

into account, and uncertainty relating to therapeutic effect must not lead to the abandoning of all therapeutic efforts.

My second criticism of the preventive detention procedure concerns the safety of the offender. In fact, in his testimony at the trial of the murderers in the riot at Kingston penitentiary, one of the inmates who had been brutalized told of his fear, saying that "the general thing was my offence for which I was serving a sentence of preventive detention as a dangerous sexual offender." Preventive detention did not save this man from the wrath of his fellow inmates.

It may be useful to cite the definition of dangerous sexual offender. It means a person who, by his conduct in any sexual matter, has shown a failure to control his sexual impulses, and who is likely to cause injury, pain or other evil to any person, through failure in the future to control his sexual impulses.

I need not dwell on the pain, both emotional and physical, suffered by the young victims of sexual molesters, and the incalculable amount of pain and misery caused to society. The effect of sexual abuse on children is still largely and tragically unknown, but at least one group of child psychiatrists in the United States said in 1977 that their experience leads them to suspect that the repercussions of early sexual experiences may be subtle and varied, manifesting themselves immediately after the event or considerably later in life.

My own belief is that the feeling of personal security which has been violently wrested from the child cannot be restored. The problems of dangerous and repetitive sex offenders are not new and are certainly not peculiar to Canada. Mrs. Carole Anne Searle, the criminologist, documented the situation very well in her appearance before the subcommittee on the penitentiary system in Canada on March 11, 1977. Her description of the Fort Steilacoom program is worthy of study. Financial constraints present a serious obstacle to the adoption of this particular method, but surely a similar project could be tried in Canada, perhaps in existing hospitals.

Naturally, the Steilacoom method, or even the one advocated in this bill, would require consultation and the co-operation of all provinces. I am confident that the provinces will agree that the most urgent consideration of penal law must be the assurance of public safety.

I would be remiss if I were to overlook the serious question of the civil rights of the offender who has no obligation to submit to psychiatric examination or treatment. Indeed, the judge must keep the delicate balance between the interests of the offender, however abnormal and dangerous he may be, and the interests and the protection of the public. The civil liberties of an accused could, I submit, be reviewed and perhaps made the subject matter of discussion if this bill is allowed to go to committee.

I believe at this stage we must show concern for the protection of the innocent, especially the young innocent who are the weakest members of our society. Only yesterday this House witnessed a debate on the rights of children. My contention is that the events which provoked this bill are clearly indicative of the dearth of rights allowed children in this country, and if

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we ignore this situation we do so at our peril. Thousands of parents across Canada are pleading for the protection of their children, particularly from men who cannot control their sexual urges.

● (1552)

Mr. James A. McGrath (St. John's East): Mr. Speaker, I should like to rise to speak briefly in support of the hon. member's bill and to congratulate her on the responsibility and initiative she has shown in bringing it forward. I do so within 24 hours of this House moving on a bill that I had the privilege to sponsor, Bill C-204, respecting a Canadian bill of rights for children. The House was favourably disposed toward that bill, and with its traditional sense of compromise—saving at all times the jealously guarded right of the government to legislate—the House by consent allowed the bill to be withdrawn and the subject matter to go to the Standing Committee on Justice and Legal Affairs.

If this bill before us does not meet with the same treatment—and I commend the bill to the House—then I would suggest to the hon. member that committee study of Bill C-204 will give her the same opportunity, although not the same exclusivity of the particular area she is addressing by her bill. In any event, Mr. Speaker, it is well that we address ourselves to these more troublesome questions regarding children, the rights of children and the growing incidence of the abuse of children—in this particular case the sexual abuse of children. The bill deals specifically with child molesters.

I recall visiting a maximum security institution, which I will not identify because even prisoners have some rights. It was a famous maximum security institution in this country and I spent a day touring it and speaking with the inmates. I was fascinated to see the "hole," as the isolation cells are called. A number of prisoners were in isolation. One person in particular attracted my attention. He was in semi-isolation but within the isolation area, where he was locked up. A man was sitting there dressed in a blue serge suit, with a tie, a pair of glasses, a bald head, a pair of brown shoes. He could be the next door neighbour, the young fellow up the street, the corner shopkeeper—any number of people, even the fellow you would get to babysit your children. He was in that isolation unit for his own protection because of the law of the prisoners. He was the lowest in the social strata, so low in the eyes of the other inmates that he required special protection to preserve his life. He was a child molester, apparently an incorrigible child molester, and had been put away for the rest of his life.

Therein lies the problem, Mr. Speaker. These people cannot be identified. They are ordinary looking people. They are sick but they are ordinary, so ordinary that they can easily merge into society and be the next door neighbour or whoever. That circumstance magnifies the problem the hon. member has so eloquently addressed in her bill.

There is another aspect of the problem that I should like to draw to the attention of the House for a moment. I refer to the social stigma attached to sex oriented crimes or child molestation. They are not all reported. For some strange reason