

Capital Punishment

while in fact, a study carried out in 1985 by the Solicitor General's Office proved there was no significant change.

The third purpose was deterrence. Figures from Statistics Canada show that the death penalty is not a deterrent for criminals. In 1975, the last year in which the death penalty was still in effect, there were 3.09 homicides per 100,000 inhabitants, while ten years later, in 1985, the number had dropped to 2.75 homicides per 100,000 inhabitants.

Like other Members, I also received a letter from the Police Association of Ontario last March, signed by its President, Mr. Neal W. Jessop, which said, and this is a partial quote:

• (1650)

[*English*]

Abolitionists continually refer to their belief that there is no evidence to prove capital punishment is a deterrent. Our simple response to that position is that there is no concrete evidence to prove that it is or it is not a deterrent and indeed it is quite likely that we will never know with certainty if capital punishment deters one who is contemplating murder. It is futile therefore to base any argument on abolition or reinstatement on the grounds of deterrence.

[*Translation*]

Finally, I would say that if the death penalty is not a deterrent, all we have left is the desire for retribution. Then we get back to the principle of an eye for an eye, a tooth for a tooth, with which, as I said earlier, I do not agree.

The fourth purpose was to protect society. Obviously, Mr. Speaker, no one in this House would question this principle. So it is not the principle itself that is so controversial but the question whether the execution of murderers by the State is the appropriate way to go about it.

What happens in case of error? We will never know how many people have been executed by mistake. I would like to recall two cases in our history where Canadians were the victims of a miscarriage of justice. Members will recall that in 1985, John Wildman was found not guilty of a murder for which he had already spent seven years in prison. The House will also recall that Donald Marshall, after being erroneously convicted of murder in 1971, spent eleven years of his life in a penitentiary in New Brunswick, until he was finally released in 1982.

I would like to add a new element to the debate, an argument against the death penalty, and I do so on behalf of those who are unable to obtain an adequate defence before the Courts. I am referring to the illiterate, the mentally handicapped, the deaf, the poor, the emotionally handicapped and minorities. During her visit to Ottawa, Mrs. Coretta King said an American study had shown that Blacks were three times as likely to be executed as Whites.

It is a fact that, in the United States, the poor, the Black and the uneducated run a greater risk of being executed than the wealthy and influential, who usually get lighter sentences. Here in Canada, six times as many Indians as white people are convicted. If the death penalty were reinstated, a greater number would be condemned to death.

The solution to our social problems does not reside in the death penalty, but rather in identifying the causes of certain behaviours in some people. Many of them are living through events beyond their control. For instance, we certainly do not consider the mental defective as being responsible for their condition. Yet, increasingly, they are being sent out in our society without the necessary resources to head an independent life.

Many other Canadians are in good mental health, but live in a hostile environment. This can be poverty, a broken home, sexual degradations or an environment where it is hard to get education or affection.

We have to remember that these are the individuals who make up the majority of our criminal classes. Someone who suffers from a psychosis is sick. He is not responsible for his condition.

In looking for answers to the problems which lead individuals to murder, the Government should think about these figures: In 1982, 83 per cent of all murders in Canada were committed by spouses or friends. That same year, in only 2.2 per cent of cases was there no direct relationship between the victim and the accused.

I believe, Mr. Speaker, that the Government should consider the basic needs of the poor, the unemployed, the sick and the homeless and ask the following question: Can we afford not to offer rehabilitation programs to family violence aggressors? What will an uneducated individual do in society on his release from prison? Probably commit another crime. Why are young first-time offenders not separated from professional criminals? They should not be put in prison to learn crime from hardened criminals. Why is our judicial system so ineffective? Why is there plea bargaining? Why plea bargain with criminals? Why urge a criminal to plead guilty on a lesser charge? Is it to speed up matters? The result of this is that dangerous individuals are put back on the streets when they should still be in prison.

It is against such aberrations that police officers object. They do their job conscientiously, but our judiciary system releases dangerous individuals, not to mention the fact that in too many instances the guilty are given minimum sentences by overly indulgent judges.

The entire prison system should be revamped. Too often dangerous criminals escape, and far too many paroles are granted without due consideration for the protection of society. The state must protect its citizens. The state has the responsibility of meting out punishment. If a crime goes unpunished or if the punishment does not fit the crime, the law or its enforcement loses credibility in the mind of reasonable people. Too often the punishment is not severe enough for the crime involved. In murder cases I think the state must impose life imprisonment, and the state must also restrict the right to parole.