

Amendments Respecting Death Sentence

end in 1970, at which time parliament would have an opportunity to take further action. He has called upon people to sign a petition urging the re-introduction of capital punishment at the end of the five year experimental period. In that letter he drew attention to the increase in the crimes of capital murder. Those who have argued for and against the deterrent value of capital punishment should have brought this to our attention. I think the Solicitor General, who is quite a fair person, might have done so.

I should like to quote now from the *Stornoway Gazette and West Coast Advertiser* of October 28, 1967. Mr. Duncan Sandys pointed out that there have been 71 capital murders in the two years, since the deterrent of capital punishment was removed, and that this compares with 41 such murders during the two previous years. He said that in other words the rate has risen by no less than 73 per cent. Then he goes on to point out the offences in which firearms were used, any of which might well have resulted in murder. The number has risen from 731 in 1964 to 1,511 in 1966, an increase of over 100 per cent. It is not only in respect of England that we are aware of the increase in serious crimes.

When I spoke on this subject previously this fall I suggested a compromise which passed unnoticed by those who argued for complete abolition and those who now are arguing for partial abolition. I said, why not leave the statute as it is, in case we have to make use of it in the future because of the development of organized crime and the rising crime rate in our country, in the United States and in England? I was very charitable toward the present government. I know they have been commuting all the cases that have come before them. I did not criticize them severely for that, because of my experience while on the government side. I said that with the prerogative of mercy resting in the hands of the governor in council I was not prepared to offer criticism in respect of any particular case which has come before the cabinet. I know they have more information in their possession than I have in my possession, because I can go only by what I read in the newspapers concerning these crimes.

• (8:30 p.m.)

On the basis of the superficial evidence I have I think the cabinet has been wrong. Again let me say this is not an accusation I am making, but I do suggest that we should let the law stand as it is now on the statute

[Mr. Churchill.]

books, in the event we may need it. Let us not be put in the position of having a serious outbreak of crime and being forced to reverse the process by reinstating capital punishment. That is precisely what is going on in Great Britain. Having abolished capital punishment they now wish to reinstate it on the statute books. The petition of Mr. Duncan Sandys has the support of a number of members of parliament in all parties. This situation cuts right across party distinctions.

The other day I asked the Solicitor General a question regarding a public opinion survey that was carried out at Expo.

Mr. Byrne: I rise on a point of order, Mr. Chairman. Without quoting the appropriate citation in *Beauchesne's*, I should like to direct your attention to the fact that the hon. member is now reflecting on a decision—

Mr. Monteith: Will you please sit down?

Mr. Byrne: This is a question involving—

Mr. Monteith: I mean it. Will you sit down and let the hon. gentleman speak?

Mr. Byrne: Mr. Chairman, since when has it become improper for an hon. member to raise a point of order?

Mr. Monteith: Any point of order that you might raise would be redundant.

Mr. Byrne: Mr. Chairman, I certainly intend to ask you to make a ruling as to whether the house has made a decision in respect of the principle of this bill, and whether the argument now posed by the hon. member for Winnipeg South Centre is a reflection on the decision this house took earlier today.

Mr. Monteith: We are on clause one.

Mr. Churchill: I understand we are dealing with clause one of the bill, and it has been the practice in this house to hold a general discussion at this stage. When could a general discussion be held, except when we are discussing clause one?

Mr. Byrne: You had an opportunity during second reading.

Mr. Churchill: If I am out of order I expect the Chairman will so instruct me, but he has given no indication of that.

Mr. Byrne: Mr. Chairman, on a point of order—