

Criminal Code

I call your attention on my last point. A penitentiary system must be administered in such a way as to enable the offender to leave jail a better man than when he came in.

The criminal or the offender is not sentenced to prison to be submitted to further punishment, that is, to be ill-treated. Sir Alexander Paterson, who once fulfilled the duties of chairman of the British Jail Commission, stated:

[*English*]

Offenders are sent to prison as punishment, not for punishment.

[*Translation*]

The fact that a person is sent to jail, that is to say deprived of freedom, constitutes the penalty in itself, not the kind of life such person is required to lead in the penitentiary. On the contrary, for the time must be foreseen when the prisoner will recover his freedom—if every thing has not been done during his imprisonment to rehabilitate him, a potential criminal is then being released.

To deny our social and humane responsibility for the rehabilitation of prisoners is to agree, in the long run, to multiply the number of criminals and consequently to seriously endanger public security.

This does not solely apply to a murderer—for this type makes up the smallest minority of prisoners—but to the majority of those who have been sentenced to penalties less than life imprisonment.

While other countries adopt systems of graduate detention, from total confinement through internment to half-detention, including even week-end or after business hours detention served outside the penitentiary, we are still discussing this antiquated question of capital punishment.

While parents and relatives of the victims of criminals are often burdened with economic and social problems, because for instance the victim was the head of a family which is henceforth left without means, instead of finding solutions to this situation, and of helping these people, through new legislation, we are concentrating our efforts in the search of a vendetta on the criminal. The criminal is involved in a human problem; those who are solely afflicted in economic and social problems. In 1966, these are the problems we, in parliament, should be concerned with.

In fact, the man who comes out of prison after serving a five-year sentence, even without having obtained a reduction of his term of prison, may present a greater danger to

society if he has not been rehabilitated during this period of time. He is more apt to relapse into crime and thus presents a danger to society. A rehabilitated criminal whose sentence is reduced, on the other hand, is of course much less liable to disturb society.

The abolition of capital punishment is no innovation. It exists in several countries since half a century. To innovate would mean more than that. It would, rather, mean improving methods of rehabilitation, and studying ways of compensating in part the parents and close relatives of the victim, which would surely be more effective and healthy than the brute satisfaction of executing the criminal. This is the course of action of a progressive Parliament.

We will show Canada whether we will deal, not with out-of-date problems such as capital punishment, but with the problems of our time, those of rehabilitation and of compensation of victims; this is where our work lies and further discussion on capital punishment is a waste of time and it is outdated.

[*English*]

Mr. A. D. Alkenbrack (Prince Edward-Lennox): I join in this debate this evening, Mr. Speaker, with reticence as I realize its meaning and consequences and its potential effect on the preservation of our nation and our society. I do so also with great respect for the history that has been mentioned by other hon. members here today. This respect for history is a quality that is not found in abolitionists alone but I am sure it is possessed by all members and particularly retentionists because we remember that our statutes are part of our history.

We are not back in the seventeenth and eighteenth centuries, and the ridiculous penalties for crimes other than capital crimes which have been related to us as applying in those years have nothing to do with the argument today. I claim that our functioning statutes, as they are now, are part of our history and society and should be respected and maintained as such.

I have listened with interest to the presentations of most hon. members. I have in fact read all the speeches to date. I congratulate my colleagues in all sections of the house upon the many cogent points that have been presented in this debate. I know that each one of us has and will put forward his or her argument without any personal acerbity to anyone, and according to his or her tenets of belief on this vital subject.