

*Private Members' Business*

Capital punishment is a special case of law making that transcends party politics. The Reform Party has no official position on the topic. However, a Reform government would be humble enough to bow to the will of the mainstream. Every voting citizen must examine their own conscience and solemnly enter that booth and make a choice for themselves for the kind of society they want to give to their children.

My appeal today is for democracy. My appeal today is for a referendum.

I now seek consent of the members present to have Motion M-431 referred to the Standing committee on justice for further examination.

**The Deputy Speaker:** Members have heard the terms of the motion. Is there unanimous consent to accept the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**Hon. Warren Allmand (Notre-Dame-de-Grâce, Lib.):** Mr. Speaker, in introducing this motion our colleagues from the Reform Party, the members for North Vancouver and Surrey—White Rock—South Langley, have argued capital punishment is necessary to protect the public against murder and that it should be re-established in Canada at least as an option. They also argue we should have a referendum at election time to decide this issue.

• (1820)

There is no doubt murder is a most serious and heinous crime, perhaps the worst crime we have on the books. We should do everything possible to reduce the rate of murder and protect the public from violent crime.

Capital punishment will not accomplish that goal. There is overwhelming evidence that capital punishment is not effective in controlling murder and protecting the public. The American states that have brought back capital punishment, particularly the southern states of Texas, Louisiana and Florida, have the highest murder rates in the United States and much higher than countries such as Canada and those in western Europe which do not have capital punishment.

The United States is the only country in the western world that has capital punishment. Capital punishment was brought back in those states following an American Supreme Court judgment in the middle 1970s. While the murder rate in those states has decreased in a minor way in recent years it is still much higher than in states without capital punishment. That we have lower rates in non-capital punishment states does not mean it is the result of not having capital punishment, but rather the result concentrating on other measures to reduce violent crime.

In Canada the rate of homicide is a little over 2 per 100,000 population, whereas in the states of Texas, Louisiana and Florida it is about 10 per 100,000 population. In western Europe it is about 2 per 100,000 population as well, with some countries at less than 2 per 100,000.

If capital punishment is argued as a means of protecting the public, it is not protecting the public in Louisiana, in Florida, in Texas and those other American states where capital punishment is there for that very reason. All one has to do is visit those states to find out.

When I went to New Orleans I was told not to leave the French Quarter. I was told not to go out at night because there were so many murders in that city. It is a sad thing because it is a beautiful city.

Capital punishment is not an effective means of protecting the public. Furthermore it is seriously objectionable on other grounds. For example, it is irreversible when a mistake is made and there have been mistakes. At least if somebody is convicted of murder and is sent to prison for life he or she can be released if later proven not guilty. Such was the case of Donald Marshall and others. In Britain such was the case with the Guildford four. There are many cases around the world in which this happens. When this happens they can be released from prison and given some damages, some compensation. Once a person is executed it is game over.

It is objectionable in that it has always been applied in an inequitable manner. It has always been applied more heavily on minorities, on the poor, on immigrants, on the illiterate. Those who have had the big lawyers, the great court pleaders, these outstanding lawyers who cost a lot of money, have got off. Those who have not been able to do that have not got off. I could refer to a case in the United States right now but I will not.

My colleagues from the Reform Party referred to statistics in the United States. Of the total number of murders committed there only a small percentage of those convicted, although it is a high number in total terms, have been executed. That points out the inequity of the whole system.

If left as an option in Canada we would have gross inequities. It would mean one murderer in one province would probably be executed and one in another province for almost the same crime would not be executed. There would be great unevenness in the application of this most serious irreversible penalty.

• (1825)

The motion calls for a referendum on these matters. I am not opposed to referendums in principle, but they are not provided for in our constitution as a means of legislating issues and they are not traditional in the British parliamentary system. In our system we are elected to office to represent the people, certainly to consult with them, to consult the evidence, to look at the facts, to inform ourselves, and then make a decision in the best