

*Criminal Code*

present time only for a limited number of the homicides which take place. First of all you have all the manslaughter cases, secondly you have all the non-capital murder cases, and then, it is only for capital murder and treason that the punishment of death takes place.

Capital murder means cold-blooded murder. It means murder which takes place in the commission of a planned crime, or it is the murder of a policeman who is attempting to apprehend a criminal, or who is attempting to prevent an escape, or something along that line. Under these circumstances, the concern of the abolitionists, as far as I can gather it, is that a very large number of people are going to have their lives taken from them. But, as far as the death penalty is concerned, we generally are not talking about too many people.

● (9:50 p.m.)

One of the great arguments put forward by the abolitionists involves the possibility of hanging an innocent man. I will not say that this is impossible but I will assert that it is close to being impossible, bearing in mind the way in which justice is administered at this time and considering the number of commutations which have taken place.

The other night the hon. member for Greenwood (Mr. Brewin) brought up the Truscott case. I was sorry to see this case introduced into the discussion because it has nothing to do with the question of the abolition or retention of capital punishment. This is the case of a minor whose sentence was automatically commuted. At the present time the sentence of hanging could not be imposed upon him. However, after going into this case at considerable length, evidently with the idea of stirring up horror and making converts to the abolitionists cause, the hon. member for Greenwood said as reported at page 3077:

Had Truscott been an older man, he would have been hanged by the neck until he was dead and there would be no way of reversing this irreversible verdict.

That statement was just not correct. I can state, without impinging on my oath of cabinet secrecy, I think, that the sentence would have been commuted in a case of this sort. There is every reason to think so. I say the case would have been commuted in any event, had the man been 20 or 25 years of age, on the basis of the evidence presented in the book which Mrs. LeBourdais has written. This is the sort of thing I deplore in the present debate—statements which are made as

though they were completely truthful whereas in fact they will not stand up to examination at all.

I do not wish to delay the vote on the resolution. I merely state in conclusion that I intend to vote against it and I trust that a majority of the members of this house will do likewise.

I think the hon. member for York South (Mr. Lewis) wished to ask a question. I would be happy to answer it now.

[*Translation*]

**Mr. Henri Latulippe (Compton-Frontenac):** Mr. Speaker, well and good to shout "question, question", but I think we did not give enough thought yet to this question and that is more serious than any of us seems to believe. In fact, it is a fundamental question.

We must give due reflection to this question of abolishing the death penalty. It has been given a great deal of consideration and much approbation. Several members declared themselves in favour and others against, so much so that I think wide differences of opinion prevail among the members.

Before reaching a decision on such a question, it behooves us to analyse the matter of criminality and its consequences, to consider the solutions we should bring in to various problems, because there are several reasons for this crime wave in Canada.

Well, Mr. Speaker, there are causes for crimes. All the crimes committed are not all premeditated crimes.

[*English*]

**Mr. Deputy Speaker:** Order. I apologize for interrupting the hon. member for Compton-Frontenac but there does appear to be more noise in the chamber than usual and it is hard to hear what the hon. member is saying.

[*Translation*]

**Mr. Latulippe:** Mr. Speaker, we are faced with several decisions in our discussions on capital punishment, because it is a question of life or death. And the issue, as I have mentioned a moment ago, is very serious, and the responsibility which bears over the shoulders of every member of the house is fraught with consequences.

We must struggle until the end to maintain life, as it is due to a supreme power. We must consider this problem with a great deal of calm and impartiality.

We must accept the evidence that man and society should be protected; both are related