

*Capital Punishment*

thinking because I would have to look ahead and consider my wife, my children, and my position in the community. I would wonder if I might have to confront the same prisoner again in some back alley. I wonder if I would not be tempted to pull the trigger, knowing the ineptness of the judicial process. I might wonder about the final result of my labour, particularly if I had made many arrests. May I call it six o'clock?

**Mr. Deputy Speaker:** It being six o'clock, I do now leave the chair until eight o'clock tonight.

At six o'clock the House took recess.

**AFTER RECESS**

The House resumed at 8 p.m.

**Mr. Oberle:** Mr. Speaker, before we allowed ourselves a short recess for dinner I was recounting the difficulty that I have in equating our approach to protecting ourselves against subversive elements from beyond our borders with the apparent failure to recognize the necessity for protecting our society from simmering elements within our borders.

The motion we are debating tonight deals with the retention of capital punishment for certain forms of murder, namely, the murder of prison guards or police or law enforcement officers. I would like to extend this provision to include at least the crime of treason. We spend millions of dollars on arming a very efficient force, as our Canadian armed forces are recognized to be throughout the global community wherever we have a military presence. I have been unable to reconcile why it is that we maintain this kind of safeguard for the protection of our society and, at the same time, make it possible for people to take out visitors' visas, come to Canada and perhaps assassinate our Prime Minister, or our provincial premiers, members of parliament, or other officials.

In other words, such people could come to this country on visitors' visas and take over. If my colleagues in the House of Commons see fit to pass this bill, and if we are able to catch these people, the worst punishment we can give them is to lock them up for 25 years. I should like to know who would be doing the locking up. There are no restrictions on the class of person who can travel to this country and we would have no protection against their activities unless it is to have our law enforcement officers shoot them down on the street.

I am sure that none of my colleagues in this House are naive enough to believe that the government is serious about maintaining in perpetuity a provision in the Criminal Code that incarcerates persons convicted of first degree murder for 25 years. This would indeed be a cruel and unusual punishment, particularly when compared with the punishment given in other countries. I think such a punishment would be more severe than the punishment meted out even by a country such as Russia to balance the ledger of people who attack their system.

In its recent report the Law Reform Commission suggested that we should find ways in which criminals can

[Mr. Oberle.]

make restitution and pay for damage done to the victims of their crimes. That is part of the Russian system. It is argued that this is a more humane system than the one we use. Surely no one is naive enough not to believe that after one, two, or at the most three years the government would once again come to the House of Commons and say, "Look, we have had a couple of suicides in prison, we just cannot maintain this kind of inhumane approach on our law books; we will have to go back to the good old days when a person convicted of a major crime can be back out on the street after 7 or 10 years".

The law enforcement officers who protect us against criminals in our society are human too. The average policeman in this country is willing to step between us and the criminal. He is willing to accept his job and the danger that goes with it. But he also wants some protection. He wants some respect for what he is doing, and he wants some recognition. If this bill passes and these amendments are not considered favourably by our colleagues—

**The Acting Speaker (Mr. Turner):** Order, please. I regret to interrupt the hon. member but his allotted time has expired. He may continue with unanimous consent. Does the hon. member have unanimous consent?

**Some hon. Members:** Agreed.

● (2010)

**Mr. Oberle:** Mr. Speaker, I appreciate the courtesy extended by my colleagues. It comes as no surprise to me, or to any of us, that many people who are members of our renowned police force should want to leave the force if this kind of approach by parliament were to have a deteriorating effect on the morale of those on whom we call to protect us against subversive elements. They might also act differently in dangerous circumstances.

On the one hand they might use the tools which we give them to carry out the job more effectively; in other words they might point the gun a little lower, they might not fire that warning shot but, looking down the gun barrel themselves, they might point the gun at the person who is pointing the gun at them. On the other hand they might not respond as readily to the call of duty and might avoid future dangerous situations in which they might be placed. Of course it would be no surprise to anyone that the effect would be that citizens in our country would have to take the law into their own hands. We have already experienced that when we went out to dialogue with our constituents on the other portion of the peace and security package, that is, Bill C-83. I know that most of my colleagues have had similar reactions, perhaps not in the larger centres in our country, but in the frontier and the more remote areas of the country the reaction is loud and clear.

People are not altogether as enchanted with the permissive society as we seem to think they are here in Ottawa. They have this feeling of fear, the feeling that they might have to take the law into their own hands as they used to when the more remote areas of our country were being developed and when pioneers had to defend themselves against nature and intruders. That is the very real feeling I experienced when dialoguing with the people I represent. They have experienced this feeling of insecurity, of having to call on the law enforcement agency to protect them