

present location of that provision would also tend to limit its usefulness in sanctioning behaviour that is primarily intended to convey a threat.<sup>49</sup> The Committee considers it more appropriate to deal with offences of that nature in Part VIII of the *Criminal Code*, along with assault, uttering threats and other "offences against the person".

#### **Recommendation 10**

**The Committee recommends that a hybrid offence of intimidation be included in Part VIII of the *Criminal Code* that would prohibit following or other forms of harassment, with intent to convey a threat. The Committee also recommends that violation of an existing court order should be an aggravating factor that would allow for greater penalties.**

### **J. Powers of Arrest and CPIC**

In the course of hearings, the Committee was asked to address certain deficiencies in the law that slow police response times when dealing with parolees, probationers and accused who are free on judicial interim release.

The Committee accepts that police response times in such instances may be critical to the safety of both the officers themselves and the public at large.

#### **Recommendation 11**

**The Committee recommends that s. 495 of the *Criminal Code* be amended to allow police arrest, without warrant, of parolees found committing a breach of their parole conditions. The Committee further recommends that C.P.I.C. publish, as part of the information concerning persons identified in their records, complete conditions of parole, probation and interim release.**

## **ISSUES FOR THE FUTURE CONSIDERATION OF THE COMMITTEE**

The Committee also heard evidence from witnesses concerning the protection of children from sexual exploitation and abuse. The committee learned from Detective Noreen Wolff of the City of Vancouver Police Department of a paedophile organization in the United States that puts out a newsletter and other published material that "glorifies sex with children and those with paedophilic tendencies". (84:7) The North American Man-Boy Love Association (NAMBLA) is trying to gain a foothold in Canada, according to Detective Wolff. Copies of NAMBLA material have been seized by Canadian customs and found on the shelves in book stores in some Canadian cities. Detective Wolff expressed concern that those who would subscribe to NAMBLA material are the type of people who sexually abuse children. Although Canada has laws protecting children from sexual abuse, the Committee was told we need additional legislation to protect children from sexual exploitation.

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<sup>49</sup> Section 423 is found in Part X of the *Criminal Code*, which deals with "Fraudulent Transactions Relating to Contracts and Trade." It prohibits violence or threats of violence, following, intimidation, etc. "for the purpose of compelling another" to act or to abstain from acting in a particular manner.