emphasis in making young offenders responsible for their actions, while at the same time holding out every hope and opportunity to bring about meaningful rehabilitation. It is my hope that these two views can be reconciled by action in Parliament on the recommendations of the Solicitor General.

There are many generally recognized problems with this legislation. For instance, children under 12 who commit serious crimes cannot be brought to justice under this Act. On the one hand, some of these children are not being made to answer for what might be a well developed sense of criminal responsibility. On the other hand, there is nothing in this Act which directs these young people to the right kind of counselling or social work.

Another problem with this Act results from the rules governing the publication of names. Clearly, this outright ban does not provide any flexibility which would allow officials to balance the best interests of the young offender with that of the community. The situation of an escaped and dangerous inmate of a training school, for example, is one which is not adequately addressed by this Act.

The destruction of court records is another part of the Act which seriously impairs the ability of the court to act with discretion in the best interests of the offender and of society. When trying to deal with dangerous offenders, what you do not know can hurt you.

The last problem pertaining to this Act which I would like to mention is the effect it seems to have, generally, on our legal system. There is an increased emphasis on rights and legal procedures. This is the result of the emphasis the Act places on the assumption of responsibility on the part of young offenders. I support this in principle, but I think it has had some negative effects.

A London police officer who has been working with young offenders asked: "What does a youth learn when he knows he has committed an offence and his lawyer says, 'We will plead not guilty and get you off' "? The role of the court should be, according to Judge Bennett of Provincial Court, to involve parents, probation and child welfare authorities under scrutiny of the court instead of creating an adversarial climate in the courtroom.

A Vancouver prosecutor said: "Everyone loses sight of whether a child did it or not and they get lost in the technicalities of this Act". Delay, obstruction and confusion serve neither the needs of the offender nor those of the community. Young people must be held accountable for their actions but this must be done in a way that recognizes that they are far from set in their ways. The emphasis should be less on confrontation and more on the focus of responsible attitudes and behaviour.

Youth courts perform most effectively when all parties co-operate in halting the development of a criminal and providing the offender with the guidance which will underline his obligations to society and the value that society sees in him or her. So often both of these ideas are ignored.

Obviously, there are some problems with the Young Offenders Act. The Minister describes these as "teething problems" and cautions Parliament against throwing out the baby with the bath water. Parliament must address the question of whether the details can be ironed out without losing any of the progressive aspects of this legislation.

I congratulate the Solicitor General for the progress report he gave yesterday on his consultations with respect to the Young Offenders Act. The Minister has provided excellent adjustments to some of the Act's major problems. Provision for the retention of records in some cases, the identification of dangerous youths at large, more sentencing flexibility, and more effective prosecution of people involving children in criminal acts, will provide provincial authorities with much more workable legislation. These changes will build on the many improvements that have already been provided through the Act. To name only one, policemen have, for example, been enabled to take fingerprints and photos for their records, which has greatly facilitated their job.

• (1805)

The primary goal of criminal law must be to protect society. The issues I have mentioned today are matters that have to be addressed because of the many injustices that the public is suffering as a consequence of previous legislation. It seems to me that we see a dangerous trend today toward the rights of the criminal rather than the rights of the victims and society as a whole. It is important in this day and age that we show a sensitivity to justice being served to all concerned, but it is imperative that the public be protected and that the rights and protection of victims be given a top priority.

I congratulate the Solicitor General because it appears that his work on this difficult problem is aimed at serving the special needs for which the Young Offenders Act was designed. I look forward to the opportunity we shall have in the House to consider concrete amendments when they are brought forth.

Mr. Gordon Towers (Parliamentary Secretary to Solicitor General of Canada): Mr. Speaker, I recognize the concerns of the Hon. Member for London East (Mr. Jepson) with respect to the adequacy of the Young Offenders Act to deal with young offenders. The Young Offenders Act has significantly altered the orientation of Canada's juvenile justice system. The old Juvenile Delinquents Act was based on a philosophy that emphasized the need to treat delinquents as children in need of care and assistance rather than as criminals. The specific provisions of that legislation reflected this principle in many ways that were increasingly inconsistent with contemporary values and laws.

For example, the Juvenile Delinquents Act intended that juvenile court proceedings be private and closed to the public and that information about those proceedings be treated as confidential. Similarly, because delinquents were not to be treated as criminals, police were generally not permitted to take fingerprints, and it was not clear whether juvenile records