

*Private Members' Business*

leaving only indefinite imprisonment as an option available to the court.

We felt that the whole process of identifying and assessing accused persons to determine whether they might be the subject of a dangerous offender application could be improved with better protocols or assessment. We are developing specific proposals in that regard.

Furthermore, it was felt that if part XXIV or the dangerous offender provisions were to be effective, a flagging system should be put in place throughout Canada so that police officers who are investigating or charging and crown attorneys who are preparing for trial and determining whether to ask the attorney general's consent to bring a part XXIV application could identify on the facts of any given case whether a specific suspect or accused is appropriate for such a disposition.

The solicitor general introduced a national flagging system which became effective in September of this year, which is intended to achieve that purpose. So far the flagging system has been well received. It seems to be working smoothly and effectively. No doubt it will be improved operationally as time passes, but I believe it is a significant improvement in the system.

Other proposals were discussed on that occasion which have been under review since that time. I hope and expect they will form part of the legislation which the government will put before the House at an appropriate time. For example, earlier this year there was a report delivered by a federal-provincial-territorial task force on high risk offenders which made a proposal that we find very attractive.

As the House knows, for a crown prosecutor, with the consent of the attorney general, to bring a dangerous offender application and for a court to declare someone a dangerous offender, with the consequence that they face indefinite incarceration, requires that a certain evidentiary threshold be crossed. Obviously, it is an exacting one because the consequence is very significant.

However, there are those cases in which the public safety is at risk because of the high likelihood of an offender re-offending and yet the prosecution does not feel that it can meet the high threshold now provided for in part XXIV. The federal-provincial-territorial task force proposed that in circumstances such as those, there should be a second category to which crown attorneys and courts can resort to protect society, but which involve a threshold of proof which is less exacting than part XXIV. They describe this as the long term offender category.

In circumstances that were appropriate for such applications, the crown might ask the court, when dealing with someone who has some risk of re-offending, not only to impose a term of incarceration for the original offence, but also to impose at the end of that term a mandatory period of supervision for a duration as long as 10 years after they are out of prison, during which

time the person would be obligated to comply with stated conditions, whether they be complying with the reporting requirements, taking treatment as specified, wearing electronic bracelets or whatever the case may be. There would be some reasonable measure of continuing knowledge and control of people after they are out of prison when there is a real risk they will reoffend.

That suggestion from the FPT task force strikes the government as constructive and practical. I hope to put legislation before the House at the appropriate time which would codify that kind of provision.

We have examined provisions already in the Criminal Code such as sections 161 and 810.1 which empower the court to make either restraining orders—

**Mr. Epp:** How come these guys keep getting out? How come they keep getting out to reoffend?

**Mr. Rock:** The hon. member asks why people get out and reoffend. Right now the orders provided for in sections 161 and 810.1 of the Criminal Code are very narrow in scope. They provide, for example, that where someone has been convicted of a crime involving sexual violence or interference with a young person, the court can make an order prohibiting the person from going near a playground or a school yard or some other such place. That is very narrow and circumscribed.

We are examining the prospect of taking that jurisdiction and broadening it so that if someone is released from prison where there is a demonstrated high risk of reoffending, the court will be empowered to make orders of more general application.

**Ms. Meredith:** I have a point of order, Mr. Speaker.

**The Deputy Speaker:** The hon. member on a point of order, but I indicate to her that the debate ends in 35 seconds.

**Ms. Meredith:** Mr. Speaker, the minister has already spoken for 10 minutes and there is still a minute left in the debate, from my calculations.

**The Deputy Speaker:** I always appreciate it when members tell me the time is faster than it was otherwise. According to my clock the time expires in 10 seconds. If the minister wants to get up for another nine seconds, he is welcome to do so.

**Mr. Rock:** Mr. Speaker, perhaps I will conclude because obviously the time has run out.

**The Deputy Speaker:** The time provided for consideration of Private Members' Business has now expired. Pursuant to Standing Order 93, the order is dropped to the bottom of the order of precedence on the Order Paper.

It being 6.45 p.m., the House stands adjourned until tomorrow at 10 a.m.

(The House adjourned at 6.45 p.m.)