

Capital Punishment

● (1600)

Mr. Bob Brisco (Kootenay West): Mr. Speaker, I am certainly very pleased with the summary which has just been provided by my hon. friend, the experienced member for York-Simcoe (Mr. Stevens) who in my view has completed a careful, point by point analysis of the issue before us. Frankly, I do not expect to persuade anybody to my point of view, and bearing this in mind I intend to be brief. Nevertheless, at third reading there are certain areas of concern I should like to put on record. Not too long ago I received a letter from a professor of human behaviour at the University of Notre Dame in Nelson, British Columbia—Professor W. A. Forsyth. I took the liberty of marking some of the points he made. He followed a line of reasoning which I felt to be original and genuine. Among other things, on this issue of capital punishment he said:

The state has a responsibility to indicate its degree of disapproval by assessing and carrying out a just punishment.

That certainly applies to any criminal action.

The arguments for abolition of the death penalty seem to be based on the question whether the state has more right in applying equal justice for all than the individual has to make his own decision to kill anyone he chooses for whatever reason . . . If the murderer finds less disapproval of his act of murder than he finds of the imposition of the death penalty, then he knows that, officially, it is not that bad. This is where the lack of a deterrent is centred.

Mr. Forsyth went on to say:

Some members of parliament focus their attitude upon the taking of life by the murderer rather than upon the legal act of justice.

If we are afraid an innocent person will be executed, let us improve our judicial system. But let us not protect those proven guilty. The death penalty is final, but not a bit more final than was the unjustified act of murdering an innocent victim . . . Let us make it clear that we disapprove more of the taking of another's life by the individual acting on his own judgment and desires than we do of the death penalty as just punishment for the murderer.

In my opinion, the professor has made an excellent point. He is certainly skilled on the subject of human behaviour.

I should like to move on to quote from a document provided by Statistics Canada two relevant passages from "Homicide in Canada" which appear at pages 162 and 163. The report states, in summary:

In all, there have been 29 persons in Canada between 1961 and 1974 who after being charged with murder and receiving a court decision on their cases were again involved as suspects in a homicide incident. In 12 of these cases the person is legally definable as a repeater of the offence of homicide. Of this group, five were convicted murderers who killed again, three while in prison and two while at large following an escape. There were seven men initially convicted of manslaughter who were convicted for another homicide after this first conviction. Four of them received life sentences for the second homicide offence. Of this group, two were on parole, one was an escapee and one killed again while in prison. Another seven persons who were initially convicted of manslaughter or another lesser offence were charged with murder in a new homicide incident. Six of these men were not convicted of any offence for a second incident.

The report goes on to say, on page 163, that there is another type of repeater murderer. We read:

This consists of persons who murder more than once in separate incidents before being apprehended and charged. With these persons, the police and courts did not intervene until after two or more murders are committed by the suspect.

I suggest that the words in that sentence are poorly chosen.

[Mr. Stevens.]

In any event, between 1961 and 1974 there were 31 suspects who killed more than once on separate occasions before being apprehended. Between 1961 and 1974 there were 31 suspects who were involved in more than one murder incident for which they were charged with murder. These were charged with murder for as few as two and as many as seven incidents.

There is one set of figures simply not available to us in this context. These are the statistics with reference to those who have murdered and murdered again, and will murder yet again until they are apprehended. We do not know how many of these people are presently on the loose, whether they be insane, whether they deal in contract murder or whether they are in yet another category.

There is one further comment I should like to make. I can only say I am sorry, in making this reference, that the members to whom I wish to refer are not present in the chamber this afternoon. But I find it more than passing strange that the hon. member for Comox-Alberni (Mr. Anderson) should have done a complete flip-flop on the second, third, fourth and fifth votes in connection with the amendments we dealt with the other day. I also find it passing strange that the hon. member for Coast Chilcotin (Mr. Pearsall)—

Mr. Blais: Mr. Speaker, I rise on a point of order. This matter was raised earlier today. The hon. member for Kootenay West (Mr. Brisco) is reflecting on votes which were cast by hon. members, and that is contrary to Standing Order 35. I am sure he would not want to argue that he is entitled to reflect on the way in which other hon. members voted at any time.

The Acting Speaker (Mr. Turner): Perhaps I should quote the Standing Order. It reads, in part:

No member may reflect upon any vote of the House except for the purpose of moving that such vote be rescinded.

I suggest that the hon. member refrain from mentioning the voting.

Mr. Brisco: Thank you, Mr. Speaker. I only wish I was in a position at this time to move that the votes of those members be rescinded. However, since the hon. member across the way has risen on this point of order—and it is a valid point of order—I shall not go on to mention other members from British Columbia about whose voting record I am rather concerned when this matter was before the House and the committee. But I should like to reinforce the comments made by the hon. member for York-Simcoe. There is a very grave concern among Canadians that a gaggle of cabinet ministers has clearly demonstrated to all Canadians, certainly to the members on this side of the House, that we have not truly seen a free vote.

● (1610)

I should like to conclude by saying that throughout the lengthy debate on C-84 I have had an opportunity to read the speeches of various members of the House, and I have found there are three classes of members who speak or vote according to their particular persuasion on this vital issue. We have those who for very genuine and real reasons support the retention of capital punishment. We have those who for very genuine and real reasons support the abolition of capital punishment. Then, Mr. Speaker, we have those who for reasons best known to themselves have