

*Capital Punishment*

our history. Only twice has a person convicted of murder been allowed out and murdered a second person, so it is not a real argument. Nevertheless it is the kind of argument which will stir the guards up and scare the pants off them. A scared penitentiary service will be dangerous to itself and to the whole institution, and the injured lady, despite anything she may say about this, any ideas she has on this subject are purely superficial. The remarks she makes are an indication of that.

Very few guards get into difficulty unless they are violent and rough with inmates. Undoubtedly there are psychotics in these institutions to whom normal standards do not apply but in the main, and I have talked to hundreds of guards, guards who are good guys are in no trouble. Those who are not, either get out or find themselves in serious difficulty.

This was well demonstrated in St. Vincent de Paul. We remember the difficulties which occurred daily in that penitentiary. They were eliminated by giving the guards some training and using more selectivity in choosing the guards. Efforts were also made to improve relations between the guards and the administrative staffs. The situation was improved 100 per cent with very little effort on the part of the penitentiary authorities. A little instruction and a little help would be of great value in lessening the animosity which develops between the guards and the prison staff. I have in mind the situation in British Columbia, for instance. In my opinion the guards decided to shoot one of the counsellors because they were very unhappy with her conduct. That was a decision, and that kind of thing indicates a total breakdown in the relationship between the two sections. I think a lot more money will have to be spent—

**Mrs. Holt:** On a point of order, Mr. Speaker, I feel that the guards at the British Columbia penitentiary have been maligned and that feeling is borne out by the inquest which ended last week. I think the hon. member's remark was grossly unfair to the tactical squad whose lives are now in jeopardy. They have been absolved of all blame.

**Mr. Peters:** Well, Mr. Speaker, I don't know anything about the inquiry which was held. I will just leave the one fact with you, Mr. Speaker. You can decide for yourself.

**An hon. Member:** What fact?

**Mr. Peters:** It seems to me they decided to issue guns to a number of guards, and then they got the guns back and mixed them up right away so that they would not be able to find out which one fired the shot, knowing that the bullet would eventually be recovered. This indicates to me that there is a breakdown between the two sections, the one which dealt with security and the one which was trying to accomplish a measure of rehabilitation. It is my opinion that the rehabilitation section did not come out very well.

I raise this aspect because assertions that the guards will be placed in jeopardy will create a great deal of dissatisfaction and fear among the guards and, if this happens, nervousness itself will create a situation intolerable for many of the guards and others working in that field.

[Mr. Peters.]

I myself have no objection to violence. I am not a pacifist by any means. I have no objection to being in the armed forces and killing if necessary. That does not bother me, because it would be an action against an enemy, whoever the enemy might be. And this might apply even against my own neighbour. I could be very vengeful in many situations. But I do not think I could justify going into a court tomorrow as a member of a jury knowing that my vote, one of 12 but the only one that exists for me, would lead to the execution of some individual. I would never be sure I was right. And because I would not ask anyone else to do what I would not be willing to do myself it is not hard for me to make up my mind on this issue.

There is no need to call further attention to all the doubts and misgivings which may arise, or to the part played by such important factors as the environment or the social background of an accused person. An important consideration to my mind is that no rich man in this country has ever been hanged since the days of Confederation. And no rich man ever will. If you can buy a proper defence under our court system you will not be convicted of a capital murder. But this is not true of all classes in our society. It is not true in the case of the poor Indian who comes into court undefended, possibly unaware of the charge against him. Such a person as he would inevitably face the severest possible penalties. He is the one who is always picked on.

● (1520)

I firmly believe there should not be capital punishment. I think society is big enough now to take care of most of the people who are anti-social and who cannot fit into what we set as the standards for society. It is my opinion that we are getting to the stage of also being able to look after people in our mental institutions, society's misfits. We have not been concentrating our attention upon them. Surely the answer is not building more jails to hold more people; instead we should determine how these people relate to society.

Society has not the right to vengeance. If those who want to keep the death penalty are not prepared to argue on the basis of its deterrent value, then I suggest all that is left is vengeance, and surely society cannot afford the luxury of vengeance. We should continue to eliminate the cause of crime, which in many cases is committed by people who are unable to help themselves in any other way.

I suggest that whatever decision we make in the next few days, it will not be final. Most of us who believe in the abolition of capital punishment are fully aware that if the situation develops where we can no longer handle our criminals without capital punishment, we shall have to review the situation, not as moralists, not from the point of how we feel about it, but on the basis of passing the legislation that society requires. I only hope that those who fought on the other side will carefully watch what takes place and ascertain whether or not the time has come for them to renew the fight for what they believe in on the basis of what has developed. I hope they do not stir up emotions that are easily stirred up on the part of people who have not had the benefit of the knowledge imparted to members of the House by many notable organizations that