

who cannot be recalled, if error is in fact found.

This brings me to the exclusion section of the bill. I said in the last debate on this subject that I was not for abolition because I believed the death penalty had some deterrent effect. But I am prepared to accept this bill because I believe the exclusion section is very important, for where police officers or prison guards are concerned the possibility of error is restricted.

Police officers and prison guards fall into a special category. I agree that bank managers and storekeepers, for example, are also in a special category; but police officers and prison guards are delegated by society to work with the people about whom we are talking, whereas bank managers, storekeepers and others are only vicariously involved in this question.

If you have the possibility of deterrence on one hand and judicial error on the other, the possibility of judicial error to a large degree makes me support this bill. You could not so openly have judicial error in anything that might happen to police officers and prison guards who are delegated by society to protect society. Also, Mr. Speaker, because there will be a trial period of five years in this respect, the whole question will again come before parliament after we have had an opportunity to study what happened in that period.

After the trial period we may find that logic and statistics do support either side of this question conclusively. For these reasons I shall put my vote on the side of judicial error. It is very interesting to note that the majority of lawyers who took part in the last debate were more on the side of the abolition of the death penalty than retention. In view of the possibility of judicial error I shall vote for this bill.

**Hon. Gordon Churchill (Winnipeg South Centre):** Mr. Speaker, I was going to defer to my very close friend the hon. member for Lotbinière (Mr. Choquette). Is the hon. member better prepared than I am?

**Mr. Knowles:** Why don't you both speak at once? Be bilingual.

**Some hon. Members:** Hear, hear.

**Mr. Churchill:** It is perfectly obvious, Mr. Speaker, that I was not expecting to speak this afternoon. However, it is also known to the house that we are not prepared to have a vote today. If I make a short contribution

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this afternoon, it is in the interests of parliament itself. It is also due to the fact that I have been doing some thinking with regard to the measure before us and was reaching the point where I felt I would be obliged to say something in this chamber.

When this subject was before us a year and a half ago a great many members of the House of Commons were seriously disturbed and put a great deal of thought and attention into the subject of capital punishment. I frankly admit that I did this myself. I made no hasty decision with regard to how I would vote last year. I make no hasty decision this year. I spent hours and hours last year examining the records that were placed before us, studying the white paper, looking back at earlier discussions on capital punishment and examining my conscience, and I determined that I would put my position on the record prior to casting my vote, in order that it would be perfectly clear, to anyone interested in what I was doing, how I had arrived at my conclusion.

I took the precaution last year of writing out in advance and revising everything I said on that occasion. That is how seriously I dealt with the situation in 1966. Had the opportunity presented itself on this occasion, I would have done the same. I am of the opinion that all hon. members who are participating in this debate are treating it with the greatest seriousness, and other hon. members who are not participating are doing the same because the debate is not confined to this chamber; we carry on conversations in our rooms, in the restaurants and in the corridors, and it is clear to anyone in this building that this subject is not treated at all lightly.

There is at the same time respect for other people's opinions. I do not wish to involve any hon. member in anything I have to say today, except to express my regret that this subject is before us at this time. I was under the impression that 16 months ago this house, after the most careful deliberation and preparation—because the announcement that we were going to consider capital punishment had been made in January, 1966—would settle the issue, as we did, by a free vote and there would then be a lapse of time before the matter would again be brought to our attention. I think it is rather premature to again raise the question in this session. We do not like to repeat all the arguments that were advanced 16 months ago, yet we are obliged to do that or simply