

Capital Punishment

statistics and numbers used to prove practically all points both for and against, so I do not really intend to get caught up in that exercise. I do agree with my colleague, the Hon. Member for Swift Current—Maple Creek (Mr. Wilson), that one either feels that capital punishment is a deterrent or one feels it is not. J. Edgar Hoover wrote this regarding deterrents: "Experience clearly demonstrates deterrents to crime are, first, sure detection, second, swift apprehension and, third, proper punishment". Each is a necessary ingredient.

We have the right to expect that the efforts of law enforcement officers will be followed by realistic punishment. Enforcement officers in fact have certainly proven to be very efficient as far as sure detection and swift apprehension are concerned. Many times the criminal is apprehended within minutes or hours after the crime has been committed.

Surely the accusation that no one has the right to take a human life, that a person who executes a criminal is as guilty as the one he executes, must be discussed further. I also do not want to get into the exercise of quoting the Scriptures, but I am certainly aware that capital punishment cannot be rejected on the grounds of being morally wrong in the light of the Scriptures. There are dozens of verses to support capital punishment. Surely we must realize that all law and order would soon end if this objection were carried through to its logical conclusion. It would make it wrong for a nation to defend itself against an aggressor. It would be come wrong for a city or state to maintain a police force. Logic and common sense must prevail in considering the statement that he who implies the death penalty, and in this case we are talking about the state, is actually a murderer himself.

I do want to come back to the changes needed in the judicial system. Over and over again statements have been made in this debate that we must overhaul the judicial system. I think all of us must agree with that because it keeps coming up over and over again. The people have lost their faith in the system. Dangerous loopholes, discovered by clever lawyers over time, have set precedents. This has meant repeated failure to demonstrate justice in our courts. Every forum on capital punishment I have attended in the last several months within minutes moves into a discussion about the lack of faith Canadians have in the system. They repeat over and over again that victims of crime must have the same rights as the accused and the convicted criminals. They do not feel that this is the case today. I have been on record in this House as voicing that concern. I am also very concerned that vigilante action is condoned by a large segment of our society.

I am sure this debate and the passing of this motion will trigger an overhaul of our judicial system. That is probably the most important point I want to make here in my contribution to the issue we will be voting on shortly. If this motion passes, a special committee will travel across the country talking to people. It will hear what the people have to say. I am absolutely positive that Canadians will continue to voice the concerns I have just described. They will present briefs and opinions that something must be done to overhaul our judicial system.

Certainly the committee would be obligated to react in its report to this House and we will be obligated to move in that direction with new legislation.

I fear that if this motion is rejected, all action in this regard will cease. In the many opinions and concerns all Hon. Members have expressed in this House on the overhauling of the judicial system, no one has really presented a way to get it started. This motion will start that process. I feel very confident about that.

I stated that I view capital punishment as a symbolic act for cases of the most heinous of crimes. The system bends over backwards to give the accused the benefit of the doubt, and it is important that that benefit continues to be part of our judicial system in order to ensure fairness to the accused.

• (1640)

I believe the system which would have the best chance of succeeding would be what is known as the double jury system. I will give a short description of what I mean by that. First, there must be a unanimous vote by the jury to convict. Second, the jury would then consider whether or not to impose a death sentence. A very high proportion, such as 10 out of 12 jurors, would be required to make that decision.

Records show that the most heinous types of murderers, serial killers, killers of hostages, et cetera, would likely be the ones upon whom the death penalty would be imposed. Surely, one can readily accept that the possibility of making a mistake in that type of system is very remote.

I invite all Hon. Members to consider the motion before the House very carefully. So much depends on its outcome. I particularly invite my colleagues in the New Democratic Party to participate in debate in a free fashion and to take the politics out of it. It is too important an issue to be approached in that manner.

[*Translation*]

Mrs. Thérèse Killens (Saint-Michel—Ahuntsic): Mr. Speaker, I welcome this opportunity to speak to the motion for reinstatement of the death penalty, because I have an obligation to explain my position to my constituents and to Canadians.

Mr. Speaker, you will recall that in *MacLean's* my name was mentioned among the undecided. In fact, if this debate had taken place in 1979, when I was first elected to this honourable House, I would probably have voted in favour of the death penalty. At the time, I had made a survey of my constituents in the riding of Saint-Michel—Ahuntsic, and as in the response to recent polls today, the majority spoke out in favour of a return to capital punishment.

I must admit that growing up in a police family—my father was a member of the police force and was wounded on duty, my brother is retired from the police force, my son is now also a member of the police force, and I have several brothers-in-law and nephews who belong to the force as well—I often