bill gives them all the leeway they need to give stricter instructions to their Crown attorneys.

Nonetheless, I can only hope that if this bill ever passes, Quebec will continue to render justice in youth courts and to pursue its rehabilitation objectives rather than steer a course toward repression, all means of which are warranted under this bill. It is not surprising that the headline on page one of the *Globe and Mail* last June 3 read that rehabilitation would lose priority if the bill was adopted as is.

Those who are familiar with the system know that requests for transfers to adult courts are not always simple. They often correspond to proceedings within proceedings with all parties having their witnesses and experts appear. Hard line supporters should attend such hearings at least once in their life. Up to now, transfer requests were only treated in youth courts by Crown attorneys, with whom the burden of proof rested.

Imagine what the new procedure introduced by the minister will be: young persons charged with a serious offence will have to prove that they should be tried in youth court. Every procedural tactic and constitutional argument will be used, including interlocutory appeals up to the Supreme Court. These motions will be similar to extradition proceedings. It is going to be a waste of energy and public funds, and through it all, young persons will learn how to foil the system and scoff at the law.

I totally agree with William Trudel, Toronto vice–president of the Criminal Lawyers Association, whose views are widely shared by the legal profession. He warned the minister that this new referral procedure will be very costly and very contentious. It will first be challenged under what will seem like well–founded constitutional arguments.

Besides, who in the Liberal Party is responsible for constitutional issues? I am not talking here about division of powers, an issue far from settled, but about fundamental rights enshrined in the Charter of Rights and Freedoms. The minister does not ignore the fact that excluding 16 and 17-year-olds from the universal system is obviously a discriminatory measure. In fact, since the Young Offenders Act includes all young persons under 18 years of age and over 12 years of age, who would argue, based on the Canadian Charter of Rights and Freedoms, that such an obvious exclusion is fair and reasonable?

If all young Canadians are protected by the YOA, they should all be treated the same way, on a equal basis, whatever the public opinion is. In fact, constitutional texts all aim at protecting individuals against public condemnation, restoring and maintaining equality among all men and women and ensuring fair judicial proceedings. I repeat, this bill respects neither the spirit of the Young Offenders Act nor the guiding principles of the Canadian Charter of Rights and Freedoms.

This reform would make two categories of young people for some offences, whereas all young people are included in the definitions of the Act. This is age–based discrimination. If this House passed this discriminatory bill anyway, I predict and I hope that the courts will strike down the justice minister's new law because youth courts and appeal courts will certainly have to deal with this kind of case if and when the proposed amendments take effect.

(1615)

Not only does this bill remain strangely silent on the fine principles but, although intended to protect society, it will achieve exactly the opposite result.

By seeking to repress, the minister is putting in place mechanisms which are bound to make the law itself challenged. Rehabilitation will no longer be a goal; social reintegration is now only a remote objective. The key word now is protection of society.

I say that the essence and the very reason for the law have been set aside. Moreover, by seeking the maximum deterrent effect through repression, the means to act and the courts' authority are being reduced.

A law is not just a piece of legislation in a collection of statutes. It must be applied and people have to live with it, so we must think of its impact on society. I say that it will be a social disaster.

Just as much as the minister, I am revolted by violence, but not only youth violence. Do we hear those fanatics from the West who demand internment for ten year old children complain about the non–stop violence on television? Will the Liberal Party table a bill to control these programs broadcast to young people? These same reactionaries flood us with letters denouncing gun control. Reform members and the Liberal Party's right wing should do some serious soul searching.

One of the reasons why our society generates violence is the lack of effective control over firearms, which are the weapon of choice for murderers of all ages including young people.

Yes, I am outraged, as outraged as these reactionaries, by murder. I am revolted by sexual assault. I am outraged and disgusted by the decline in morality in our society as a whole. And I am outraged when I see that these murders are committed with firearms that the right–thinking members of the Reform Party and the Liberal Party would like to see circulate without restrictions. But my outrage is not like that of the pharisees who single out young people to assuage their own guilt because they feel powerless to educate our youth.

Social violence does not come from young people but it is picked up by some of them. Newspapers put isolated cases on their front pages to sell more copies. How do they invariably report on cases involving young people? By denouncing the sentences given out and fuelling the spirit of vengeance and powerlessness. This spirit of vengeance is the symptom of a disease which undermines our Western society, a society that generates its own violence like an internal combustion engine. This violence tears at the social fabric and isolates the young people who are its first victims. This violence that we show and maintain as a favoured way of affirming success, we pass it on to these children and we then act outraged when one of them commits a murder, as though we as adults should have a monopoly on evil and stupidity.

We are transferring our feeling of guilt. We refuse to accept that a person who cannot yet be seen as responsible can be tried for a crime in the same way as someone who ought to be considered a responsible person. This instinctive, irrational and primary reaction is triggered by the notion of vengeance, something which is foreign to Canadian democracy.

Ten years ago, a reform of the whole process was undertaken after countless public consultations. Since then, in those provinces where the law is well understood and implemented adequately, juvenile delinquency is controlled in a modern, effective and humanistic way.

In 1984, we chose to deal with the problem by putting in place a rehabilitation process rather than leaving young offenders stuck in the dead end of the criminal justice system.

Juvenile delinquency certainly does exist. The law is not designed to prevent it but to control it. Social conflicts will exist as long as we live as a society.

Crime is the expression of social conflict at the level of the individual. Whether the delinquent is an adult or a minor, he must face the justice system when he violates the social peace code. There is social conflict when an act committed by an individual disturbs social peace. Delinquency and crime will always exist because they are social phenomena. Criminal laws do not make criminality.

(1620)

Hardliners think that juvenile delinquency exists because of our Young Offenders Act. In their narrow view, they see a cause and effect relation between the cold blooded murder of a corner store owner and the fact that no criminal liability is put on the young murderer. For them, everything is simple. If a young person becomes or remains a delinquent, it is because he is not subjected to the Criminal Code provisions. Based on this view of the past, young people would be better citizens if sentences were harsher.

They still do not understand that the Young Offenders Act did not invent juvenile delinquency. They fail to see that young people are more violent because society as a whole has become more violent. They do not realize that despite the existence of the Criminal Code, in Canada about 500 murders are committed by adults in Canada every year. These murders are just as intolerable as those committed by young people.

Reform Party members, whether they are in Liberal disguise or wear the true colours of the Reform Party, may not have realized that the 1984 legislation was a considerable change from the previous legislation on young offenders that had been in effect since the beginning of the century.

Contrary to what they say in their speeches which smack of disinformation, the present legislation treats the young person who commits an offence as a responsible human being, but always within a special framework set up to provide for his rehabilitation

In 1984, Canadian society had become sufficiently mature to realize that a young person who committed a first offence, even

a very serious offence, must be given every opportunity to understand the consequences of his actions and to rehabilitate himself.

Unlike the system for adults, who are assumed to be responsible, the young person needs to develop within a supervisory framework. That was the view in 1984. They were right then and the same approach is still taken by all sectors responsible for dealing with this problem. However, it is not the position taken by the extremists and reactionaries who have managed to enlist the Minister of Justice for their crusade.

In any case, experience has shown that in Ontario and Quebec, the system works very well. Perhaps the provinces where the hysteria about the subject is greatest have yet to introduce effective mechanisms.

I would urge hon. members from the Prairie provinces and British Columbia to take a look at the youth protection agencies and youth courts in their provinces and find out whether they have this kind of institution which is indispensable to the proper application of the legislation. Maybe they should start campaigning in their own backyard. Perhaps they should send the protest letters they receive in such numbers to the members of their provincial legislatures.

By the way, I think that what was said by the Quebec and Ontario ministers about this legislation is a good indication of how it will be received in Quebec City and Queen's Park. A very conclusive experiment was conducted in Quebec at the Centre Boscoville, covering the rehabilitation and social integration of 24 teenagers who had been found guilty of homicide and were admitted to this reform institution between 1968 and 1983. I repeat that Quebec is probably the province where the application of the Young Offenders Act has been most comprehensive.

I also repeat that western reactionaries would do well to look at the Quebec experience. Maybe they would, then, stop seeing young people are strangers that you should be wary of, as the hon. member for New Westminster—Burnaby was saying. He seems to have forgotten that he was young once.

The study conducted in Boscoville demonstrated that all these young people had a good prognosis, that there had been no subsequent offence, nor any return to delinquent behaviour. The murders had circumstantial and neurotic causes. Moreover, the follow–up of these young offenders showed a perfect social rehabilitation, some having very good positions in society.

(1625)

A document from the research branch of the Library of Parliament dealing with the impact of repressive measures concluded: ''Increasing the capacity to punish by passing harsher legal sanctions could lead to longer prison terms for a larger number of young offenders''.

''The advantage for society, in the short term, is that it would be protected from the offender. However, this solution would further strain the already insufficient resources affected to detention and rehabilitation infrastructures—and assumes a greater criminalization, without reducing the crime rate''.

Some members in this House see young people as the enemy. Whether they express a personal opinion or are echoing the fear of some of their constituents, the message they send to young people is vindictive.

I reread the speech that the hon. member for New Westminster—Burnaby made in this House on May 12 of this year. I hope that we will never again hear, in Parliament, such a war cry against young people. I would like Parliament to repudiate this desire to set up a police state.

Our attitude towards juvenile delinquency will reflect our democratic commitment. I call upon the conscience of every member. I urge everyone, irrespective of their political affiliation, not already committed to a more repressive attitude towards young people, to consider seriously, from the bottom of their hearts, what we are debating today.

I am convinced that on the government side, there are members who will not take an active part in this debate, but who are torn between their party line and their own sense of social justice. I am asking them to counterbalance the action of their colleagues who are vigorously campaigning in favour of the hardening of the legislation and demand a more in–depth reflection on juvenile delinquency.

I have already quoted various statistics during previous debates, and I do not want to bring any more numerical data to the debate. Statistics only explain the past. Even if they can be used to show trends, they can only reflect outdated situations.

At the risk of having to quote numbers regarding the past few years, I will talk briefly about that period when crime by young people went down. The experience in Quebec proves beyond any doubt that the system is working. I am not saying that it works perfectly. Do criminal courts work perfectly?

The system is working to the general satisfaction of all parties involved, starting with those in the judiciary, who all say not to change anything for the time being. Why is the Minister of Justice not listening to those who deal with this problem on a daily basis? Because he lets people tell him what to do, because he was unable to convince the cabinet and members of his party that nothing would justify such a drastic switch towards repression.

Because the minister, whose extreme competence and honesty I deeply respect, is being unwillingly caught up in a popularity contest. The Liberals are dragging behind Reform Party activists. The Liberals are being told what to do by Reform Party supporters. The minister has no other choice. Between those

who are calmly telling him that the system is working and those who are crying wolf, he chose the latter.

Unfortunately in so doing he is promoting a repressive piece of legislation, divorced from the reality and the underlying causes of crime by young people, to quote clause 1 and its meaningless wording. Now that the minister has thrown a bone to silence those who were barking the loudest, how is he going to put some balance back into the administration of the law?

Let us not be naive. Even if the minister is promising a review in committee, his bill is complete. Unfortunately, we will wait in vain for intervention mechanisms dealing with young people identified as redeemable, which would counterbalance the harshness of these repressive amendments.

Since 16 and 17 year old young offenders committing serious crimes must now prove to the judge why they should remain before the youth court, there should be provisions in the act for the implementation of some solid care and rehabilitation structures. In other words, in such instances, the judge receiving a request for the maintaining of the jurisdiction could consider that the youth court offers good corrective measures that would achieve results at least equivalent to those promoted by this bill which proposes transfer to a criminal court.

(1630)

The judge could then consider that the law provides for treatment by the youth court to be just as efficient as any treatment by an ordinary court. There is no doubt that the burden of proof will be considerable for young people if the bill is passed as it is worded now. All cases will be transferred to adult court except when exceptional circumstances justify otherwise. And as if this was not enough, the minister adds to it. Young people will be subject to the rules of the Identification of Criminals Act. Their records will be kept for longer periods and information on young offenders will no longer be confidential.

In other words, according to clause 29 of the bill, any young person can now be fingerprinted. Except in certain cases, the young persons' records would be considered the same as any other court or criminal records and, in spite of the limits proposed in the bill, anybody could consult them at any time, in the public interest. Where is the minister going?

A bill aiming at reintegration into society, rehabilitation and identification of the underlying causes of juvenile criminality? That is all bluff. Where is the minister heading? We now know where he is heading; I do not think he believes in the values which inspired the 1984 reform. I do not feel he is seriously proposing that rehabilitation be the fundamental principle.

While at present the support workers are all professionals, tomorrow, they will be members of the police forces.

To my knowledge, police officers do not have any kind of mandate to rehabilitate accused persons. The only message to be derived from this bill is that there will be more young people in federal penitentiaries, not less youth crime, more young inmates among the prison population, more young people learning how to become lifelong criminals. Having read and reread this bill, I can see no other message.

If this were question period, I would ask the Solicitor General how much more the Liberal Party expects to spend on the incarceration of young people in federal penitentiaries.

Bill C–37 amounts to nothing more than sentencing young people to prison. Those who had been loudly demanding such action are congratulating the Minister of Justice. He has just scored a lot of political points by currying favour with this radical faction.

We in the Bloc Quebecois are mindful of the serious problem associated with violence that is not only committed by young people, but is also inflicted upon them. We refuse to push the panic button and we invite all those who are interested to consider our experience in Quebec. We call upon this House to give the existing legislation some more time and to listen to those working in the system who all agree that the status quo should be maintained for the time being.

The existing legislation strikes a difficult balance between the need to protect society and the need to rehabilitate young offenders without turning them into criminals, between the need to prevent crime and the need to spare young offenders from a life of crime.

I intend to vote against this bill which seeks to make crime punishable by making criminals out of young people.

In conclusion, I would like to move, seconded by my colleague, the hon. member for Abitibi:

That the motion be amended by striking out all the words after the word ''That'' and substituting the following:

''this House declines to give second reading to Bill C–37, An Act to amend the Young Offenders Act and the Criminal Code, the purpose of which is represssive, because:

(1) it introduces no concrete measures for the rehabilitation of young offenders; and

(2) it does not encourage the provinces to take legislative or other measures necessary in order to set up comprehensive crime prevention programs.''

(1635)

The Deputy Speaker: I thank the hon. member for Saint–Hubert for sending me a copy of this amendment. I believe the motion is in order.

[*English*]

It is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Winnipeg Transcona—Tobacco packaging; the hon. member for Oxford—Urea formaldehyde foam; the hon. member for Regina—Qu'Appelle—Magazine industry.

Mr. Paul E. Forseth (New Westminster—Burnaby): Mr. Speaker, I am pleased to have the opportunity to speak on Bill C–37 and respond to the long awaited changes to the Young Offenders Act.

The Young Offenders Act in its operation is critical to Canada's view of the justice system. Its implementation touches at the very heart of the future of our society. Freedom from fear ranks with food and shelter as one of our basic needs. Our communities today are crying out in their fear for the safety of innocent people walking in our neighbourhoods. They are deeply concerned for the safety of their children in playgrounds and schools, even in their homes. Every week we hear another horror story involving young offenders and violent crime.

Ottawa police arrested young offenders after the drive–by shooting death of Nicholas Battersby.

Three young offenders in St. Jerome, Quebec, were arrested after a shooting spree. They were in possession of rifles, handguns and hand grenades.

In British Columbia, Jason Gamache was found guilty in 1992 of rape and murder of a six–year old girl. When she was reported missing Gamache aided in the search for her and spent hours babysitting her siblings. Gamache was just 16 years old when he committed this offence and had been previously convicted of sex offences involving young children. The public had no way of knowing. The Young Offenders Act prohibits publication of details which might identify such an offender.

Just over a month ago an Edmonton woman was stabbed in her home by teenage burglars while trying to protect her children. A few weeks ago a 14-year old was stabbed with a pair of scissors in the hands of a 10-year old boy during a soccer game at Medicine Hat, Alberta.

In a small town near Kelowna, B.C., a 44–year old family man is recovering in hospital after being hit on the head with an axe. Two 16–year–olds have been charged.

A 72–year old man was murdered outside his home in Saskatchewan by a young offender. The sentence: the maximum, three years in custody.

In Edmonton last month a teenager was shot in the back of the head with a stolen handgun. The alleged killer is a 16-year old repeat offender who was on probation for another crime.

In 1992 a man had his car totally demolished by six young offenders. The penalty for this group: none. They were let off scot–free.

Two weeks ago the father of a 10–year old girl was out for a walk in his own neighbourhood in suburban Mississauga when he was viciously beaten to death by young offenders. The motivation: a robbery attempt.

As we struggle with social programs to address the causes of our youth turning to crimes such as alienation, family breakdown, and drug and alcohol abuse, we must also address the effect youth crime has on our families in our communities. By failing to take bold action to correct what has largely not worked and introducing legislation just to mollify a restless public and fulfil an election promise with the call of trust us, the government has fallen short and let us down despite its well intentioned effort.

The Liberal red book speaks of safe homes and safe streets as a basic right and a distinguishing characteristic of Canadian society, while pledging to combat the 40 per cent increase in violent crime that has crept in to threaten that basic right.

The proposals brought forward in the bill are woefully inadequate to reverse the current trend I have mentioned. Tinkering with the internal mechanisms of the act does not rally community confidence. Nor does it reflect an attentiveness to community concern. It is merely a top down, we know best answer to an increasingly aware and justifiably demanding populace.

It is said that the proposed amendments to the Young Offenders Act will improve public protection by improving the act's ability to deal effectively with serious crime.

(1640)

I have heard the government's side today. We in this corner of the House take government members as sincere. However it is possible to be sincere but sincerely wrong. I applaud the government that the bill today is not going to be the last word on amendments to the act during this Parliament. The two stage approach offered by the government is indeed welcome.

I have said a lot in the House about the shortcomings of the Young Offenders Act. I have made very specific and pointed suggestions both on paper to the justice ministry and in a speech in the House. One wonders if anyone ever listens. Certainly folk at home wonder if the government does any adjusting at all to public grassroots input as distinct from the bilateral negotiations with the provinces and those on the inside of the justice system community.

We will constructively criticize the many shortcomings of Bill C–37. However we are thankful the government is finally prepared to change some parts of the Young Offenders Act, largely in response to the pressure that we in this corner of the House have brought. We will be Her Majesty's loyal, constructive alternative with advocacy for improvements to Bill C–37 based on what the community wants rather than merely on what Reformers want.

Bill C–37 is full of problems, but we will likely support any small measure to shift the emphasis within the juvenile justice system away from its reputation of being too soft. A new Young Offenders Act must be socially resonant and clearly demonstrate Canadian society's values and Canadian mores. It must be an instrument not only of rehabilitation and treatment but also of deterrence and orderly denunciation.

The criminal justice system must be a mirror reflecting the community's sense of what is right and wrong and what is socially acceptable. People are looking today at an image that is distorted, that has little relevance to the social order we have that may have formerly existed.

Parents are concerned for the safety of their children. They are demanding an accountability of the justice system to the community. They want to have a sense of ownership in the process of justice. They are frustrated and angry that the current system seems to operate for and around a select enclave of justice professionals: the criminologists, the legal community, corrections workers, offender care agencies and the police.

Offenders seem to be the ones protected by legislation and are the preoccupation of the system. Victims, particularly victims of violent crime, do not feel well served. They have little opportunity to represent a public denunciation of violent crime. There is no legal recognition for their stake in the general proceedings.

The YOA does not require statutory service of proceedings to victims for court appearances. A whole new community accountability model of justice is required to address the needs of public concern and involvement. The public at large can also be a victim as the publication of names in critical and violent and repeat offences is not routine. The violent young offender can be released to offend again with no assurance of safety and the public has no way of knowing the person is in their midst.

Particular concern is expressed by teachers and social workers who traditionally had no access to a dangerous offender's history. It is pathetically futile for a teacher to reprimand a student and order a detention for bad behaviour in the classroom when the student has been involved in the latest convenience store robbery or is living in a local group home because he has committed sexual assault. It shortchanges not only the teacher and the other students in the classroom but also the young offender.

There are many programs in the educational system tailored to deal with problems the students are encountering, but the lack of vital information about a student precludes the opportunity for that student to reap the benefit of those very programs.

Social workers who are called to work with the young person have no way of knowing the full character of the young offender they are supposed to help. It is somewhat like asking a gourmet chef to prepare a meal and supplying only unmarked packages for the ingredients. It is a little recipe for disaster. Yet we spend millions of dollars on social programs and provide workers who are uninformed and ill equipped for what they face.

The new half–measures place a monitoring burden perhaps solely on the youth worker for in systems advisory, another bureaucratic nightmare. The whole business of non–disclosure is an abstract premise at best based on a hypothetical, on a hoped for future reformation of the offender.

The government recognizes the problem, for victims have died directly because of the non–disclosure provisions of the YOA. Now we are going to open it up a little. How many bureaucratic screw–ups will have to occur before it must be recognized all non–disclosure provisions that go beyond the adult standard of control should be scrapped. The government admits the problem. Let us deal with it square on.

(1645)

The judiciary is also faced with a dilemma when resulting from non–disclosure of records in adult courts. Once a young offender has served the prescribed sentence for a serious offence and then five years more has elapsed, youth records are no longer admissible in court. This provision is based on the belief, or should I say the hope, that a run–in with the courts will motivate a young offender to rehabilitate and have a chance to contribute to society without the fear of his young foolish mistake unreasonably standing in his way.

Nine pages of this bill relate to amendments around a faulty premise. I say clearly to the minister let go of these outdated notions and stop the tangled bureaucratic response. One line in the act would suffice that would simply state that a youth court record and an adult criminal record are one and the same, a continuum to be kept in one computer, handled like all criminal records. The bill requires the RCMP to have a separate repository for youth records.

All these provisions are social engineering at its worst.

Take for instance the case of a convicted paedophile. If he manages to escape detection for five years and then offends again, the judge in adult court is not allowed to hear the pattern of record and he is bound by stare decisis of the courts of appeal to sentence as a first offender. The judgment is based on inaccurate information and the offender is treated accordingly and truth does not appear in the courtroom as the judge is deliberately misled. If a lawyer deliberately misled in the court

it would be contempt. This is repeated countless times in countless courtrooms across our land, and the government would have us believe it is seriously responding to the submissions and correspondence it has received from Canadians in recent months.

Society sees violent crime as an abhorrence needing retribution and a sensible social defence response. If a violent offender of 16 or 17 years of age is kept within the bounds of the Young Offenders Act the maximum penalty available for first degree murder would be 10 years. If that same violent offender were dealt with in adult court, the penalty for first degree murder would be life imprisonment with no parole for 25 years.

While 10 years under the new proposal would seem to be sufficiently harsh, the reality is that probably only six years would be spent in detention, with the remaining four years being spent under community supervision. How tragically painful for the families of the victim and perhaps how dangerous for the community. It is blatantly obvious that this provision is written for the protection of the offender, and a violent one at that, with disregard to the rights or protection of the victims, past and future.

Anyone capable of committing a premeditated murder at 16 or 17 years of age must surely be accountable to society at a level commensurate with the severity of the crime. I choose to highlight the charge of first degree murder as that is as severe as it gets in Canadian law. This does not even begin to touch less serious crimes, which in reality seem no less serious to the victim. I say this clause does not appropriately respond to these offenders. These criminals are not young offenders; they are youthful appearing adults and should be treated as such.

At the other end of the spectrum there are youngsters 10 and 11 years old who are flexing their muscles and daring society to take them to task. Under the provisions of Bill C–37 they remain untouchable. By the time they are 12 years old they are street wise and are becoming increasingly sophisticated in testing the system. When they finally appear as young offenders they are often already beyond being intimidated by the system and the successive warnings and breaks they receive as young offenders become meaningless. They are often too deeply entrenched in the game to see or desire a way out.

I believe that 10 and 11-year olds, if brought under the umbrella of the justice system, publicly denounced and placed in programs of education and rehabilitation, would be much more responsive to efforts to set them straight.

Sometimes violent patterns in children are identifiable at the kindergarten level. Schools and social helping agencies respond, but by the time these exceptional children are 12 years of age, a justice system response of monitoring and intervention is problematic. By identifying these young offenders before they graduate into the teen world of crime set before them, we drastically reduce the number of youthful adults we are forced to deal with six years down the road. This is social engineering at its best.

Statistics indicate that of the 42 murder cases heard by youth courts in 1992–93, 25 cases or 60 per cent involved 16 and 17-year olds. That means a full 40 per cent of the cases involved children 15 and under. Of the 74 cases of attempted murder, 39 per cent were 15 and under. Manslaughter saw an even split of 50 per cent. For aggravated assault, some 311 cases or 32 per cent were 15 years old and under.

(1650)

These are astounding figures in themselves, but consider the burden placed on the youth court system and the correctional facilities. It has been argued that 16 and 17–year–olds should not be placed in full adult prisons, a position we endorse. There is ample flexibility within the correctional system to accommodate the youthful adults who would be sentenced in adult court.

It is imperative that 16 and 17–year old violent offenders be removed from the environment in which true young offenders are housed. The younger we are able to begin the process of education and rehabilitation, the greater chances of success. Seeing negative role models who are 16 and 17–year olds who can exert tremendous power over the younger population decreases the chances of positive redirection.

Teens themselves are frustrated and concerned about how they are perceived within our society. There are so many young people who are really trying to make a positive contribution to their world. They see themselves as victims within the youth culture. They are in fact victims of the violence which is so prevalent in the high schools.

Inner city schools have gang wars between ethnic groups, punkers, skinheads and others of diverse styles and attitudes as well as drug dealers. These differences erupt in fighting over territories and are typified by aggression using weapons. It is easy to say that the problems of the schools are provincial jurisdiction, but if there is little accountability for violence under the law the schools have little recourse.

Teens often feel that society blames them for all its problems and they feel condemnation for just being young. At a recent high school meeting of 40 young people, my colleague, the member for North Vancouver, addressed the issue of the Young Offenders Act. Thirty–nine of the 40 students raised their hands to appeal for changes to the act. Locally about 250 students participated in a march through downtown Hull to protest the violence of a schoolmate's death. Melanie Moore was quoted as saying: ''We just want all this violence to stop''. Student Renée

Moreau feels that the accused should be tried in adult court as ''at that age he is conscious of what he has done''.

These young people are tired of being painted with the same brush as those who are doing the offending. They are fed up with losing close friends to violence. They are sending a very clear message to us in this House that they demand change.

We have received correspondence from parents who are terrified to send even young children to school because of threats from older students, typically 10 to 12–year–olds. They would bully, set up vigilante parties and generally make it impossible for their targets to function in the classroom, hallways or schoolyard. The assault is often so subtle that it is many months before parents or teachers are aware there is anything wrong. By definition these bullies are young offenders and should be held accountable.

One failing of the age parameters corresponds directly to the situations I have just outlined. The police are very reluctant to become involved in answering calls involving children under 12 years. The result is that the schools and parents are left to deal with such behaviour with little community resources available to them. The offenders are therefore left to wreak havoc until their 12th birthday, when they are often firmly entrenched in antisocial behaviour.

Parents cry for help but receive little satisfaction. The case of Michael Smith has been mentioned in this House before. He is the 11–year old who has stolen over 30 cars and stands defiantly dedicated to continue to do so until he turns 12. Michael is quite literally an accident going somewhere to happen as he careens through the streets of the Vancouver area. His mother has publicly denounced his behaviour in the press identifying him and his actions but authorities are powerless to help her. More tragically, our system is unable to help Michael. He is desperately crying out for limits to be set and under the Young Offenders Act and now under Bill C–37 we stand unable to provide those limits. He is not a young offender by definition.

The Liberals speak so eloquently that the causes of violent crime are patent, and they are poverty, and they are dysfunctional families, and they are abusive children and it is hopelessness. I am sure Bonnie Hartwick, Michael's mother, is not pleased that the minister has so glibly packaged and labelled her life in one line of rhetoric. That her pleas are falling on deaf ears is ample proof that this government really has no clue about the reality of ordinary people's lives. I suggest that the hopelessness she feels is a direct result of the age limits the minister is unwilling to change.

The minister announced highlights of the bill which merit a focused response even at second reading. Increased sentences for teenagers convicted of first and second degree murder in youth court are increased to ten and seven years respectively from the former five years maximum.

(1655)

In reality for first degree murder within the maximum 10–year total sentence Bill C–37 provides six years of custody followed by four years of community supervision. Only by exception after a hearing can a judge choose at the automatic annual court reviews of custody sentences that an offender can be kept in custody another year rather than receive community supervision. It can only be done if the offender if released is likely to commit an offence causing death or serious harm. The maximum, no minimum stated, combination sentence of jail and community supervision is 10 years for the individual murder offence. Second degree murder brings a maximum seven years, a four and three combination.

There is enough inherent discretion and flexibility in the adult system for individual circumstances to be taken into account for the adult consequences to generally apply to youths 16 years and over. The age of operation of the YOA remains unchanged at 12 to 17 inclusive under Bill C–37, rather than to the desired 10 to 15 inclusive.

An adult convicted of first degree murder is liable to jail for life without eligibility for parole for 25 years, section 742(a) of the Criminal Code, but may apply for judicial review of the period of ineligibility after 15 years, section 745 of the Criminal Code. A person convicted of second degree murder is liable to jail for life without eligibility for parole for a period between 10 and 25 years, section 742(b) of the Criminal Code.

Bill C–37 expands the consequences for murder within the Young Offenders Act. Therefore, by this greater accommodation it will be less likely that youth murderers will be transferred to adult court. The result may bring about a softening of the law as more murderers will remain under the Young Offenders Act and then be released earlier instead of being transferred to the adult court under the former provisions.

The bill highlight also mentions that 16 and 17–year-olds charged with serious personal injury offences can be transferred to adult court unless they can show a judge that public protection and rehabilitation can both be achieved through youth court. For this new category the onus is on the offender to demonstrate. Previously it was the crown which had the onus to demonstrate, as it still does on all other transfers to adult court applications.

Currently a young offender must be 14 years old to be eligible for transfer to adult court and must have committed an indictable offence, section 16 of the YOA. Bill C–37 additionally says that those 16 and 17–year–olds who commit murder, attempted murder, manslaughter, aggravated sexual assault and aggravated assault will have the onus on them to show they should not be transferred.

The government will not admit the basic flaw of the YOA, as all youths 16 and 17 years should be judged in adult court. There will likely be many more transfer hearings under C–37 which are expensive, full trials used to determine where the real trial will be heard.

The Reform alternative would retain transfers but they should be available for any youth charged with an indictable offence. However, the threshold of appropriate circumstances, section 16(1.1) for transfers is quite high from the precedence of the case law. The likelihood of inappropriate transfers to adult court is very remote under the Reform alternative. They would be used only rarely if all 16 and 17–year old youth were already in adult court.

C–37 extends the time that offenders 16 and 17 years old at the time of offence who have been convicted of murder in adult court must serve before they can be considered for parole. Parole eligibility currently is five to 10 years, section 742(1) of the Criminal Code. C–37 makes it 10 years for first degree murder and seven years for second degree murder. The minister announces this provision as a highlight. In view of the public's lack of confidence in the national parole board this is a minor change that cannot be considered as a provision ''that would crack down''—from the justice news release of June 7.

First degree murder, the most heinous category, planned and deliberate, should be applied the same for all in adult court: no parole eligibility for 25 years, the fair exchange for removing the death penalty.

Next is proposed that there are improved measures for information sharing between professionals such as school officials and police and selected members of the public when the public's safety is at risk, as well as retaining the records of serious young offenders longer. This is a tangled provision but hopefully it does loosen things up so that a province can designate social workers and school authorities to be given confidential information about offenders they have dealings with.

(1700)

The basic non–disclosure aspects of the YOA unfortunately remain. The misguided blanket media publication ban remains concerning identifying an offender even though the operations of local young offender courts are open to the public.

The argument that the media will sensationalize does not hold and there would be no difference in operation from the adult system. Only the high profile and socially significant cases will be published, as they should.

Media publication of court operations is fundamental to the effectiveness of general deterrence as well as developing public confidence in the justice system.

The media restrictions for youth court should be the same as adult court. Any half measure qualification of non–disclosure for youth court is unacceptable.

The government defends C–37 under the United Nations standard minimum rules for the administration of juvenile justice, the Beijing rules: a child is someone under 18 years; in courts the best interest of the child should be a primary consideration. Current Bill C–254 refers to these measures. It suggests children should not become soldiers under 16 years, and yet they are still to be treated as children until 18 years? It also suggests that in courts the best interest of the child should be paramount but does not address the balance for the offenders' victims.

The government is making a most stretched argument to defend the YOA by invoking the United Nations thereby telling Canadians what its standards should be rather than submitting to community judgment on the results the system delivers.

The YOA applies to the wrong set of youth. The complicated provisions arise largely because of the misapplied age of operation. Young offenders should be dealt with more compassionately and separately from adults based on the theory of diminished capacity to formulate intent, mens rea, guilty mind, and to fully appreciate future outcomes.

Separation also addresses the contamination theory from older hardened criminals in adult institutions. Privacy provisions also rest on the clean slate, fresh start theory in the hope that young offenders can be rehabilitated.

There is no evidence that the complicated system that has been developed to address these ideas is needed. It is not much more than an abstract ideal. However, it is a fact that victims have been killed as a direct consequence of the YOA privacy provisions.

The YOA has not received the support of the public because it is basically flawed concerning the age of application. We maintain there is consensus around the operating of a separate youth court system that should apply to 10 to 15 years inclusive rather than the current 12 to 17 inclusive.

The concept of dealing with young offenders differently from adults is sound. However, how that is actually accomplished reflects differences in social values. We propose that the justice system must be accountable to the community for the results it delivers. Does it denounce crime in a public, straightforward and speedy way that inspires confidence? Does it seem fair to all? Is it flexible but firm in its role of protecting the community? Does it balance the rights and needs of victims with those of the accused?

Canadians currently spend millions on social services for young offenders. Appropriate public response to crime must be broadly based with adequate investments in the public school system, recreation and social services. The role of a vibrant economy is also important, but it is too easy to always say we

need to throw more money at a problem. We need to respond better to the social causes of crime.

However, societal concerns cannot be used as an excuse not to tighten up the justice system while we work on the broad social policy objectives.

The juvenile justice system in its operation should mirror the adult system as much as possible if it is to be understandable by the community and develop general deterrents.

Consequently, the YOA court should be completely open to the press. YOA court records should be one and the same as adult criminal records and the same rules for the control and use of adult records should apply to the YOA: access, dissemination, subsequent court use. Without the social engineering limits of the YOA justice must be seen to be done as well as done.

We advocate the increased use of a variety of residential young offender facilities, some of which may be secure. Alternative measures such as diversion from further court process, community accountability panels, victim reconciliation programs, community work service, restitution orders, fines, educational attendance programs and treatment programs for behavioural disorders and substance abuse are all being used at present at great expense to the taxpayer.

The community could always use more helping alternatives but there are financial limits. There is no end to the demand for more and better social programs, and government must balance its priorities.

(1705)

Although C–37 tries to encourage the broader use of non–custodial alternatives there is no additional cost shared funding forthcoming related to the C–37 initiative.

In summary, it is my prediction that the half measures of C–37 are not going to fundamentally alter the operation of the young offenders system and future results will still bring outcries of dissatisfaction from the community.

The Liberals gave us the Young Offenders Act after years of wrangling at the end of the former Liberal administration. It was an overly optimistic social experiment, idealistically designed around a wishful view of the community rather than reality. We have now lived with the consequences of the YOA for 10 years. It has been amended and improved by the Conservatives, as the first version passed by this House was bleeding heart Liberal in the extreme. It was a bureaucratic approach from the experts down to the community.

Bill C–37 is finally an admission for the Liberals that the original YOA was fundamentally flawed. The public pressure has been building against the misguided YOA and C–37 is another in a line of amendments to reflect reality rather than idealistic theory.

As the Standing Committee on Justice and Legal Affairs undertakes the more long term fundamental review, I hope the government will remain open to the common sense view of ordinary Canadians and let them have what they have been asking for. Canadians have said loud and clear they want a juvenile justice system that they can have confidence in.

As Reformers we will work to let the people speak so that our legal system reflects a higher standard which Canadians deserve.

The motion of the Bloc members is oppositional in an unhelpful manner. It says if it is not their way then it should be no way and do not amend the act at this time.

Reformers are the true opposition and we will work with the government to make the YOA reflective of what the community wants. Again I say let the people speak and Reformers will bring their voice to this House.

Ms. Hedy Fry (Parliamentary Secretary to Minister of Health): Mr. Speaker, I will be sharing my time with the hon. member for Bruce—Grey.

I am pleased to be given the opportunity to speak to the amendments to the Young Offenders Act as presented by the Minister of Justice. I have studied for many years the behaviour of young people across the spectrum from so–called normal to abnormal, in part as a parent in anticipation of the needs of my three sons and also as a family practitioner with a large adolescent practice.

After all these years I still cannot say what I understand or that I can always predict the reactions of young people to the stresses, anxiety and confusing conflicts created by the transition from child to adult.

I believe I have gained some valuable insights into these issues with the help of my three sons and my young patients, many of whom confided in me over the years the nature of their feelings and anxieties, and by yet others who were brought to me by their parents or social workers because of problematic behaviour.

I do know from painful experience that the solutions to the problems of young people's behaviour, violent or otherwise, are neither simplistic nor linear because the problems and anxieties that beset our youth are highly emotional, complex and volatile, and the answers need to be flexible, individually focused and multi–faceted. They also need to strike a careful balance between the requirement to punish and the need for rehabilitation and prevention.

As a member of Parliament for a very metropolitan urban riding the issue of young offenders is particularly pertinent. I have heard from many of my constituents, both adults who are anxious and fearful, and youth, particularly street youth who are homeless and lost.

I believe I have heard all sides of this complex, emotional and controversial issue and I agree that there is urgent need for appropriate and sensitive action. It is in this light that I have assessed the amendments to the Young Offenders Act proposed by the justice minister.

I will not go into specific details of each amendment, as time does not permit. I will instead deal with the overall intent and philosophy of these changes. I believe that they need to fulfil three specific criteria: safety and protection, accountability, which must include punishment and rehabilitation, and cause and prevention.

We need to balance within these concerns the rights and responsibilities of all persons, the victim, the offender, the justice system and society at large.

I will deal first with the issues of safety and protection. I think we all agree that our responsibility as parliamentarians is to ensure that Canadians are protected from harm and to maintain a safe environment for them to live in wherever possible. We know that women, seniors, youth and the most vulnerable in our society live with anxiety and fear because of the perceived or real escalation of violent crimes among our youth.

(1710)

Allaying these fears and ensuring safety are of prime importance. To do this it is essential to securely isolate young offenders at least until we can be sure that they are rehabilitated enough to re–enter society without threat.

The Minister of Justice's amendments concerning the lengthening of sentences for severe violent crimes regardless of age address this issue appropriately. The provisions for the sharing of information regarding the violent offender with those in society who have responsibility for the safety and protection of others such as school authorities, law enforcement officers and child welfare workers will also be effective in ensuring public safety.

At the same time by restricting the information only to those who have a clear need to know and authority to act, the minister has achieved a balance between protection of society from the young offender and protection of the young offender from understandable but illegal vigilante action and media sensationalism.

With regard to the second issue of accountability and punishment, I believe that the amendments separating the punishment for severe violent crimes such as murder, rape, aggravated assault and manslaughter from those of the less severe young offences address appropriately the maxim from Gilbert and Sullivan's ''Mikado'', that the punishment must fit the crime.

Punishment should take into consideration not only the enormity of the act and the culpability of the perpetrator but must also be mindful of the responsibility to impart a lesson. If this responsibility is not observed then punishment is nothing more than revenge.

I believe this important balance is achieved in the new proposals that would allow a judge to authorize medical or psychological assessment of a serious or chronic offender and to impose treatment in rehabilitation as part of a sentence. The amendment that allows for a victim impact statement is another extension of this accountability lesson. It teaches the offender that singular, specific acts of violence have far reaching consequences that affect the lives of more than the victim.

Further to this whole issue of culpability, I support fully the minister's decision to keep the minimum age of the young offender to 12. I believe, based on my experience as a parent and family physician, that young people under 12 do not fully comprehend the broader, more abstract concept of cause and effect, especially in the very serious crime of murder.

There is a clear difference between a child's understanding of right and wrong and the more mature understanding of the tragic consequences of murder and rape, especially on the victim's family and on the permanence of the deed. Our children do not live in a vacuum. Media messages today glorify and condone these extreme acts of violence and minimize the enormity of effect, often rendering them trivial and commonplace, especially to a child. Persons under 12 are children.

Moreover, the amendments that now require a young offender between the ages of 15 and 17 to be treated in adult court further strengthen this concept of maturity as a factor in culpability.

Finally, I would like to address the proposed amendments to the Young Offenders Act under the third criterion of cause and prevention. In this, the International Year of the Family, we have a clear duty to all children, especially as parliamentarians to Canadian children.

Children and youth are among the most vulnerable in society. In the early years of life they depend on us completely for security and protection. We have a responsibility as parents and later as teachers to guide and nurture them, imparting to them a sense of self–esteem and worth, an understanding of our societal values, also furnishing them with the skills for coping with the conflicts and stresses of life within the context of good citizenship and with regard for rights and responsibilities.

Our children and youth have no secure ground on which to build a future. In these times of economic instability and unemployment our children are filled with a sense of futility and hopelessness. As they see us, adults, buffeted often helplessly by these endless stresses, they also experience our sense of powerlessness.

In this environment some of our young people are fortunate enough to weather these stresses in a family atmosphere of love and security, but there are many others whose fears are compounded by the isolation of neglect and abuse. Our neglected and abused children come from all social and economic groups. Abuse is not only an active thing, it can be inflicted passively when we deny love and guidance. If then some of our children and youth act out their feelings of anxiety and powerlessness in violent behaviour we must seek not only to be protected from their actions and to punish them appropriately, but we must also recognize these actions for what they are, a tragic response to seemingly insurmountable odds.

(1715)

Whenever we exert our right to punish we must be conscious of our responsibility to rehabilitate and our duty to prevent the creation of further generations of lost and violent youth.

As parliamentarians we must act now as a priority to provide resources for families who need assistance in coping with difficult and recalcitrant children and youth. However these measures must be remedial and preventive rather than punitive.

Like it or not, our youth are our hope for the future. We are the only ones who can influence that future by how we deal with the problems today.

I support the justice minister's amendments to the Young Offenders Act because I believe they present realistic solutions to the problems of today while building a secure and safe future for tomorrow.

Mr. Jim Silye (Calgary Centre): Mr. Speaker, I would like to thank the member for her speech and ask a few questions.

The Minister of Justice has gone part of the way in acknowledging that 16 or 17–year–olds who commit murder and attempted murder perhaps should be tried in adult court. However the onus has been switched. Why not just put them into adult court and not go through this exercise of switching the onus?

Second, it was not clear from the hon. member's speech why the Young Offenders Act should not be amended to incorporate the youths of 10 and 11 years of age.

This morning as I was leaving my house I had to stop my car, get out and go back because a youth whom I had seen walking down the street opposite my car was heading into our back yard. I ran back and yelled: ''Hey, what are you doing there?''. It was a person of this younger age scouting out a house. This was in Vanier.

I want to know why we would not incorporate a system that captures these people so that they are held responsible as well.

Ms. Fry: I forgot your first question. I do not believe that is what the minister means by changing the onus for 15 to 17–year olds to be tried in adult court. He said they should be tried in adult court and it should be shown why they should not be tried in adult court. It is clear they will be tried for very violent crimes in adult court and the onus is on them to prove that they should not be tried in this court. I think that is very appropriate.

Second, you talked about lowering the age from 12. I made it quite clear that I do not believe we can put 12–year olds and under 12–year olds in the same category. I do not believe that the abstract concepts of crime and punishment really apply to young people. I say this from experience, both as a parent and as a practitioner who had lots of young people in my practice.

We need to help these young people by prevention, by remedial help and by helping their parents with the resources they need to help bring their children into line. However we should not be throwing these children in jail at all.

[*Translation*]

Mr. Michel Bellehumeur (Berthier—Montcalm): Mr. Speaker, according to Statistics Canada, British Columbia has the third highest youth crime rate in Canada after the Yukon and the Northwest Territories.

Could the hon. member for Vancouver Centre tell me what impact the amendments to the Young Offenders Act will have on young people in two specific areas, namely the tougher sentences and the referral to adult court which I, like the hon. member, think is automatic?

[*English*]

Ms. Fry: With respect to increased sentences, it is in fact appropriately punishing the young people for the very serious crimes. Sorry, what was the second part of your question?

The Deputy Speaker: Order. I think we are just about out of time. The hon. member is going to be the next speaker so he will have a chance later on.

Mr. Ovid L. Jackson (Bruce—Grey): Mr. Speaker, I want to digress for a moment. Fifty years ago today something significant happened. I want to make reference to it.

There were three Victoria Cross medalists in my riding of Bruce—Grey, Messrs. Bishop, Holmes and Currie. Billy Bishop was a World War I flying ace. He worked as a consultant and helped to train people for the second world war. David Currie was married to an Owen Sound girl by the name of Isabelle Silue and I understand she is still alive and lives in Ottawa. Thomas Holmes was 18–years old—these people were only between 18 and 25 years with an average of maybe 22 years old—when he stormed a bunker two or three times, giving his life to throw a grenade into a pillbox. Eleven Germans had surrendered to him. I would like to pay tribute to them as well as one more person,

Lloyd Clark who was at Passchendaele and was also on the beaches of Normandy.

(1720)

Ever since I rose in the House to respond to the throne speech, one of the things I hoped we could do was work collaboratively together. The Young Offenders Act is one of those topics. All members owe it to their communities to make them safer.

We owe it to Canadians to be as factual and as analytical as possible in dealing with the issue that most critically involves striking a balance between the rights of the victim, the offender and society in general.

No matter what our political stripe or gender or cultural perception, we must get this one right. In our daily work we deal with tax issues, procedural issues, political issues to mention a few. I would argue with my colleagues on all sides of the House that this is one on the human side like no other.

Simply put, all members in the House and Canadians in general want to be in a community that is safe and secure. This is a public policy issue and a priority for us as a government.

In this democratic forum I call on all sides to make sure that we benefit from the discussions here. The hon. member for Saint–Hubert made a good presentation and a passionate one. I know that she does a good job for the province of Quebec, notwithstanding the fact that she disagrees with us completely and would like to make an amendment to the act.

In the era of Aristotle and Plato the justice issue was discussed. I am intrigued by the fact that in this debate in the year 1994 we are attempting to debate that very notion. This is an intergenerational problem and it requires from time to time that in places like the House of Commons we debate this kind of policy.

Margaret Mead, the sociologist that studied society, said that a family that did not care for all of the children within that family was a family that would fail. In every society she studied there were problems in terms of the way the family is.

The way we deal with our young people is very important. Recently, during the election, I had a whole lot of street kids right in front of my campaign office. I can tell you, Mr. Speaker, by the end of the election they were all working with me. One guy even got five bucks. He got his picture in the papers. They changed completely. They tell me that a lot of adults walk right by them, not admitting they exist. Sometimes we have to look at ourselves when dealing with young people.

Recent events within various communities have increased public fears, fueled the debate and intensified the attacks on the Young Offenders Act. Canadians empathize and are saddened by the tragedies. However I strongly feel that we must analyse and make sure that we do not get into misinformation and prompt an emotional response to this question. The minister is trying to find a good balance to make sure that some of those needs are met by allowing youths to say why they should not go to adult court, of sharing information with the police, the teachers and the people in the community that require it and using all those agencies within the communities to make sure that when the person is convicted that they are going to be able to work with them in order to get them rehabilitated.

It is all well and good to put a person in jail, but sooner or later he has to come out. If the apprenticeship they get in prison is one that teaches them to be criminals, that is what you are going to get. If the response is one we can deal with in our communities, which is one of caring and and trying to find out what makes a person tick, there are certainly going to be some individuals who will respond. When I took psychology we studied people with the xyy chromosome and some postulated that there was not much that could be done with people who had that tendency.

(1725)

If members watched the movie *One Flew over the Cuckoos Nest* they will remember McMurphy. At that time frontal lobotomies were given which removed parts of the brain. Members will remember that when they did that to McMurphy he was no longer the person we knew. That was something that happened in mental hospitals and was a response to a problem of humanity.

Human beings are very complex organisms. I listened to members from both sides of the House saying: ''We are legislators, we pass legislation''. One thing I want to say in passing is that in this legislation we are trying to strike a balance. There can be no perfect solution because God created each one of us differently but equally. It is that diversity which has made us the kinds of people we are. We allow that.

There are societies where they use very harsh methods. I just came back from South Africa. In South Africa if a person committed a crime and was caught they were brutalized, beaten, their families were intimidated, incarcerated and virtually disappeared. Some were even killed.

Do you know what is the response to that kind of harsh system? If criminals saw your face they would kill you. It got very bad in that community.

Statistics from the United States tell us that more people are incarcerated there than in any other country in the world. They have extremely violent crime activity and it seems to be increasing so I do not know if that system would help us.

Incarceration costs us a lot of money. Why not provide some means of restitution, some means of rehabilitation. Let us make sure we have the infrastructure to ensure that the needs of people are met in our communities.

I fully support the example in the recent study by the John Howard Society. It estimates the cost of keeping a young person incarcerated as $191 per day. The minister mentioned earlier that it costs some $70,000 to $100,000 to keep a person in jail.

If those resources were reallocated and we do not put young people in jail for activities that are not severe and could be solved, we could reallocate those funds to those people, making them into productive people in our communities and getting them back into society.

A lot of human tragedy is involved in this debate, both on the victim's side and the offender's side. I do not want to make light of what has happened in some peoples' lives in terms of the just desserts situation or any other situation that has occurred within the last little while.

The amount of crime in our society, as based on studies, is really going down. According to StatsCan, the number of youths arrested for all crimes fell by 4.7 per cent in 1991. Less than 3 per cent of young offenders charged with a violent crime committed a serious personal injury crime.

The murder and manslaughter rate is less than 1 per cent. As bold and horrible as violent crime is we in government have a duty to act responsibly. It is correct for us not to panic and that we make the changes being considered by the minister.

No one can critically analyse youth crime without considering societal conditions and the root causes. There are simple solutions to this. I would ask members to give this the weight it deserves in this discussion.

The proposed amendments to the Young Offenders Act reflect a reality. We know that youth crime is related to societal conditions, poverty, school failure, substance abuse, child abuse and neglect, spouse abuse, unemployment and dysfunctional families. However this does not make excuses for violent offenders.

(1730)

Therefore, a balanced approach by the minister is what we would require. I urge all members on this side to take a balanced approach. We do live in a society in which we have to allow people to reach their potential. We do not incarcerate people. That is not our technique. I think the minister has found the best balance in his solution.

[*Translation*]

Mr. Michel Bellehumeur (Berthier—Montcalm): Mr. Speaker, I would like to assure the hon. member that, first of all, the opposition will co–operate on an issue like young offenders. We will certainly work on and examine this bill very seriously.

However, when we deal with such an important issue on which there seems to be unanimity in Quebec, a unanimity that is growing in the other provinces, you may find that our involvement will be one of opposing this measure. But you can be sure that we do it for young people, because 10–, 11–, 12–, 17– and 18–year–olds are not here to defend themselves, few groups will defend them, and I think it is our duty to do so.

However, I have a little question for the hon. member. I listened attentively to his speech and I like his approach on the issue of young offenders. Compared with the justice minister's bill before us, which everyone, except the government, of course, recognizes as a more repressive approach than that of the hon. member, which, as I understood from his speech, emphasizes rehabilitation and social reintegration.

I would like the hon. member to tell me where he stands on all this, how he reconciles his approach with that of the minister through Bill C–37.

[*English*]

Mr. Jackson: Mr. Speaker, I apologize to the member for not speaking in his first language.

In my previous job as a mayor one of the things police asked is that the names be made public. I believe there is a mechanism for that. In some cases when young offenders only had a five–year sentence they knew that the five years went very quickly and that did not give them a chance to be introspective and to take courses to get rid of their inhibitions and some of the problems that they had in working in society. The latitude that the minister put in there will help.

I say to the member opposite that basically what we have is a tightening up, to some degree. He is right, we are moving toward a more strict society. In order for a society to work and to have the judges, police and teachers on side we have to take some of these measures.

Mr. Ken Epp (Elk Island): Mr. Speaker, I have a question for the member who just gave a very good speech.

I agree with him in the sense that we ought not to be incarcerating people thinking that thereby we can make them good. As a matter of fact, I do not believe there is a law that we can pass that will make people good.

I grew up in a very special home, one in which we were not permitted—I grew up before there was television—to listen to radio programs which had violence. We were not permitted to settle our differences with violence. It had to be with negotiation and compromise. As a youngster I grew up so that as an adult for me to impose a criminal act on someone else was not even within the realm of my thinking.

How does the member propose to deal with those people who did not have that training, who do not have that built in morality that restrains them? How do we restrain those who actually find it very easy to pick up an axe, a gun or a knife to harm other people?

Mr. Jackson: Mr. Speaker, I do not know if I have enough time for this question but I will try to answer it very quickly.

I guess censorship is another question. We do not censor things. People are supposed to know what is reality and what is not. I agree with the member. Most of us on this side of the House who grew up during his time know that there were very strict acts and most of us tried to confront that.

There is a great tendency within society as it stands now. I taught high school before I came here. A child may be subjected to four or five parents and there are some complications in those relationships. In a lot of cases they are given love. Talk to people from the children's aid or anybody who takes kids in who cannot deal with them. Unfortunately there are no tests for families, and part of our problem is to try to do that.

(1735)

The other alternative is to lock them up, shoot them or hang them, and that is not what we do in our society.

[*Translation*]

Mr. Michel Bellehumeur (Berthier—Montcalm): Mr. Speaker, in a few words, to begin, I think I can say, and not be too far off the mark, that an elephant has just brought forth a mouse; the elephant, of course, is the problem of young offenders, you understand.

Fortunately, the Bloc Quebecois has proposed an amendment which the House can accept, for the sake of young people who need help in Canada.

After receiving much media coverage, reading thousands of briefs and attending federal–provincial conferences, the minister let it be understood that the problem of young offenders was very complex and deserved special attention to produce amendments for correcting the deficiencies in the system. The big problem of youth is supposed to be solved with the bill we have in our hands.

So where do we stand? What is the wonder prescription to achieve this objective? So as not to be accused of distorting the major points of the bill, I will use the justice minister's press release of June 2. Here are the ingredients of the wonder formula to deal with the problems of young offenders.

First of all, the minister proposes extending the penalties for adolescents found guilty in youth court of first– or second–degree murder to ten and seven years respectively. What a stroke of inspiration. We see that the essential element of the bill is repression. Indeed, the government stresses this point at the outset so that everyone understands.

Secondly, the minister proposes referring to adult court 16– and 17–year–olds accused of an offence involving serious bodily harm, unless they can convince a judge that the objectives of public protection and rehabilitation can both be met if they are judged in a youth court.

This is an important change. In our system, one is presumed innocent until proven guilty and the Crown must prove beyond any reasonable doubt that the accused is guilty; however, if the accused is 16 or 17 years old, he is presumed to be an adult for the purposes of his trial unless the public interest does not require it.

Under our laws, an underage person will have to show that the public can be protected and he can be returned to society if his case is referred to youth court; this is a dangerous breach of legal principles which concerns me greatly.

With this bill, the government is dividing 16– and 17–year–olds into two classes: persons under 18 who are docile and can be rehabilitated and those who, at age 16 and 17, are incorrigible, as implied in the bill. If we can speak of the long arm of the law, we can now say that it is also selective.

How can such unfair treatment be compatible with the Canadian Charter of Rights and Freedoms? In any event, we in Quebec have at least 25 years of experience in reintegrating young offenders in society. Although we need to invest to expand the program, and although I agree that a lot remains to be done, we have a system to provide support to a young person who needs help. But in those English–speaking provinces where rehabilitation is not a priority, where will a 16 or 17–year–old go, even if he asks for protection under the Young Offenders Act? I am quite sure that legal precedents will quickly be created and based on the principle that a 16 or 17–year–old must be held accountable for his acts, must be treated like an adult, must be dealt with by an adult court, and must also be sentenced as an adult.

In the reform he tabled last week, the minister also lengthens the sentences to be served by 16 and 17–year old offenders who are found guilty of murder by an adult court, before they can be eligible for parole. Again, the underlying message being conveyed is one of repression.

(1740)

The fourth element mentioned by the minister to help young people avoid getting into trouble with the law is to improve the sharing of information between professionals, for example school authorities, the police and some public representatives, when public security is threatened, and to retain criminal records for a longer period in the case of young offenders who have committed serious crimes.

I am curious to see how clause 38.(1.14) will be interpreted as regards public security.

Many well–meaning but tactless people will append the criminal record and the court order to the academic record, precisely for so–called security reasons. What a nice

introduction, for the young person, to this self–proclaimed tolerant and generous society.

The message is quite clear when you read the bill, especially as regards that issue. It says: you are a petty criminal and we will make sure that you do not forget that. We will try to ensure that you are periodically reminded of that by appending this information to your school record.

If the provisions of this bill are strictly implemented, a young delinquent will spend more time in an institution, will have less chance of rehabilitating himself and, when he gets out, will be a branded person. The last ingredient of the minister's recipe is rehabilitation and treatment. We cannot say much on this because the minister certainly did not elaborate on this particular point. He merely said that, in the case of young offenders, rehabilitation and treatment will be used when appropriate.

I am sorry, but I believe that a 10, 11, 14 or 17 year old has a right to whatever rehabilitation or treatment is required in his case. This should not be a conditional but, rather, an unconditional provision in the bill. Once again, our views are very different.

The Minister of Justice told us he consulted a lot of people, including representatives of the legal profession, police officers, school authorities, provinces and many others. Among all of the proposed amendments, I wonder which ones were requested by the Quebec Minister of Justice, the Director of Youth Protection, the Quebec Judicial Council or even the National Assembly of Quebec? Which criminologist or sociologist in Quebec would want such repression? Who in Quebec asked for this kind of amendments?

If the minister held consultations, and I am sure he did, we can only conclude that, for the government to have come up with such a flimsy effort, as I said earlier, the Liberal Party of Canada must have felt unbearable internal pressure from Western Canada. To please the majority, they once again ignored the will of Quebecers, even though Quebec had made it very clear what it wanted. To be heard, the National Assembly of Quebec as well as Bloc members in this House have always maintained their positions.

As I intend to make myself clear, maybe for the last time, I will quote none other that the Quebec Minister of Justice whom the federal minister allegedly consulted. On May 4, Mr. Roger Lefebvre, Liberal minister in the Quebec government, said: ''I think it is important for the federal and provincial governments to focus their actions more on rehabilitation than on repression. Young offenders need help and support to re–enter society. It is important not to condemn in advance all young offenders who commit violent crimes''.

I wonder if the minister, a federalist I might add, is happy with the bill introduced by his big brother. Yet, according to the Quebec Minister of Justice, the message was made very clear at the federal–province conference. Mr. Lefebvre sums up his position in this way: ''At the federal–provincial conference of the Ministers of Justice which took place in Ottawa on March 23 and 24, I had several opportunities to express the positions of Quebec, particularly on the proposed amendment to the Young Offenders Act. I also said that the Quebec government intends to pursue and intensify its search of durable and effective solutions that will meet the real needs of young people, and leave some hope for their future''.

I would like to expand a little bit on that point of view because it is important to understand the inconsistencies in the current situation. I stressed that federal action must be respectful of Quebec jurisdiction and seek to reduce overlapping so that Quebec does not end up with higher costs.

(1745)

I also indicated that experience in Quebec has shown that the present maximum sentence of five years is adequate for an overwhelming majority of murders committed by young people. The present transfer mechanism for serious offenses makes it possible to judge young offenders in a regular criminal court when their rehabilitation requires a long period of detention that cannot be determined.

And in the last paragraph, we have the explanation of the bill of the federal minister of justice. It is Mr. Lefebvre who says this to the National Assembly on May 4: ''It seems to me that it would be more appropriate to make better use of current legislative tools for referrals instead of changing the rules, as some of the other provincial ministers of justice indicated during that federal–provincial conference''. That is clear enough. Without having been present at that federal–provincial conference, I can say that Quebec City's concerns did not carry much weight in the decision of the federal justice.

I consider the Minister of Justice a progressive and I have a lot a respect for him but, unfortunately, I have to say that this bill is disappointing and dangerous. With due respect for the opposite opinion, I can say that the alarm has been sounded. Next time, what principle of our justice system will disappear? Who will take the rap so that we can silence and calm right–wing people? This bill misses the target and ignores the real flaws and the present problems.

I hear members of the government telling me that I am playing well my role of official opposition in criticizing a bill coming from the Minister of Justice. However, I will do more than that. Sometimes, I dream about putting myself in the place of a minister to try to understand his position, to follow his logic and to ask myself what I would have done if I had been in his shoes.

In the present case, it has been difficult for me to understand the minister's position and to follow his logic, but in spite of it all, I would have never meddled with the Young Offenders Act.

The problem is not the act, but its application. Indeed, if I had been in the place of the Minister of Justice, I would have outlined the situation in this way. First, I would have encouraged Western provinces and other Canadian provinces to follow the example of Quebec where rehabilitation is the basic objective. In summary, I would not have reinvented the wheel, I would simply have insisted on respect for the meaning and the purpose of the Young Offenders Act as it now stands. We do not even know the results of the latest amendments to the act and we already want to bring in some new ones. We cannot deal with such an issue on the short term, we must know where we are going.

Second, I would have talked about statistics because they are important. The most recent statistics show that crime by youths is declining. The media exaggerate the situation and the public has the wrong impression about today's young people. However, in larger cities, statistics seem to be influenced by a series of factors like the presence of gangs, new cultural communities, et cetera. Some of the things that certain members said in their speeches called this to mind.

Also in my dream, as justice minister, I would have introduced a program in partnership with the Minister of Human Resources Development in order to encourage the development, effectiveness and efficiency of youth houses, streetworkers, centres and other places for young people, by means of employment and development programs and sections like section 25. I think that prevention, education and consciousness–raising can prevent crime. I would not have condemned anyone but I would have tried to understand the problem and eliminate it at the root. The bill does not mention anything to that effect.

Third, the public rightly responds to the facts reported by the media. One particular case which recently resulted in a general outcry deals with the robbery of a convenience store by minors who were controlled by adults. The organizer of the crime, an adult, was sentenced to two years in jail even if a murder was committed in that store. This kind of case is not new. It is well–known that well organized criminals and unscrupulous bums use young people to do their crimes.

(1750)

Is the minor the problem or the adult? We all know that a 10 or 11–year–old looks up to his elders. They are prepared to do anything to be accepted, even commit armed robbery or kill someone. In this case, the culprit is not the 10 or 11–year–old. The real criminal, the dangerous offender is the adult who uses a young person for his own perverted ends.

And what did the minister put in his bill to stop this shocking and shameless exploitation of young people? Nothing.

If I were the minister, I would have proposed amendments to the Criminal Code. I would not be satisfied with the current sentences these adults receive when they are caught. A person who conspires with a minor to commit a crime should answer for the same crime as the minor. That is why I would have proposed a new section in the Criminal Code, to follow section 465 which deals with conspiracy, and to be referred to as section 465.1 ''conspiracy with a minor''.

I am not an expert on legal drafting, but to give hon. members an idea of what I would like to see in this section, I will read you a section that would have read as follows: ''Except where otherwise expressly provided by law, the following provisions apply in respect of persons who conspire with minors to cause them to commit offences: *(a)* everyone who conspires with a minor to cause him to commit an offence in the meaning of section 231, first degree murder or second degree murder, in the meaning of section 239, attempt to commit murder, in the meaning of sections 233 and 234, manslaughter, in the meaning of section 273, aggravated sexual assault, in the meaning of section 268, aggravated assault, is guilty of the indictable offence of which the minor is accused and liable to the same punishment, provided under each of these sections, to which he would be liable if he had himself committed the offence''.

The second paragraph of this section would have read as follows: ''Everyone who conspires with a minor or causes him to commit any other offence punishable on summary conviction or an indictable offence is, if the offence is committed by the minor, guilty of the offence as though he had committed the offence himself and is liable to the same punishment''.

This section is intended to fill a gap in our legislation. It would send a very clear message that trying to be clever by using young people in our country is a criminal offence. In this way we would deal with the real problem.

Since in many cases, the adult would receive a more severe sentence than the young offender, the objective of this amendment would soon be reached. We cannot just stand there and let a young person's life be ruined. We need constructive proposals. Unfortunately, I am not the Minister of Justice, and this House has to live with Bill C–37, where it looks like in the minister's mind, there has to be a link between repression and crime. However, nothing could be further from the truth.

I believe that we should not forget the extensive study undertaken last year in the United States, in two or three states where the young offender legislation had been amended to lengthen sentences. It shows that, instead of going down as expected, the crime rate among young people went up. How do you explain this? I do not know. I am not a psychologist, but I do

know that it is true. To claim that repression is going to lower the crime rate is ludicrous.

Bill C–37, in its present form, is contrary to Quebec's policy and legislation regarding youth protection. It flies in the face of the motion passed nearly unanimously, on May 5 last, by the Quebec National Assembly, as if we were no longer part of the federal government's concerns. Fortunately, I do hope that the House will seize the opportunity to backtrack offered by the Bloc member for Saint–Hubert, with her proposed amendment. There is no shame in admitting that one was wrong, and I believe that this amendment gives the House of Commons the opportunity to acknowledge that it is proceeding a bit too fast with an issue as important as young offenders. It could be that the consultations undertaken by the minister did not yield the expected results.

We must realize that the decision the House is going to make regarding young offenders will have far–reaching consequences since it will alter the course of their lives. It is not a decision we can make lightly.

(1755)

In conclusion, I would also mention people we have not talked about yet, except in a question I asked one member, and who are not mentioned in the repressive amendments of the minister. I am referring to native young offenders.

If we look at the figures of Statistics Canada, as we go west the crime rate increases. In the Yukon and the Northwest Territories the figures are alarming. The rate is over 30 per cent in the Northwest Territories. What is the minister going to do with all these young people, where is he going to put them?

Is he going to build special institutions for young offenders? Is he going to increase funding for legal aid? Who is going to assume the defence of the poor? How much is it going to cost? These questions have to be answered and I am very surprised that western members, who claim to be the Official Opposition on certain issues, did not take up the case of the people who elected them and are directly affected by these amendments.

Finally, with these amendments the jails are going to be full, we will have to build more, and there will not be much rehabilitation, because the demand will be much greater than what the province can provide, given that no money was ever invested in rehabilitation and social reintegration.

For all these reasons I will support the Bloc Quebecois' amendment and vote against this bill.

Mrs. Eleni Bakopanos (Saint–Denis): Mr. Speaker, I would like to ask the hon. member opposite a few questions about the information he gave concerning the lack of co–operation or consultation between the Government of Quebec and the Government of Canada.

That is not quite accurate. At any rate, I want to know where he got his information, because I know that the Minister of Justice of Canada did consult his provincial colleague.

Furthermore, we on this side of the House are also concerned about crime prevention. The Minister of Justice said that this is the first in a series of measures that we will bring in as the Government of Canada in a real effort to prevent youth crime. This is not the only measure; it is one of a series that we want to introduce as a government.

As far as repression is concerned, I do not think that the bill is repressive, that is not really what we want to do in the legislation; we want to try to help young people who are involved in crime, to help them so they do not continue on that path all their life, to act early to break the vicious circle of youth crime.

Mr. Bellehumeur: Mr. Speaker, I am pleased to answer these questions. First, I said that I was convinced the minister had held consultations.

The problem is that he consulted with his ears plugged. For example, what the Quebec minister of justice asked for and what the legislation now says are two completely different things. In other words, the federal justice minister consulted his provincial counterpart, but did not accept any of his suggestions and rejected everything that Quebec asked for regarding young offenders.

In fact, I believe a unanimous resolution was passed last May 5 by Quebec's National Assembly, asking that the federal justice minister not amend the Young Offenders Act, which works just fine as it is. Of course, there is always room for improvement.

However, it is not by lengthening sentences and by implementing amendments such as these that the objective of the Young Offenders Act will be reached.

According to the justice minister's release, this is just the first stage. The minister seems to want to bring changes in two stages. However, I find this to be a curious strategy, in the sense that we are taking a stand regarding that first stage and will tell the Committee on Justice and Legal Affairs what we expect from a consultation process.

In my opinion, this process is biased and, in any case, it gums up the works for the debate we want to have at the second stage. The hon. member may not be pleased by the fact that I use the term repressive. But take a look at what people say outside this House. Psychologists, criminologists, sociologists, provincial politicians and journalists are almost unanimous in saying that this legislation is repressive.

(1800)

Out of five salient points mentioned by the minister, three directly relate to longer sentences and to the reversal of the burden of proof in order to be heard by a youth court. I am sorry, but these provisions are repressive. There are no other words for it. Three points out of five—a clear majority—are repressive.

Consequently, I feel I can refer to this bill as a very repressive measure. This answers your three points.

[*English*]

Mr. Philip Mayfield (Cariboo—Chilcotin): Mr. Speaker, on this day, June 6, we remember the principles of peace and freedom and the ability of courageous people to overcome oppression and evil and to maintain these principles. It seems there are certain principles under attack within our own community. People are not at peace; they are not free when they are under threat to their life, their property and their well–being.

My hon. colleague mentioned that a principle of justice has been eradicated by the bill. I would simply like to ask him what principle of justice has been eradicated by the bill.

[*Translation*]

Mr. Bellehumeur: Mr. Speaker, I may not be an expert in criminal law, but I did practice law for seven years and I have always understood two facts about our British–style system of justice. First, a person is presumed innocent until proven guilty.

Second, the burden rests with the Crown to prove guilt beyond a reasonable doubt. In the matter now before us, in Quebec and in other provinces, there are laws on the books that say that a young person is considered to be an adult when he or she reaches 18 years of age. That is a principle. If the proposed legislative changes are adopted, a 16– or 17–year–old could be tried for a crime as a adult. To my mind, this provision flies in the face of the principle whereby everyone is treated equally under the law. In the case of some 16– or 17–year–olds, the government would be saying that while you are considered a minor under certain laws, we have adopted others which say that you are an adult and will be tried as an adult.

I find this approach extremely dangerous. It opens the door to setting aside other, perhaps more important, principles. Just how far is the government prepared to go to appease the people on the right and silence those who may be misinformed or even manipulated by groups who distort the facts?

[*English*]

Mr. John Bryden (Hamilton—Wentworth): Mr. Speaker, I fully support the bill but my colleague opposite raised a concern that I share, that is the whole issue of young people 16 and 17 years of age having to prove to the judge that they should not be transferred to adult court. I agree with him that this would appear to be a problem where the accused is forced to prove his innocence.

However I note the minister said in his remarks today that the final decision on whether or not a young person goes to adult court, if I interpret the minister correctly, is entirely at the discretion of the judge. Surely that answers my concern and the concerns of my colleague opposite.

[*Translation*]

Mr. Bellehumeur: As far as referral is concerned, Mr. Speaker, there are two points I have not raised yet, but that really worry me. When we talk about referral, we talk about the whole justice system. This is going to be very costly. I cannot wait to see how much this new referral process will cost to the justice system? Also, this bill will make the procedure more cumbersome.

I would like to give a straight answer to the hon. member, but I seem to have forgotten what was his question was. I think it had to do with judges, but I am not sure. Can he remind me of his question?

The Deputy Speaker: I think another member wishes to ask a question. I will recognize the hon. member for Carleton—Charlotte.

(1805)

[*English*]

Mr. Harold Culbert (Carleton—Charlotte): Mr. Speaker, I must certainly comment on the hon. member's presentation this afternoon. He has made it very clear that he does not agree with the bill the minister has brought forth. We on this side of the House believe that it is a very balanced approach. Today we celebrated the 50th anniversary of D–Day. Times have changed over the past 50 years, there is no question.

I particularly want to zero in and ask a question of the hon. member on the second component of the presentation made by the Minister of Justice with regard to the justice committee taking on a study of the cause, what has caused in recent years the tremendous increase in young offenders.

Having worked with young people over many years in several different capacities it is a concern to me. I know it is to the hon. member. I wonder if he might like to touch on that factor. Ultimately what everyone on this side of the House wants, and I am sure those on the other side of the House, is not to have to deal with the situation because the young people are not getting themselves into those problems.

[*Translation*]

Mr. Bellehumeur: Mr. Speaker, answering this question is easy because it is not true that there has been an explosion in youth crime. The statistics even show a decrease except, as I said earlier in my speech, in the major centres like Montreal, Toronto and Vancouver where there are gangs, where new arrivals try to enforce their own brand of justice, and so on.

It is not true that there has been a tremendous increase in youth crime and I think it is wrong to try to give that impression. According to the statistics I have which cover the period from 1972 to 1992, the number of crimes of all kinds is exactly the same, give or take four or five. It is wrong to talk about an increase. We will discuss it in detail in the Committee on Justice and Legal Affairs, but it is wrong to talk about an explosion, as we will demonstrate before the committee.

What I do not like in the referral or the minister's request is that we will adopt the Young Offenders Act. The committee considered that, of course, but it also planned a second phase to consider the amendments I want. We know that the minister consulted or at least said he consulted several stakeholders. Does the bill really meet these stakeholders' requests? I doubt it.

I will now take this opportunity to respond to the hon. member who asked me a question earlier that I just remembered. Yes, it is true that, under the referral system, the judges will decide whether or not young offenders will be transferred to adult court. Quebec has room to accommodate these people and I am convinced that the jurisprudence that will evolve in Quebec will be rather similar to that of Ontario but very different from that of Western Canada. Why? Because Quebec and Ontario have started to develop a whole system to accommodate these young people, including youth protection and rehabilitation centres—Quebec already has several such centres.

What will happen in Western Canada and the Northwest Territories? They do not have any rehabilitation centres where they can send their young offenders. So my main conclusion is that the jurisprudence will be much tougher in Western Canada and they will take the opportunity to transfer all these 16– and 17–year–olds to adult court. That is what I question and what I find very dangerous.

I hope I have answered the question this time.

[*English*]

Ms. Jean Augustine (Parliamentary Secretary to Prime Minister): Mr. Speaker, I rise today to lend my voice to the debate on the proposed amendments to the Young Offenders Act. I stand as someone who has worked for over 30 years in the education system, working with young people as a school teacher, as a vice–principal, as a principal and in several capacities as counsellor. I am also a mother of two black Canadian children. I am very concerned about all Canadian youth, including the situation of black youth in the country.

We heard from across the way that the elephant gave birth to a mouse. This is not reality. We are talking about Bill C–37 which is intent on addressing the reality of the situation that faces us today in our communities.

(1810)

My constituency office in Etobicoke—Lakeshore receives numerous calls on a daily basis: calls for reforms to the act, calls from Canadians concerned about the safety of their families, concerned about their communities, concerned and fearful when they read the daily barrage of media reports and stories that speak about teenage vandalism, random acts of violence, use of weapons, et cetera. Some of the people I have spoken to about the issue tell me that juveniles are laughing at the present system of justice. They want to see reforms to the Young Offenders Act.

Public consultation has indicated a major dissatisfaction with the present treatment of young offenders. The bill is the justice minister's response to Canadians to provide Canadians with immediate action that would particularly address violent crimes.

I will direct my remarks to the situation around the call for action. On June 2, 1994 the justice minister introduced this comprehensive, two–phase set of proposals to amend portions of the 10–year old Young Offenders Act. These proposals reflect an extensive process of consultation and consideration regarding violent young offenders who commit serious crimes. The proposed amendments will improve the act's ability to deal effectively with serious youth crime and improve public protection.

There are several highlights to these proposals: increased sentences for teenagers convicted of first or second degree murder in youth court; dealing with 16 and 17-year-olds charged with serious personal offences in adult court unless they can show a judge otherwise, and we heard the debate a few minutes ago between the Bloc member and the member on this side of the House about the decision of the judge that public protection and rehabilitation can both be achieved through youth court; and extending the time that 16 and 17–year old young offenders who have been convicted of murder in an adult court must serve before they can be considered for parole.

Bill C–37 calls for improved measures for information sharing between professionals such as school officials, police and selected members of the public when public safety is at risk, as well as retaining the records of serious young offenders a little longer and encouraging rehabilitation and treatment of young offenders in the community when appropriate.

Some members of the Chamber will have us believe that these measures are not tough enough. We heard the debate this afternoon. They are seeking harsher penalties for each category of the Young Offenders Act. Some even advocate a hard line approach that would call upon applying the act to offenders as young as 10 years of age. They argue that the public will be better protected from the serious antisocial behaviour of some children if these children were included under the Young Offenders Act.

A federal–provincial committee studied the minimum age issue in 1990 and recommended keeping the age of 12 and strengthening provincial legislation where required. The act covers youth under the age of 18 and was set at 17 because many adult rights and responsibilities, for example voting, alcohol consumption, et cetera, begin at age 18.

However many criminologists have argued that the preventive and rehabilitative strategies available in the youth court system are in the long run more effective at reducing youth crime than strategies which rely mainly on the deterrent factor associated with the adult penal system. In the long run harsher jail sentences, tougher parole laws and bigger prisons will not make our communities any safer from violent youth crime. Quick measures will not provide a long term solution to the issue of young violent offenders.

(1815)

What should be done and what will be done once the second phase of the government's plan goes into action is to change the conditions that create violence among young people. We must respond to the issue of violence among young people with well thought out strategies to change the root causes of such behaviour.

I know that over the next six to eight months the justice committee will be undertaking a thorough assessment of the Young Offenders Act. We must involve our young people in these discussions, as well as those in the community who are most affected by fear of crime.

We must not create a punitive repressive youth justice system that will target blacks, natives and the poor. The long term solution will call for co–ordination between the community, social services and the justice system to tackle the complex questions surrounding youth crime.

Violence against women and children, poverty, shortage of recreational facilities, lack of opportunities, dysfunctional families, racism are all underlying factors which lead to youth crime. We must all work together toward seeking alternatives.

Prevention of violence and crime will surely be our ultimate goal, not the punitive way in which some members of this House would have us go.

[*Translation*]

Mr. Michel Bellehumeur (Berthier—Montcalm): Mr. Speaker, I have an easy question for the hon. member. In her speech, she talked about the transfer to adult court and she seemed to be in favour of the system proposed by the Minister of Justice in his amendments. Does the parliamentary secretary not realize that under the present system a young offender between the ages of 14 and 17 can be transferred to adult court? If the prosecution asks for the transfer to adult court of an accused between the ages of 14 and 17, the judge can order the transfer, in which case the regular system applies and the sentences are the ones set for adults.

If she is aware of that, why does she want to change a system which has been operating for 10 years? If it is because of a particular problem, I would like to know what it is and how we could solve it, apart from the proposed amendments.

[*English*]

Ms. Augustine: Mr. Speaker, the changes that are proposed and the changes that have occurred are as a result of the serious consultation which has taken place. We have also looked at the age at which the responsibility of sentencing could be placed on individuals as a result of the kind of crime committed. When the member says they could be transferred at age 14 directly into adult court, I am not sure whether he has missed the part in Bill C–37 which speaks to this consideration. The decision of moving from youth court to adult court is made by the judge.

[*Translation*]

Mr. Michel Bellehumeur (Berthier—Montcalm): Mr. Speaker, I would like to tell the hon. member that I know that, according to the bill, a young offender between the ages of 14 and 16 can be transferred. The transfer system remains, but I wanted to draw the attention of the hon. member to the fact that the system exists in the present act, for young offenders between 14 and 17. I wanted to point that out to the hon. member.

In her answer the parliamentary secretary says that the decision to propose automatic referral to adult court for offenders aged 16 and 17 had been taken after serious consultation. I would like to know which groups asked for those changes or in which provinces they were most vocal?

[*English*]

Ms. Augustine: Mr. Speaker, at this point I cannot delineate for the member which provinces and which groups provided the specific input for the bill before us. It is important to note that we were attempting to deal with serious crimes, first and second offences, the ability of the judge to decide whether the crime is serious enough or the offence is serious enough to be moved.

(1820)

Mr. Jesse Flis (Parliamentary Secretary to Minister of Foreign Affairs): Mr. Speaker, I am very pleased to participate in this debate.

As a member of Parliament from metropolitan Toronto I can assure members that many people in my riding of Parkdale—High Park do not feel safe in their neighbourhoods any more. Seniors are afraid. Women live in fear. They are afraid to come out to town hall meetings in the evenings. Even some of the schoolyards appear to be dangerous places for the children. Parents complain that they are finding syringes in the sandboxes

and are afraid their children could get pricked with those and get AIDS, et cetera.

That is why I welcome tougher legislation to make the Young Offenders Act more effective. Acting on a promise from the Liberal election platform of October 26, 1993 the Liberal government is cracking down on serious youth crime and making the protection of society our first priority.

In the chapter entitled ''Safe Homes and Safe Streets'', the Liberals promised to double the maximum sentence from five years to 10 years for first degree murder. Bill C–37 makes good on our election promise and our commitment to Canadians.

Let us look at parole for young offenders convicted of murder. No longer will they be automatically eligible for parole after serving only five years of their sentence. This is a firm measure to ensure that the protection of society comes first.

Of course there are many critics of this legislation as we have heard in this debate already today. Some say the government has not gone far enough, that we should simply lock up the young people who commit serious crimes and throw away the key. If the solution were that simple, we would have legislated crime out of existence long ago.

Let us look at the United States, the country with the highest incarceration rate of all the developed nations, yet longer sentences and stricter penalties are not enough to prevent crimes. Canada follows the United States with the second highest incarceration rate. It is higher than Japan, higher than France, Italy, the United Kingdom and even Turkey, but still we have not eliminated crime.

It is quite clear that deterrence is not enough. Government recognizes that the justice system can only deal with young offenders after a crime has been committed, but once a young offender commits a crime, it is too late. The real solution lies in crime prevention.

In my own riding of Parkdale—High Park, residents in Parkdale have banded together to form the Parkdale focus community watch. This highly innovative group works closely with police and public authorities to have an impact on critical decisions which affect the community. They liaise with the liquor licensing board, the police, business associations, ratepayer groups, anyone who is interested in the community to network with this group.

Community watch will do things such as safety audits in the community. A subcommittee will do a safety audit. They might see that a telephone booth is in a dark area where the drug trade is going on. There might be a lot of prostitution in that corner, a lot of fights break out, et cetera. They report back to the full committee. A phone call goes to Bell and negotiations start. That phone booth is either removed or lighting is intensified. The city is co–operating; the lighting along Queen Street has been intensified again to help prevent crime.

Recently the Minister of Justice paid a visit to Parkdale and met with this community watch. Its members were very impressed with the way the minister is communicating and dialoguing with the local communities. They were impressed that the minister offered to come back to see how they were doing with this community model of crime prevention. This was a unique opportunity for concerned residents to have a voice and affect justice reform. The Parkdale focus community watch could easily serve as a model for other communities, a shining example that we all have a stake in crime prevention.

(1825)

Crime prevention has to begin at home. As a former teacher, principal and co–ordinator working with disadvantaged children, I believe that is where we should place a lot of our resources: helping parents to give them parenting techniques so that children from day one are not led down the road to crime.

In the school system, I grew up in a school system and I administered schools with 1,500 students and schools with 300 students. We used corporal punishment. I had no discipline problems. The schools ran very well, but we resorted to corporal punishment. I doubt whether in 1994 we should have to resort to that kind of corporal punishment. I think we do have to make a school policy of zero crime tolerance, as many schools are doing today.

I congratulate the minister and I support the bill 100 per cent. However I am very concerned with what is happening in our Parliament. I received a letter just the other day which states: ''Dear Mr. Flis: Every member of Parliament is being provided with a secret PIN number and asked to call 1–900–451–4020 to vote in referendum 94 on the Young Offenders Act. If the majority position in the referendum indicates a need to change the Young Offenders Act, Ted White will draft a private member's bill for introduction to Parliament''. Then it states to call that same number but $1 will be charged for the first minute and 95 cents for each additional minute will be billed if you stay on the line after the beep. It states that you need your parents' consent to incur these charges if you are not over 18. I want to assure him I am over 18 and I do not need my parents' consent to call him.

I do not have time to quote further from the letter. However it shocks me that a member of the Reform Party who was elected freely in a democratic election would resort to the use of secret PIN numbers to give us direction on what should be in the Young Offenders Act. Who gave that member the right to give me a secret PIN number? It is not secret; I will give it to the public: 669746562211. That is my secret PIN number. You, Mr. Speaker, have a secret PIN number too and you are probably on the

1–900 number which is used for getting sex into the homes and all other advertising over the phone lines.

It shocks me. We are having a serious debate on the young offenders bill which most people have asked for and the government has brought in and the Reform Party resorts to this kind of trash. I hope the Reform Party will learn that we do not do things secretly. And you have to have a touch tone phone. What about all those Canadians who cannot afford that service? Are they denied the right to have input to their member of Parliament?

The Liberal Party is very open and transparent. When we want to put something into legislation, we put it in and debate it openly in this House.

I hope the Reform Party will not resort to those kinds of tactics. They have been used in many countries, but I hope they will not be used in Canada.

Mr. Dick Harris (Prince George—Bulkley Valley): Mr. Speaker, to enlighten the hon. member who just spoke, in an electronic vote to ensure there is one vote per caller, it is necessary to give a number which identifies that vote. Once the vote has been cast that number can no longer be used, just in case the hon. member was misinformed about the purpose of the PIN number. It is not an infringement on privacy. It is so the votes cannot be stacked or that multiple voting by one person cannot take place.

(1830)

The member opposite is under no obligation certainly to cast his vote or take part in this type of a constituency poll. Perhaps that may be more suitable to the member's wishes because this government has for so long simply closed the doors, kept the public out and made decisions behind closed doors. I would like to ask the member if that is his preference, of making decisions in government that would affect the people behind closed doors without input from the public.

Mr. Flis: Mr. Speaker, I thank the hon. member for that question. We are not doing anything behind closed doors. We are bringing it here to the Parliament of Canada. Why do we have to hold secret votes through PIN numbers? Is this not where we are going to vote? Is this not where the member is going to represent his constituents? Does he not keep in touch with his constituents?

What about the poor people, what about the people who still have dial phones? They cannot phone their local member of Parliament. What is wrong with talking with them face to face, with holding town hall meetings, telephoning them, et cetera?

I am glad the hon. member raised this concern but this is where we vote, not through 1–900 numbers.

What about the poor people? Do they not have rights to input to their MPs? It looks like in the Reform territory it is only for the rich, it is only who can afford the push button numbers.

Mr. Bill Blaikie (Winnipeg Transcona): Mr. Speaker, perhaps the hon. member could make clear what his objection is. If I understand him correctly he is objecting to the idea that members of Parliament should be asked to express themselves in this way because obviously we have the opportunity that other Canadians do not. We can vote here, not with a PIN number, but with our vote as a member of Parliament.

That is certainly what I intend to do. I was confused when I received a letter inviting me to cast a vote in this way because it seems to me that I have that right to do so as a member of Parliament. I will do it when it comes up.

It would be interesting to know whether this is a referendum among members of Parliament that is sort of a substitute mechanism for the votes that we take here, or whether we were simply being included in a larger referendum. I thought that is what a certain Reform Party member was up to. I received the thing today and now I am not sure exactly what is going on. Perhaps the member would want to comment on that.

Perhaps he could also say whether he objects to the whole concept. Let us assume for a minute that everyone has the kind of phone that is needed. I take it the member would still have some reservations about this kind of process. Would he? Is it simply a matter of everyone not having the right kind of phone?

Mr. Flis: Mr. Speaker, I am glad the hon. member sits so close to the Reform members and I wish they would turn around sometimes and seek his advice because he has been here for a long time and knows what the democratic process is all about.

Initially I paid very little attention to it because I thought it was just surveying the members of Parliament. When I saw the line ''you need your parents' consent to incur these charges if you are younger than 18'', I was a little offended because I only have one parent left. My mother is 86 and I do not know whether she would give her consent to vote this way.

I suspect that this letter was sent to the public and it was concerned that someone under 18 would not pay the Reform for that one dollar call, and 95 cents thereafter. That was my concern.

That anyone should charge to glean people's opinion, people who voted for us, my goodness, is the hon. member not getting a high enough salary? Is that why he is putting a charge on this? Is he waiting for his pension or is he afraid he is not going to get a pension because he will not be here very long?

I have a concern that this letter went not only to the members of Parliament, but I suspect that this letter probably went to the public at large.

(1835)

Mr. Philip Mayfield (Cariboo—Chilcotin): Mr. Speaker, I am pleased to rise today to speak on Bill C–37, amendments to the Young Offenders Act, amendments that Canadians have been requesting, amendments that are long overdue.

A couple of weeks ago I received in my office a package of information from the justice department about the Young Offenders Act. The information was all about the perception and reality of the Young Offenders Act. The information appeared to be a justification of the Young Offenders Act as it now stands with statistics and convincing bureaucrats telling us that the perceptions that Canadians have of the act are wrong.

It was therefore no great surprise to learn that the amendments to the Young Offenders Act that the minister is proposing are quite minor.

I am pleased that some changes are being made to the legislation and while I would not like to see young people locked up and the key thrown away, I would like to have seen stronger amendments being proposed.

Canadians have reached the point at which they are demanding safety for women, children and ordinary people on the streets and in their own homes. One of the fastest growing categories of crime is that committed by young offenders. It is not uncommon to hear of the door of a home being kicked down and the family terrorized, beaten and robbed.

Throughout the country people are being beaten, stabbed, kicked and murdered by juveniles. We hear the authorities saying to people things like do not take matters into your own hands, leave it to the police.

Instead of people being more secure the wave of youth crime continues to rise, with sentences young people receive from the courts being a poor reflection of the severity of the crime.

How have we ever allowed such ugly violence to become an every day occurrence in Canada, this country that treasures peace and beauty? We have had human behaviour experts tell us on and on why violence is a growing phenomenon. Violence in the home breeds violence. The structure of the schools stifles imagination. Serial killer cards, violent cartoons, Dungeons and Dragons games blur the line between fantasy and reality. There is the old favourite: ''Dad was drunk and mom couldn't get up in the morning so how can anyone expect better from their kids?''.

Unfortunate as a child may be to be born to such parents this really is nothing new. Fewer children than we would like to believe have ideal parents. For a long time before this present day crescendo of modern violence children with less than ideal parents grew up knowing right from wrong and being able to restrain themselves from causing vandalism and mayhem.

For those who did commit an offence authorities did not tolerate this behaviour and the offender was usually dealt with swiftly and properly.

I always find it refreshing to go home to the Cariboo—Chilcotin where great intelligence is not as important as good common sense. There people remember that once they were children too and they remember what it was like to be a child. Childhood is not something new. People who live in Horsefly or Tatlayoko, British Columbia, for example, offer some other reasons for the difficulties our communities are having with youth criminals.

What are they saying about young people and crime? In a letter from Quesnel signed by 20 constituents they say: ''If we are to avoid the increase in crime which is currently plaguing Canada we must have disciplinary measures which are strong enough to discourage criminal intent. Young people today are more criminally aggressive because they are very aware no action can be taken against them''.

Among some of our youth this attitude is reinforced by peer pressure that whatever crime they commit will go unpunished. Even if caught by the police and then moved to the family courtroom and then passed on to the unending counselling, the community service, the probation officer, and even perhaps the incarceration, these only become subjects of ridicule, more material for building the macho image, the badge of acceptance for those who really count within the gang. However, there is nothing to change the attitude or cause them to search for different friends.

(1840)

It was not always this way. I once had an elderly man come into my pastor's study. In the course of our conversation he told me that he had once done something that caused him to be sentenced for a long time in the former B.C. penitentiary. After serving a good portion of his sentence he was called into the warden's office where he was informed that by taking a number of strokes of the paddle the remainder of his sentence would be reduced by half. Without any hesitation he agreed to take the paddle.

However, after having been securely bound with leather straps and receiving those strokes he said to me: ''I didn't realize what I was asking for. Afterwards I knew I would do anything to avoid that kind of punishment again''.

After his release he received an education, became an accountant, married, raised a family and contributed much to his community. If violence breeds violence, as we are told ad nauseam, it certainly did not in this case.

What the experts so frequently fail to mention is that violence is part of everyone's make–up. Its seeds are in all of us. Any child psychologist knows that to develop normally a child must have limits. How often do we hear the expression 'the terrible twos', the age when a child first realizes that he or she can try mom or dad's patience to the limit?

One of the responsibilities of parents is to establish appropriate limits within which their children may discover reality. As a parent I know that these limits are seriously tested by a growing child with expanding horizons. Whether it is the terrible twos or a teenager who is continually coming in after curfew, sometimes force is required to maintain even the most appropriate limits when negotiations break down.

Such an event was reported in the B.C. media some months ago. A mother who happened to be a medical doctor took her little child to the supermarket to get some groceries. Things were not going so well between mother and child and a couple of roll around the floor, kicking the feet tantrums had to be dealt with quietly but firmly. It was not easy to get the groceries through the checkout and into the car with a yelling child but it got done. While driving out of the parking lot the child had another tantrum, almost causing a car accident. At this point the mother pulled over to the curb, stopped the car and administered the flat of her hand three or four times to the child's bottom. Then with the situation finally under control she prepared to drive home.

What this mother did not realize was that a government social worker had witnessed the whole episode from the beginning in the store to the end in the car. With the authority given by the B.C. government she removed the child from the mother's care.

If we are concerned about violence in our society we need to recall that there was less violence before corporal punishment was outlawed. Children need protection from beatings and abuse at the hands of abusive adults with uncontrollable tempers, but we cannot compare a considered, well controlled spanking of a child or a well measured, state administered paddling with the uncontrolled violence that is being committed by youthful criminals. There are limits beyond which behaviour is no longer acceptable.

I am not advocating that violence is the answer to righting the wrongs of our young people. I am all for programs in which troubled young people have the opportunity to take stock of themselves and with proper guidance are able to realize that a life of crime is not the way to go. I do realize the amendments the minister is proposing contain suggestions for rehabilitation instead of the offender being held in custody. In some cases this is the right way to treat an individual.

However, my main concern with the proposed amendments is twofold. First, the age of responsibility should have been lowered to 10. While violent crime tends to be committed by youthful offenders, we are hearing more and more in the communities about children who cannot be charged because they are under the age of responsibility. They have been stealing cars and other personal possessions. These children should be held accountable. Their problems should be addressed before they continue down the road to a full blown life of crime.

(1845)

Being held responsible brings me to my second area of concern: the rights of the victim. All too often there is little consideration for the victim or the victim's family. Young offenders go to court, the sentence is passed, and the general public rarely gets to know what is going on. All young offenders who are charged and appear before a court should have their names and the details of the offences published.

Canadians have a right, particularly neighbours, to know what is happening in their neighbourhoods. While the proposed amendments could allow release of information about young offenders to affected members of the public, it is my opinion that all Canadians should be aware of the offences that young people commit.

The amendments would allow for victims, if they so desire, to make a statement about how a young offender's crime has affected them. I applaud this aspect of the amendments and hope that all victims of crime will allow their account of the ordeal to be read out in court.

Not only should the public be told about young offenders. There should be accountability for young offenders' actions. I note the minister is recommending that youth who commit property crimes or less serious offences could be made to do community service or pay restitution to the victim. That is a good start, but how about holding the parents of the children jointly responsible for their sons' or daughters' activities?

Canadians have long been calling for a better justice system. The current Young Offenders Act, a small part of the justice system, is simply not working. Canadians want to see sentences reflect the severity of the crime. They want to feel safer in their homes, on their streets and in their communities.

The minor amendments to the Young Offenders Act being proposed are simply addressing the promises made in the Liberal's red book election propaganda. They are not addressing the needs of Canadians from coast to coast. Canadians are concerned about teenage murders, the increasing number of teenage gangs and young people going to school armed with weapons. Canadians have a right to receive some assurance and to know that parliamentarians are working with them in mind.

An in depth review of the Young Offenders Act will be made by the Standing Committee on Justice and Legal Affairs. The public will be involved to the greatest extent possible. We are told the committee will make consultations. Canadians are

going to tell the government just what they want to see changed. I applaud this, but some changes cannot be legislated.

In much of the correspondence I receive is an underlying theme that children are growing up in a society devoid of hard work ethics and moral values. We have to teach our children the values with which many Canadians grew up, values that enabled them to build the country to be what it is, values that somehow in the materialistic and morally bankrupt society seem to have been lost. If the government listens and if it includes the public's ideas for reforming the Young Offenders Act maybe we will see the real changes that are being called for.

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I listened attentively to the comments of my hon. colleague. I compliment him for obviously spending a lot of time going through all clauses of the bill. Unfortunately or fortunately, depending on how one looks at it, I do not agree with many of his conclusions. I want to compliment him because he has obviously put a lot of care, time and effort into preparing for what he has done today.

I disagree with him on a number of areas. The bill is a compromise for what is asked by some who I do not believe represent the majority of Canadians. It addresses those issues that need to be addressed in the immediate future. The bill is going to be up for review in its entirety as the minister requested.

(1850)

Knowing how thoughtful the member has been in his remarks, in spite of the fact that I disagree with a number of them, I want to get back to the issue of polling as started by one of his colleagues. I have great difficulty with legislating that way on all kinds of grounds: on moral grounds to start with because when we are legislating for a small group of people we can as legislators be easily swayed, particularly when a system is designed so that one actually pays for the call.

I submit, although I am not a sociologist, that system would automatically lead one to pay when one is against rather than to pay to express one's opinion. That is the way people normally think. One would not likely pay to phone someone to say one agrees with the status quo. One is more likely to pay to protest. That is human nature.

Does the member think this kind of polling is proper? After all, one has to pay a private enterprise to be issued with House of Commons letterhead, with the coat of arms of our country on the top. It was signed at the bottom by a person purporting to be chief returning officer. I believe that to be impersonating an officer of Parliament.

Chief Returning Officer Victor Bennington signed the letter with the coat of arms of Canada on it. It asks MPs to make a telephone call which results in an expenditure to some enterprise, the telephone company or whatever, of $1 plus 95 cents and so on. We could easily argue that this is a fund raising letter on House of Commons letterhead, signed by someone pretending to be an officer of Parliament.

Is this in the name of justice? Will this make Canada a more just society? After listening to what that member said and as profoundly as he believes what he said, I cannot help but ask him whether he agrees with the nonsense that all members were distributed earlier today or whenever it was.

The Deputy Speaker: If the hon. member for Cariboo—Chilcotin did not refer to the survey in his remarks, I am sure he is aware from question period that he does not need to reply to the question. However, he has the floor.

Mr. Mayfield: Mr. Speaker, whether the questions and comments are about what another member did or whether they are on what I put forward to the House, I would be happy to respond only to the extent of conversations I have had with my Reform colleague.

Polling is something that every party does. I am sure the Liberal Party does it. The member is attempting to poll a broad cross–section of Canadians to find out their views. I do not see anything wrong with that. I guess we disagree on that point too.

With regard to payment, the payment is simply for the costs of the poll. Usually polls are done and the government ends up paying for them from the public purse. The member has said that this would be a poll paid by those who wish to participate in it. It has been set up so that a person with a PIN can only vote once. They can only vote with the knowledge that if they do so they are going to be paying for the costs of the calls and the running the poll. That is all it is.

The alternative to that is to hire a company, charge it to government expense, and not let the results be known, keep them secret. That is not the Reform way of doing it. We are doing it transparently. We are doing it openly. The results will be announced for the Canadian public to know. That is the Reform way of doing it.

[*Translation*]

Mr. Michel Bellehumeur (Berthier—Montcalm): Mr. Speaker, I was rather surprised to hear the hon. member say these are minor amendments. I do not think we are looking at the same bill. If we look carefully at the highlights of the bill, according to the minister there will be an increase in sentencing from 5 to 10 years and from 3 to 7 years for certain types of offences. I would not call that minor, Mr. Speaker, when we say that a young person will spend four or five years more in prison for a crime.

(1855)

I know he has committed a crime. I know he has to be sentenced, but this is not a minor change. Do I have any time left, Mr. Speaker?

The Deputy Speaker: Unfortunately, your time is up.

Mr. Bellehumeur: I think the hon. member should simply read the bill, and he will realize that these are not minor amendments, and that on the contrary, the amendments this bill contains are very serious.

[*English*]

Mr. Mayfield: We disagree all over the place, do we not? It seems to me that a victim who has lost health and lost family members has lost a major and significant part of their life as well.

ADJOURNMENT PROCEEDINGS

[*English*]

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

TOBACCO PACKAGING

Mr. Bill Blaikie (Winnipeg Transcona): Mr. Speaker, I rise to pursue a question that I asked of the government a couple of weeks ago. It was actually answered by the Prime Minister.

It had to do with the testimony in committee of someone representing the tobacco industry who threatened to use the North American free trade agreement and the protection of trademark and the property rights entrenched therein to get in the way of the government's apparent intention to bring in plain packaging of cigarettes as a way of discouraging the use of tobacco and I presume particularly by way of discouraging young people who may be attracted by elegant and attractive packaging, although presumably this is something that not just young people are vulnerable to.

I say apparent intention of the government because I am not absolutely sure that the government and the Minister of Health are really intent on doing this. I hope they are because I think it is a worthwhile experiment and I hope that they will not be intimidated by these kinds of threats.

When the Prime Minister answered my question he said he had a different view of the free trade agreement. We have seen a few times when the Prime Minister thinks that if he has a different view of the free trade agreement this is enough. The fact is that the free trade agreement has a text that can be adjudicated in a dispute settlement process and in a variety of other ways. It may not matter what the Prime Minister's view is if it is the view of certain multinational corporations that regard what the government plans to do as objectionable.

If they take the view that the agreement prohibits this, they have a great deal of ability to enforce that. It would not be out of sync with what the agreement actually seeks to do, as I understand it, and that is to limit the power of government to get in the way of transnational business.

This is not the sort of idea that comes out of left field, so to speak. This is the purpose of these agreements, to limit the power of democratically elected governments to get in the way of the profit strategies of transnational corporations.

We have seen other elements of this where the same kind of property right has been entrenched in these free trade agreements or in the GATT or even more shamefully in this House before these agreements were even signed. I am thinking now of the legislation which in two different stages brought about the abandonment of the generic drug legislation that we had in this country. Again, it was one of the ways in which this new free trading regime we have as a result of the FTA and NAFTA and now as a result of the GATT has given new freedom to the corporate agenda.

(1900)

I hope the government will go ahead with this experiment and not draw back. If it draws back we will never know whether the threat that was made that day, even though it was publicly sloughed off by the Prime Minister, is in fact the real reason. I would certainly encourage the government to test the agreement on this and in other ways.

Mr. Mac Harb (Parliamentary Secretary to Minister for International Trade): Mr. Speaker, I thought the Prime Minister answered the question very well when he said to the hon. member in reply: ''I do not think NAFTA has a lot to say about the way we should control that type of problem in Canada''. He went on to say: ''Sometimes we hear things in committee we do not agree with. Evidently the hon. member did not share that view, and I do not either''.

The member should have been satisfied by the Prime Minister's answer. However, I will try and elaborate on it.

First I would state that possible proposals for plain packaging requirements for cigarettes are still under review by the committee. The government awaits the report of the committee with great interest. The committee recommendations would be studied by the government with careful attention to Canada's obligation under NAFTA and under other treaties such as the GATT.

However NAFTA contains provisions allowing exceptions to trade mark rights. NAFTA also includes provisions that recognizes Canada's right to adopt or maintain sanitary measures and standard related measures for the protection of human health. As well, the government will ensure that any measure it chooses to adopt will not only achieve our goal of protecting the health of

Canadians but will also be consistent with our international obligations.

I hope this additional information will be satisfactory to the member.

UREA FORMALDEHYDE FOAM

Mr. John Finlay (Oxford): Mr. Speaker, on June 1 I put a question regarding urea formaldehyde foam and I would like to put on record a little bit of the investigation that I have undertaken in this regard.

I am interested in this because a constituent has been having some trouble selling a home with urea formaldehyde foam in it.

I contacted Canada Mortgage and Housing Corporation and was assured that whether a house had UFFI foam, as it is known, in it or not made no difference to their loaning money or insuring such a mortgage. I was told that the banks take a similar view. However, apparently some real estate boards in their agreement to sell a home require that it be stated if the home has urea formaldehyde foam in it. This has caused my constituent and others some concern.

I might just review very quickly that this insulation was approved in Canada for use in exterior wood frame walls. It has a good ''R'' value and in fact under the Canadian Home Insulation Program in 1975 to 1978 the government paid $500 to home owners who would install this insulation.

Apparently during the curing process, some formaldehyde comes off the cure. Formaldehyde is colourless, with a strong odour and can generally be detected at parts above one part per million. Unfortunately, formaldehyde is found in dry cleaning chemicals, paper products, no iron fabrics, diapers, pillow cases, the glue in particle board and plywood, cosmetics, paints, cigarette smoke, exhaust from automobiles, gas appliances, fireplaces and wood stoves. It may well be that some of the crimes attributed to urea formaldehyde foam arise from other household products.

The irony of the situation is that the federal government banned this insulation in 1980 and then spent $272 million in the ensuing seven years to assist home owners in replacing urea formaldehyde foam at a cost of $8,500 per home.

(1905)

A further irony is that the longest civil suit in Canadian history ended on December 13, 1991, when Mr. Justice Rene Hurtubise from the Quebec Superior Court handed down a decision saying that the owners of the homes who brought the case had failed to prove that UFFI had made them sick, offered no proof that UFFI should be removed and did not prove that leaving UFFI in place reduced the value of their homes. This finding has been echoed by pathologists and many others who have tested these homes.

I will conclude with the conclusion from a report by Carson Dunlap and Associates Limited, consulting engineers, that says: ''We believe that those who have urea formaldehyde foam insulation in their homes should enjoy their houses and sleep well at night. It is the sincere hope of the authors that the marketplace will respond appropriately. The owners of properties with this type of insulation should not be penalized financially and no stigma should be attached to these homes. We would further urge real estate associations and boards across Canada to consider dropping the UFFI clause from purchase contracts. Similarly, we would ask mortgage lenders not to penalize those who have UFFI in their homes. UFFI is simply not the problem it was once feared to be''.

I would hope that the minister would be able when the current appeal which I believe is in process happens that we could get this matter sent to rest.

Mr. Mac Harb (Parliamentary Secretary to Minister for International Trade): Mr. Speaker, it is my pleasure to rise in the House and address the issue of urea formaldehyde foam insulation and in particular its effect on market value of homes insulated with UFFI.

As my hon. colleague pointed out, during the 1970s many homes were insulated with UFFI. Let me assure everyone that no Canadian whose home has been insulated with UFFI has been denied mortgage insurance from Canada Mortgage and Housing Corporation. In fact during the past few years homes insulated with UFFI have been trading on a regular basis.

I would also like to point out that for the past year a UFFI declaration has not been required for the purpose of obtaining mortgage insurance under the National Housing Act. Through mortgage insurance CMHC provides Canadians with equal access to mortgage financing anywhere in Canada.

I would further like to add that the fact that CMHC is providing mortgage insurance on homes that have contained UFFI even though remedial action has been taken has helped to minimize any negative perceptions.

As my hon. colleague may know, the six UFFI cases determined by all of the parties involved to be representative of all the issues at stake are still before the Court of Appeal of Quebec. An appeal date of September 11, 1995 has tentatively been scheduled. I would further point out that in their factum the plaintiffs have removed all their claims related to health.

My apologies for my voice, Mr. Speaker. I had my tonsils out.

MAGAZINE INDUSTRY

Mr. Simon de Jong (Regina—Qu'Appelle): Mr. Speaker, I wish to raise again the question I had raised some months ago

concerning the government's response to the task force report on the Canadian magazine industry. The task force report, I believe, was made public in March though I understand the government was aware of the major recommendations in January.

It has now been approximately five months since the government was aware of the task force report recommendations and some decisions are needed.

The task force made some very excellent recommendations but there was one recommendation that concerned me and I think concerns all those Canadians who would like to maintain our cultural identity.

The task force recommended that magazines that otherwise would be subject to the proposed tax as of the date of this report should be exempt at the number of issues per annum that were distributed in Canada in the year preceding this report. In other words, this means the task force was recommending that *Sports Illustrated* which had started a split run be allowed to continue to print a Canadian edition. There is quite a bit of opposition to this and it is about time the government made some decision on this.

(1910)

Split runs are American magazines which incur all of their costs in terms of writing, editorial content and so forth in the United States and then, in essence, dump their product on the Canadian market. The law now prohibits Canadian advertisers from deducting their advertising costs in those magazines. Therefore, it is an effective barrier in attempting to maintain the viability of the Canadian magazine industry.

So far we have had no commitments from the government regarding split runs and the postal subsidy which was also part of the recommendation of the task force. To consider allowing *Sports Illustrated* to continue what I would call its illegal practices, even when it initiated the split run it claimed it got around Canadian law by not physically shipping its contents across the border but rather electronically sending its contents to a Canadian printing house. For all intents and purposes, I still cannot see how this is legal and has been allowed under the law.

It is about time that the government stood up to this type of pressure particularly from Time–Warner and its magazines. Already *Reader's Digest* is deemed Canadian for the postal subsidy. I understand for example that the revenue from *Time* magazine, the Canadian edition, is greater than the entire profits of the Canadian magazine industry.

As well there is an urgency in this matter. As things stand now we have no law in place to prevent more split run editions. If a number of American magazines, let us say *Newsweek*, wants to set up a split run and do exactly the same as *Sports Illustrated* has done, there is really no law in effect now to prevent *Newsweek* or any other American magazine company from carrying out and establishing another split run.

As well, why would we allow *Sports Illustrated*, having broken the law, to be rewarded as opposed to any others which attempt to do a split run and which will be forced to cease and desist? It makes no sense at all.

It is time the government stood up for Canadian cultural industries and institutions. It is time it tested the cultural exemption under the free trade agreement. It is time the government accepted the report that rejected the one recommendation that would exempt *Sports Illustrated*.

It is time the government acted because the magazine industry in this country is in a terrible financial situation. The uncertainty the lack of action and determination by the government is creating is hurting the industry even more.

I hope the government in its response today will be able to announce to the House and to Canadians that indeed the government has made a decision, it will accept the recommendations of the report with the one exception that it will not allow *Sports Illustrated* to continue as a split run edition.

I look forward to the reply.

Ms. Albina Guarnieri (Parliamentary Secretary to Minister of Canadian Heritage): Mr. Speaker, the task force on the Canadian magazine industry released its report on March 24. The task force recommended that a new excise tax be applied to split run magazines distributed in Canada. The task force also recommended that split run that would have been subject to the tax as of the date of the report should be exempt for the number of issues published in the year preceding the report.

We welcome the report of the task force. This is a priority for the government and we intend to respond in a way which will safeguard the economic foundations of the Canadian magazine industry.

As the Minister of Canadian Heritage stated in this House on the day the report was released, it will be important to consult with interested parties before the government presents any new policy before this House.

[*Translation*]

The government confirms its commitment to a long–established strategic objective aimed at protecting the financial basis of the Canadian magazine industry.

To reach this objective, the government uses instruments that promote channelling advertising revenue to Canadian magazines, since to be viable, a Canadian magazine industry must have a sound financial basis.

[*English*]

The establishment of split–run Canadian regional editions of foreign titles which contain advertising aimed at Canadian markets is thus not consistent with the policy because revenues from advertising directed at Canadians flow to these editions of foreign titles.

The government is thus committed to ensuring that Canadians have access to Canadian ideas and information through genuinely Canadian periodicals, while not restricting the sale of foreign periodicals in Canada. It will be in light of these policy objectives that the government is studying the task force report to determine its response.

The Deputy Speaker: Under our standing orders the motion to adjourn the House is now deemed to have been adopted. Also under our standing orders we adjourn until 10 o'clock tomorrow morning.

(The House adjourned at 7.15 p.m.)

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