

Private Members' Business

The hon. member wags her head now. Confronted with facts, she says no, that cannot be right. However, the fact is it is right. All she has to do is look at the figures. Why does she not read these figures? I have never heard her cite these figures in one of her speeches. I have never heard the hon. member for Wild Rose talk about this. I also do not hear the hon. member for Calgary Southeast bother herself with facts in her speeches either. All we hear are these opinions made up out of the air.

• (1835)

What I am convinced the Reform Party members—

Mr. Abbott: Mr. Speaker, I rise on a point of order. In a filibuster, does the member not have to use some reasoned argument at some point?

The Deputy Speaker: This is not a point of order, but I would ask the hon. parliamentary secretary, who is an experienced member, not to associate the Chair with his remarks as he did earlier. The Chair neither agrees nor disagrees with remarks of any member.

Mr. Milliken: Mr. Speaker, I have to address the Chair. I cannot address hon. members opposite. I would not want to break the rules by referring to hon. members and asking them if they agree. I can only assume, Sir, that you have the good sense to agree with my arguments because I have to put my arguments to you and not to them. I cannot expect much on the other side.

Mr. Abbott: What arguments?

Mr. Milliken: The hon. member says he is troubled because I am not dealing with facts in my speech. If he had only listened he would have heard facts. However, he did not listen. He was busy yelling at me.

The hon. member for Surrey—White Rock—South Langley in her remarks has blatantly ignored all the facts that deal with the incarceration of inmates.

The Deputy Speaker: The hon. member's time has expired.

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I first want to acknowledge the very significant interest shown by the hon. member for Surrey—White Rock—South Langley. For many months she has expressed a great deal of interest here in the House and generally in finding a way to protect society from the very highest risk offenders. Her private member's bill is cogent evidence of her commitment to that cause. She is to be congratulated on that commitment.

May I also say that the hon. member for Calgary Southeast who spoke to today's motion has also demonstrated that she is most committed to finding ways of dealing with this risk to society.

I hope it is apparent from the speeches made on this side of the House in this debate that the members of the government share that commitment.

My colleague, the hon. parliamentary secretary, has developed at some length the rationale behind present part XXIV of the Criminal Code and its purpose. Part XXIV of the Criminal Code, the dangerous offender provisions, is a unique advantage which we enjoy in Canada and which sets us apart from many states in the United States.

The question is what about the bill? Would the bill be an effective way of improving public safety when it comes to high risk offenders? Much as the government is in agreement with the objectives stated by the hon. member for Surrey—White Rock—South Langley, the government is not able to support this motion. We have concluded that the means contemplated by the hon. member's bill and by this motion would not be valid constitutional legislation.

What efforts is the government taking to try to meet the perceived need in a fashion that we believe would be valid or effective? Let me spend a few moments in the sense of reporting to the House what steps we have been taking in that regard.

The solicitor general and I have been working for some months to develop proposals that will both improve part XXIV and add other provisions to the criminal law which will equip our system to deal more effectively with the highest risk offender.

In May of this year the solicitor general and I convened a meeting here in Ottawa to which we invited officials of the Correctional Service of Canada, high ranking police officers, both from the RCMP and provincial forces, and psychologists who are trained and experienced in dealing with the psychopathic personality referred to by the hon. member. We also invited representatives of the Ontario provincial attorney general's office, police officers, defence lawyers and crown prosecutors. Involved in the meeting as well was an attorney from Washington state who has experience dealing with the sexual predator law in place in that jurisdiction. We spent much of the weekend looking at the present facts in Canada, the state of the law and the American experience in trying to identify specific steps we would take by statutory amendment or changes in practice to make society safer when it comes to high risk offenders.

• (1840)

We came to a number of conclusions. I hope that many of them will come forward in the near future in the form of statutory proposals.

I would like to explain the general direction which we plotted at that time and in the months since in order to assure the House that we are both aware of the problem and working in good faith toward solutions.

First, we concluded that part XXIV can be improved, for example, by removing the requirement for the testimony of two psychiatrists in these cases. Part XXIV can be improved by removing the prospect of a definite term of incarceration,