

Capital Punishment

assistance system and our crime prevention system. As long as we do not get to the root of crime in Canada, we may discuss death penalty for years, because we simply have no real desire to get to the root of the problem, which is prevention.

In conclusion, Mr. Speaker, I do not believe this debate is useless. It is a democratic debate. People were wondering, nearly 75 per cent of Canadian citizens have been wondering for years whether we should not revert to capital punishment. But the longer this debate goes on in this House, the longer we speak, the better we are trying to inform Canadians, and the less Canadians want us to revert to capital punishment. In conclusion, Mr. Speaker I would simply like to state that to a degree I am thankful to the Prime Minister for having allowed this democratic debate, and above all to have allowed a free vote on the matter.

Mr. Rossi: Mr. Speaker, first of all, I would like to congratulate the Member for Portneuf (Mr. Ferland) because he started his speech by saying, I remember it very well, that he did not claim to be one of the best speakers in this House. I will tell you that I have listened to every word the Hon. Member spoke and I must praise his ability to bring up the most essential points in a debate such as this. He did speak about prevention and the need for overhauling the penitentiary system; and I think he is perfectly right. I was also very much impressed by the fact, and I mention it because I share his view and everybody here knows that I was for capital punishment, that he refused to be influenced by the polls. Although it is reported that more than 70 per cent of the people are in favour of capital punishment, he spoke according to his conscience after quite a bit of soul-searching. I believe that if all those involved in this debate were to do the same, that is to decide according to their conscience, it would be almost impossible to say yes to capital punishment. Having said that, I do want to ask the Member for Portneuf, that I congratulate once again, whether in his view before calling for capital punishment, we should not think in terms of overhauling the penitentiary system and its effect upon criminals. There is one thing he mentioned I really liked and of which I spoke often when I was in charge of the Armed Robbery and Manslaughter Section in Montreal, that is crime prevention for young people 15 and 16 years old. Would he kindly develop this point?

Mr. Ferland: Mr. Speaker, first I want to thank my colleague, the Hon. Member for Bourassa, for his good words. I think he is absolutely right. I have had the pleasure to discuss with many police officers, people that work in the field where the criminals are. Even they were telling me that unfortunately, because of the way our judicial system works now—they often feel they work for nothing. One particular police officer told me he had arrested the same guy three times in the same weekend for drug trafficking. Isn't it something? Three times the same person on the same street in the same week-end. Why? Because we have a system that does not punish the real criminals. How many people are considered criminals and put into jail because they did not pay a parking ticket or whatever?

How many people are in jail for as petty a crime as that while there is no room left in there for the real criminals? Because in fact one starts very young to live a criminal life.

As I have explained earlier this morning in my speech, the problems of the youth very often start at the kindergarden level. Often then they are already rejected by their family, even by society. I gave the example of a young boy who had been sent from foster home to foster home because he was supposedly very difficult to help or to raise, as we say. But that is where we have to work, that is where the problem lays, that is when a youth starts to become a criminal so that when he is 30 or 35, he will be a roughneck. How come?

The Hon. Member for Bourassa (Mr. Rossi) talked about teenagers who are fifteen or sixteen years old. In the beginning, a teenager will appear in juvenile court, and get a first warning, then a second and a third warning. A young lawyer next to him is going to tell him: "Whoop, do not talk, that policeman will try to do you in". Whereas in fact it is often the opposite, the policeman wants to try and help this person stay away from crime. And some day, the judge is going to be fed up, and he will say: Enough is enough, you get a two-year sentence. And then this teenager goes to jail for two years.

Mr. Rossi: The university of crime!

Mr. Ferland: It is indeed the university of crime. They are going to learn to become real criminals, and later in this House we will call for the reinstatement of death penalty. But I think that in the first place we should restructure our penitentiary system, our justice system, particularly in terms of crime prevention.

Mrs. Mailly: Mr. Speaker, on this same subject, I wish to congratulate my colleague both for his stand against the death penalty and for his approach in his speech. In the field of prevention, I would like my colleague to comment on the fact that statistics show that people who get hanged, who eventually become the victims of death penalty belong mostly to minorities, visible minorities, poor communities and so on. And in fact, a great expert in criminal law, Mr. Arthur Maloney, when he spoke in this House—he was the then Hon. Member for Parkdale—urged that we should insist on preventing the causes of crime rather than applying the death penalty after the fact. I would therefore like my Honourable colleague to comment on this aspect of statistics dealing with death penalty. According to those statistics, it is the poor, those who belong to minorities, who end up murdered by the State because they made a mistake.

Mr. Ferland: Mr. Speaker, in reply to my colleague, I have here an article which I hope most Canadians have read. This article, which appeared on April 18, 1987, in *Le Devoir*, refers to a study carried out by Mr. Kenneth Avio, a researcher at the University of Vancouver, I believe, which establishes a relationship between the racial origins of people accused of murder, native Canadians, for instance, and the number who