

*Criminal Code*

were in danger of paying with their lives as a result of a quick decision to shoot by a police officer under extreme stress in the performance of his duty, then, of course, something would have to be done.

I therefore suggest a trial period long enough to enable meaningful statistics to be compiled. This would give time to all those engaged in law enforcement, in the penal service, in medicine and in psychiatry to become better prepared to assume the new responsibilities which would be theirs. We must never forget that regardless of what happens the first and most important consideration is the protection of our society.

[*Translation*]

**Mr. G.-C. Lachance (Lafontaine):** Mr. Speaker, I have no intention of repeating nor summarizing the speeches made by honourable members, since the introduction of this resolution for the abolition of capital punishment.

Besides, I already stated that I was in favour of the status quo in this respect, when I spoke on January 24 last during the Address in answer to the Speech of the Throne.

● (6:50 p.m.)

I can assure you, Mr. Speaker, as well as all my colleagues, that whatever the outcome of this debate, I shall not consider it as a defeat or a victory, because I am much less concerned with knowing if murderers will be hanged in the future than with the fate of all the prisoners in our jails and penitentiaries, as well as their future when they come back to civilian life.

You probably remember, Mr. Speaker, that the speech I made on January 24 last, dealt mainly with the rehabilitation of prisoners, with educational facilities that should be made available in order to fully prepare them to take their place within our Canadian community and thereby contribute to the development of our national economy, rather than being a burden and a useless charge for the state.

I repeat this appeal so that the state may take the required and adequate means to set up the control agencies that will enable those who pay their debt to society to have hopes of becoming full-fledged citizens and not failures or misfits always a burden for the state. Should we take as much time here to find solutions to the problems I mentioned as we are now taking to discuss the resolution before us we would perform a much more useful function. The hon. member for Notre-Dame-de-Grâce (Mr. Allmand) made an

excellent speech on March 28 last on these problems when he said:

If we want to prevent murders, we must grapple with the problem of prisoner rehabilitation and penitentiaries reforms.

I said at the beginning of these short remarks that it was not my intention to repeat or summarize the previous speeches, and I am going to keep my word.

Of course, I have read, heard, and even discussed the problem under all angles with my electors, my friends, my colleagues, with all those who have spoken to me and to whom I may have spoken of it. I am not an idealist but very optimistic. As a lawyer with some experience in criminology, I have tried to examine the problem in depth. Among the most serious objections I have heard on capital punishment are the following: if human life is held in due respect, it should then not be taken away from anyone. Right, but this principle should also apply to the murderer who should risk his own life if he is to gamble with the life of others. Other objection: I have also noted that among those who claim to be respectful of the life of others are mainly to be found those who have no hesitation to take their own life, thus not respecting their own. Other objection: Hanging is a barbaric custom unworthy of our advanced civilization; I agree. There would therefore be a change in the method of executing capital punishment; gas is assuredly more refined and efficient.

Miscarriages of justice must be avoided, Mr. Speaker, and I am sure that the sense of justice, the judicial rules and practices and the knowledge used during the hearing of murder cases in our trials and courts of justice, remove all risk of error.

Other objection: capital punishment is not a sufficient deterrent factor to justify maintaining it. I will easily agree, Mr. Speaker, that there are not any more murders in countries where capital punishment is non-existent or where it has been abolished, but I do not believe there are any more murders after the abolition than there were before. But one thing is certain: no executed murderer has ever committed a second murder.

I could quote many more objections to capital punishment and easily refute them, Mr. Speaker, and I believe the white paper on capital punishment which was prepared and distributed by the Department of Justice in 1965 gives an excellent outline of the situation. I disagree with those who suggest a five-year trial, as was done in England for