number of young people who have been sentenced to secure custody and open custody. This completely undermines the principle of the original Young Offenders Act, which was that custodial dispositions should only be used as a last resort and alternatives to custody should be provided by the province. Clearly, it is important that the federal Government play a role in the funding of these alternatives, but we have seen too many provinces simply not implement alternatives to custody for young people.

The Liberal Government in the Province of Ontario has refused to implement the pre-trial alternative measures that are set out in the Young Offenders Act. I hope that federal Liberal Members might bring some influence to bear on their colleagues at the provincial level with respect to that point. As well, it is a Liberal Government in Ontario that has allowed a two tier system to prevail for young people. The Young Offenders Act states that young people under 18 should be dealt with under the provisions of the Act, but under a Liberal Government in the Province of Ontario we see one regime for young people aged 16 and 17 and another regime for young people aged 15 and under. The same is true in the Province of Nova Scotia. That double standard of justice is not only unacceptable, it is quite likely in violation of the Charter of Rights and Freedoms.

Let me deal with some of the concerns about the provincial implementation of the Act. They include inadequate detention and custody facilities and facilities that are hopelessly outdated and, in some cases, located adjacent to adult facilities. There are delays in obtaining assessments and predisposition reports. There are difficulties in obtaining access to counsel, and in some localities there is concern about the competence and training of lawyers involved in youth court.

I have mentioned the problems in the Province of Ontario with respect to alternative measures programs. There are very few programs directed toward particular concerns of female young offenders, and there is a problem in many localities with a lack of community-based dispositions.

We still hear disturbing reports that in too many jurisdictions the police are not respecting the rights of young persons. At this point it is difficult to know how widespead the problem is, but certainly it has been drawn to our attention.

There are other concerns with respect to implementing the Young Offenders Act and its underlying policy that has been ignored by the Government.

We heard very eloquent testimony from groups representing native young people. We heard from the South Island Tribal Council and the Anishinaabe Child and Family Services, representing some eight reserves in the Province of Manitoba. Chief Ed Anderson, representing the Anishinaabe Child and Family Services, spoke very eloquently.

They want an opportunity to have juvenile and probation services for Indian people, within Indian priorities. I want to pay tribute to my colleague, the Hon. Member for Cowichan—Malahat—The Islands (Mr. Manly), for the work he has done in this area of native self-government. This is an area in which the Government could move forward to ensure that native young people are not being dealt with in a criminal justice system that is totally alien to them.

Chief Anderson pointed out that native young people are disproportionately represented among the ranks of the accused and the incarcerated not only in Manitoba, but across Canada. He pointed to the problems of destructive practices in the courts as a result of a system of justice which has been described by Manitoba Senior Family Court Judge Edwin Kimelmann as "cultural genocide".

Chief Anderson underlines the concerns about education, poverty, alienation, unemployment and the alarming number of young people who appear before the courts. He noted that in the last four generations, Indian children in large numbers have been removed from their homes and communities, placed in residential schools, medical foster homes, group homes, adoption homes, institutions, and detention centres. They are dealing with non-Indian prosecutors, non-Indian lawyers, non-Indian judges and non-Indian probation officers. Once they have been prosecuted, they are sent away to non-Indian open custody homes and closed custody institutions.

These non-Indian institutions do not respect the traditions and values of native people and the authority of elders. Rather than instilling a sense of respect for the law, they engender bitterness and hostility.

It is essential that Parliament listen to the plea of native people in this country for resources to ensure that they have a system of juvenile and probation services that responds to the concerns and hopes of native people. Presently, there are far too many native people not only in our juvenile institutions but in our adult custody institutions as well. In fact, a native person has a 70 per cent chance of doing some time in jail by the age of 25. That is an appalling statistic in this country, and when Bishop De Roo speaks of one law for the rich and one law for the poor, I can think of no better evidence that that statistic.

With respect to this legislation, we still have concerns that the Government has not taken sufficient steps and, in some respects, has aggravted problems with the Young Offenders Act. There was no need for a change in the requirement that where a provincial court judge is reasonably available, that judge should deal with a young persons application for bail, not a justice of the peace.

The provisions with respect to the transfer from open custody to secure custody are far too broad. There should be an opportunity for young persons to be heard before this transfer is made. At the present time, a delegate of the provincial Director—some minor functionary—can effectively transfer a young person to jail. Surely that decision involving the deprivation of liberty is one that should only be taken