

*Capital Punishment*

Notwithstanding the public opinion polls, I firmly believe that Canadians do not support capital punishment. Why then, when asked, do they say that they support capital punishment? It seems to me that one of the reasons people indicate that they support capital punishment is their frustration with the criminal justice system.

We all know that the criminal justice system is not perfect. There is cause for concern with regard to the charging of individuals, plea-bargaining, actual criminal trials, sentencing, incarceration, parole, and mandatory supervision. The debate on capital punishment has become a lightning rod for all the disillusionment, disappointment, and disrespect which exists with regard to the criminal justice system. There is, unfortunately, cynicism developing among Canadians which must be addressed.

I am convinced that if we as parliamentarians used our collective wisdom and collective political will, we could improve the criminal justice system which is so imperfect. I believe that we as parliamentarians have a duty to study the system, to educate and sensitize people to the issues, and to seek to create a consensus with regard to specific reforms.

Some of the areas which I feel merit serious attention include sentencing, plea-bargaining in the trial process, alternatives to incarceration, the correctional system including correctional philosophy, institutional programming, inmate accommodation, prison construction, the role of the correctional investigator, release procedures involving the correctional services and the National Parole Board, post-release programs and accommodation, the role of voluntary organizations such as the John Howard Society, victims of crime including their right to information, property restitution and impact statements, the public's perception of crime including the role of the media, public legal education, the effect of the Charter of Rights, and other issues as well.

Is there any wonder that there is disrespect for the criminal justice system when a person like Allan Sweeney, who was convicted of murder, was erroneously released by the National Parole Board only to commit another murder? There are those who suggest that if he were executed the first time he would not have been released to commit the second murder.

Well, Mr. Sweeney may have committed the actual physical act, but the responsibility for the death of Celia Ruygrok is not that of Mr. Sweeney alone, but of the system. The system failed Celia Ruygrok. She could be alive today if the National Parole Board had all the information before it. It is clear that in that particular case the National Parole Board did not have the necessary information to decide whether Mr. Sweeney ought to have been released. The system failed. Rather than talking about capital punishment we should be talking about ways to improve the criminal justice system to ensure and enhance the safety of Canadians.

Those who support capital punishment make a number of arguments. The main argument they make is that capital punishment is a deterrent. As I indicated, it clearly is not.

Almost all of the studies that have been conducted indicate that capital punishment is not a deterrent. It is plain and simple. Canadian statistics, as well as U.S. statistics, show that it is not. In 1975, the year before Parliament repealed the death sentence, there were 701 homicides which include murder, manslaughter and infanticide. In 1983, seven years after abolition, there were 682 homicides. A more important statistic is the rate of homicides per 100,000 of population. In 1975 Canada's homicide rate was 3.09 per 100,000. By 1983 it had fallen to 2.74 per 100,000.

Those who argue that capital punishment is necessary to protect policemen are also without supporting evidence. In the five years before abolition 19 policemen were murdered compared to 18 in the five years after abolition.

The statistics from the United States also punch big holes in the deterrence theory. Presently 38 states have the death penalty on the books. Yet, as a nation, the United States registered a homicide rate of 8.3 per 100,000 compared to our figure of 2.74 per 100,000. The Americans have capital punishment in 37 of the 50 states. Would you rather live in the United States than in Canada? I notice, Mr. Speaker, that you are shaking your head. Most Canadians would agree with you. We do not have capital punishment in Canada yet we have one of the safest societies anywhere in the world. We have probably the highest rate of incarceration anywhere in the western world, but we also have one of the lowest crime rates anywhere in the world. We ought to be proud that the rate of violent crime is so low compared to that of the United States and many other western nations.

Those who support capital punishment erroneously argue that violent crime is on the increase. The statistics dictate otherwise. In effect, violent crime has not increased. If anything, it has decreased. It is still possible in downtown Ottawa, Toronto, Edmonton, Montreal, Vancouver, or Halifax to walk down the streets late at night and feel safe that one will not be mugged, robbed, raped or in any way assaulted. One just cannot do that in Detroit, Los Angeles, New York, Chicago, or Miami. We have every reason to be proud that we have such a low crime rate.

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There are those who argue that we should reinstate capital punishment on the basis of cost. That is the most disgusting argument one can think of. They argue that it would be cheaper to execute, to kill a human being, than to incarcerate a human being for 25, 30, or 40 years. Since when do we put a price on human life? It is wrong to suggest that if we execute individuals it may be a saving to the state. It certainly does not hold any persuasive power, yet there are those in the House who suggest that as a reason for reinstating capital punishment.

There are those in the House who support capital punishment and honestly believe that retribution, vengeance, is a reason to reinstate capital punishment. I say it is wrong to