

should be able to get the proper legal wording for his amendments in order to accomplish what he wants. Many motions in this debate were not properly worded.

I would not only be surprised but offended if what the hon. member for Northumberland-Durham said should come to pass because of something that he does. I have known him for a long time and have considerable respect for him. I would not like to see him travel throughout the country fanning his argument for the purpose of an election. If the Conservatives form the next government, they will not immediately change this legislation. If the hon. member gives that impression, he is being dishonest. If some opposition members argue that they have been unfairly treated in this debate, this is also dishonest. The number here today who are in opposition are very small.

**Mr. Towers:** They are good, though.

**Mr. Peters:** I do not think they are good. I remember two members of this House who really believed in an idea. They were here every Friday for six years. Every time that particular subject was discussed, they were here to discuss it. They put up a good fight.

With all the amendments to this bill, we have had an excellent fight. It has been a parliamentary fight. It has been the kind of fight that ought to take place here, one that is fought hard and with all the weapons at our disposal. However, when a decision is made, even though the majority is small, it should be given a chance to work.

This is only a simple amendment to the Criminal Code. It could be made by any government or any parliament. If circumstances change, and the reintroduction of the death penalty is warranted, it will be reintroduced. If new evidence comes forward or if circumstances change, I am sure the government will reintroduce capital punishment. Despite what the injured lady member may think, as circumstances change, members' opinions usually change. In my opinion, this is not a final decision. However, I am happy that it is not going to come forward on a periodic basis. It should not become an election issue.

There was another piece of legislation within the past ten years that was very important. I refer to the flag debate. That was fought hard and long during many hot summer months. The legislation finally passed. As I travel throughout this country, particularly northern Ontario, with the exception of the May 24 weekend, I am pleased to see that the Union Jack is no longer flying from the masts of this country.

**Mr. O'Connell:** Put it the other way around.

**Mr. Peters:** That is the way I see it. Although I was not totally enamoured with the design of the flag, it was adopted and became the Canadian flag. Canadians accepted it. I think that they will accept this piece of legislation, although reluctantly in many cases. If it does not do what they want, I am sure they will demand that it be changed. I believe members of parliament will react in that way.

**Mr. O'Connell:** Were you happy to see it go?

**Mr. Peters:** I certainly have no objection to the Royal Ensign being flown on the Queen's birthday. I fought under that flag for some time. It served its purpose. How-

### *Capital Punishment*

ever, we made a change. The Canadian public accepted that change, and I hope they will accept this one.

I have never been particularly interested in one thing that is inherent in many of the amendments. I refer to the price we paid five years ago with regard to police and prison guards. I think most people will agree that those in our police forces have been paid a fairly good salary and have received the benefit of certain legislation. In addition, they have the right to carry a gun. That does not necessarily make the fight even, but it certainly helps. There have been a number of cases where that has been a factor.

A jury in North Bay recently heard the case of a policeman stopping a car and hauling out the driver of that car. A scuffle ensued, during which time the policeman drew his gun. The driver of the car took the gun away from the policeman and shot him. The jury found the accused not guilty, and he walked away a free man. An interesting comment made during the course of that trial was that if the policeman had not brought the gun into the fight, no one would have been killed. There is a certain amount of truth in that.

In my opinion the police have to exercise a great deal of responsibility. The other day a retentionist said that the police will now shoot all criminals rather than take them captive. If that happens we will be well on our way to becoming a police state. I believe we are headed in that direction fast enough without encouragement being given to those who want to accomplish that.

● (1510)

We are always happy to ask other people to do unpleasant things for us. The general public has to decide that it also has a responsibility for maintaining law and order and that when the need arises it has a duty to respond. If they have to give testimony in court they will have to do so even if they lose a day's pay. I have heard people say they would not testify in court because they would lose a day's pay, receiving only a pittance in exchange. Surely that is not the spirit in which we should approach the process of justice. We should not always depend on other people to do the proper thing.

There is no doubt that the public is demanding protection but I do not believe that killing ten or 12 people a year will make any difference to the social morass we find in our major cities. I do not think there would be any great change in habits of those in the drug-oriented sections of society or those who are involved in organized crime—the latter have been able to acquire a good deal of status in the community which they damn well do not deserve; they get it because some of them are reaping great rewards from activities which take advantage of discreditable social conditions.

I am surprised that the Solicitor General has not spent more time and effort helping to correct some of the problems which will affect our penitentiaries after the passage of this legislation. I am not thinking of the legislation itself but of some of the things which have been said during the debate, both here and outside.

It has been said, for example, that no guard will be safe in a penitentiary when there are murderers confined there because they will be able to commit murder again with impunity. The fact is that this has only happened twice in