

*Private Members' Business*

2. that where the psychiatrists conclude

(a) in the case of a sexual offence involving a child, that the offender is likely to commit or attempt to commit such an offence in the future, or

(b) in the case of an offence mentioned in section 271 that has been proceeded with by way of indictment, or section 272 or 273, that the offender is likely to cause or attempt to cause death, injury or serious psychological harm to another person through a failure in the future to control his or her sexual impulses,

the Attorney General of the province in which the offender was tried shall direct that an application be brought to have the offender declared a dangerous offender.

She said: Mr. Speaker, I would like to split my time with my colleague from Calgary Southeast.

**The Deputy Speaker:** That would require unanimous consent. Is there unanimous consent?

**Some hon. members:** Agreed.

**Ms. Meredith:** Mr. Speaker, it is my pleasure to have the opportunity to begin debate on Motion No. 461. I believe it is especially appropriate to speak to this motion today.

Earlier this afternoon I introduced to the House a petition that had been collected by the Melanie Carpenter Society. The petition had over half a million signatures, to be exact, 506,285 names. The petitioners ask Parliament to enact legislation that would keep dangerous offenders, especially dangerous sex offenders, off the streets of our country. The first of the nine items on the petition states: That dangerous offenders and pedophiles should be locked up for life.

• (1750)

As fate would have it, that is what we are debating today. The motion that I introduced jointly seconded by my colleague from Calgary Southeast, is targeted against sexual predators. It is an effort to get these offenders off the streets after their first conviction, not the second or third conviction which is often the case now.

The motion asks that once an individual has been convicted of aggravated sexual assault, sexual assault with a weapon or sexual assault that has been proceeded with by way of indictment or any sexual offence where the victim is a child, the convicted offender must be examined by two psychiatrists.

If the two psychiatrists conclude that the offender is likely to commit a similar crime in the future, the attorney general shall direct that a dangerous offender application be initiated. The convicted offender would then have a dangerous offender hearing where the crown would have to prove beyond a reasonable doubt that the offender was likely to reoffend.

This motion carefully balances the rights of the offender and the protection of society. The motion only applies to convicted offenders. Two psychiatrists have to conclude that the offender is likely to reoffend. Then the crown has to prove beyond a reasonable doubt before a court that the offender is likely to reoffend.

Society is protected by having early identification of dangerous sex offenders. Some may ask if this is possible. Not only is it possible but science is moving quickly in this regard.

While I was conducting research on my private member's bill, Bill C-240, I came across the work of Professor Robert Hare of the University of British Columbia. Professor Hare teaches in the psychology department and is the leading authority in the subject of psychopathy. Professor Hare and his colleagues have developed tests to identify psychopaths for Correctional Service Canada as well as the prison systems in Washington and California states.

It is generally accepted that these tests have an 85 per cent accuracy in identifying psychopaths. Some may argue that not all psychopaths are sex offenders and that is true. With this motion we would only be concerned with those psychopaths who were convicted of a serious sexual assault or pedophilia.

If two psychiatrists conclude that someone who has just been convicted of one of these offences is a psychopath, then if our society values its protection he must be found to be a dangerous offender.

In this instance we are talking about people like Clifford Olson, Paul Bernardo and Fernand Auger. I would like to use Auger as an example. We all know Auger as the man who kidnapped Melanie Carpenter from her place of work in Surrey, B.C., drove her out to the Fraser canyon where he sexually assaulted and murdered her. Auger was on parole at the time of this crime not for a sexual offence, but for robbery.

However 10 years earlier Auger was convicted of sexual assault or more precisely, two instances where he committed extremely violent sexual assaults. One instance involved a 17-year-old prostitute, the other involved a 14-year-old prostitute. In both cases Auger picked up these girls, drove to a secluded location, put a gun to their heads, threatened to kill them and then raped and sodomized them.

Arrested and convicted for both crimes, Auger received the remarkably lenient sentence of two years less a day and served his time in Ontario's provincial system. Why such a light sentence? As a Correctional Service Canada spokesman stated to a CBC reporter last March, Auger's crimes were not viewed as being violent because the victims were prostitutes and this implied a level of consent.

However, after a subsequent conviction for robbery Auger ended up receiving a sentence in a federal institution. He submitted himself to a psychological review as part of a parole application. It was at this time that the true nature of Auger's personality came to light. Auger's psychological assessment reads as follows: "Appears to employ defence mechanisms, such as minimization, rationalization and displacement to justify his criminal activity. He has a fairly advanced anti-social personality disorder".