

It should be noted that this definition excludes persons involved in organized crime. The Ouimet Report suggested that, since definite terms of suitable length for such persons are now provided, "no special statutory provisions are required to deal with the offender who has committed an offence involving organized crime."¹⁰

In addition, the Ouimet Committee made a further distinction between the person involved in organized crime and the offender who is suffering from a severe personality disorder:

The punitive or deterrent aspect of sentencing is absent in the case of the offender who is dangerous because of a character or personality disorder.

The emphasis is on the protection of the public by segregation and treatment. . .

It would appear to the Committee that in this case (organized crime) the deterrent aspects of sentencing become paramount, although the protection of the public is also achieved by the removal of the offender from society by the imposition of long terms of imprisonment.¹¹

Our Committee accepts the definition of individuals involved in organized crime set out in the *Model Sentencing Act*, and we agree that such individuals should be considered dangerous offenders.

In determining whether an offender is dangerous, we suggest that the following factors be taken into account:

1) *The offence with which a person is charged.* The Ouimet Committee proposed a tentative list of offences, any one of which, when accompanied by certain circumstances, would be sufficient to consider the offender as dangerous.¹²

We concur with its list, which is as follows:

- (a) Manslaughter (punishable by life imprisonment) when caused by deliberate violence.
- (b) Attempted murder (punishable by life imprisonment).
- (c) Causing bodily harm with intent or shooting with intent under section 216 of the Code (punishable by fourteen years imprisonment).
- (d) Robbery (punishable by life imprisonment).
- (e) Arson committed under such circumstances as to endanger human life (punishable by fourteen years imprisonment).
- (f) Doing anything with intent to cause an explosion with an intent to cause death or serious bodily injury or which is likely to endanger life (punishable by life imprisonment).
- (g) Kidnapping or forcible confinement under s. 233 (1) of the Criminal Code (punishable by life imprisonment).
- (h) Rape (punishable by imprisonment for life).
- (i) Attempted rape (punishable by imprisonment for ten years).
- (j) Carnal knowledge of a girl under the age of fourteen (punishable by life imprisonment).
- (k) Indecent assault on a female (punishable by five years imprisonment).
- (l) Buggery (punishable by fourteen years imprisonment) when committed against a person under a stated age.