

Capital Punishment

The Acting Speaker (Mr. Paproski): Order, please. I know that this will be a very charged-up debate. The Hon. Member for Ottawa Centre (Mr. Cassidy) will have an opportunity for questions or comments after the Hon. Member for Peterborough (Mr. Domm) finishes speaking, as will the Hon. Member for Winnipeg North Centre (Mr. Keeper). Please allow the Hon. Member to carry on with his remarks.

Mr. Keeper: Then restrain him, too.

The Acting Speaker (Mr. Paproski): The Hon. Member for Peterborough.

Mr. Keeper: Then ask him to stop questioning our integrity if you want quiet in this place.

Mr. Domm: The article continues:

Because Canadian criminal courts have become increasingly unable to deal quickly and effectively with crime and with criminals—

That is part of the main reason why we are here today. The article goes on:

We are, in Canada, rapidly and surely approaching the hamstrung, obstructed and hapless state of the administration of justice in the United States.

Our systems of justice and corrections now display almost every symptom of the illnesses the U.S. systems suffer from—

We are arriving, as Americans have arrived, at this disgraceful and unendurable state because, over the past 20 years, a spurious, dangerous, one-sided debate about the nature and direction of law, order, crime and punishment has been allowed to go on—

Imprisoned crooks, pushers and murderers are also frequently interviewed and quoted at length on their "expert" views that it is society, not they, which should be tried and convicted—

The appalled witnesses and victims who manage to survive are usually too angry, frightened, dismayed, disgusted or ashamed to qualify, or be accepted by the media or the governments, as "experts"—

Plea-bargaining—the venereal disease of any system of criminal justice and the distinctive sore now on the U.S. system—once almost unheard of in Canadian courts, is now common to them. The joyful, semi-secret grapplings and couplings of defence counsel and Crown attorneys are performed daily, to their audible moans of delight and loud cries for "more"—

Parole, and temporary absence programs from prisons, sanctified by parliament—

Mr. Keeper: Stick to the issue!

Mr. Domm:

—and vigorously employed by regiments of corrections bureaucrats—

Mr. Keeper: What about the rule of relevance?

Mr. Winegard: Shut up!

Mr. Domm:

—demonstrate a thinly veiled but effective contempt for the judicial function and have now almost devalued and debased the judicial coinage—

In that event, why not be a nice, warm, progressive, exciting (even trendy) judge and toss out absolute and conditional discharges—like confetti at a wedding?

Citizens of Canada triple-lock their doors, return to and cower behind medieval walled or guarded residences, abandon their streets and parks to thugs, hooligans and criminals, arm themselves with cans of mace and lead pipes and attend night classes in the martial arts.

Add to that the rise of vigilanteism here in Canada, which I do not support, and I have a difficult job trying to explain why people in Canada will give from their pockets their hard-earned cash to store-owners who try to defend property and life against criminals. What causes that?

The article continues:

How pathetic, how absurd, how shameful, how infuriating—how unnecessary—when one recalls that the first duty of the state is to protect its law-abiding citizens.

The thin blue line of peace officers, baffled and frustrated, represses its anger and says, all too often and all too dangerously, "what's the use?" So do more and more judges.

This particular judge has had it. Long before his time of retirement in the City of Vancouver he sent in his letter which said: "I quit." He quit because of the policies of the judicial system in Canada. We as parliamentarians are responsible for the mess that the country is in because we have sat back for decades and have allowed convicted, planned, deliberate murderers parole, not in 25 years but in 15 years. Do Hon. Members realize that today nine people who were on death row prior to 1976 are now coming up for parole? It is for parole after 15 years. They were sentenced to death and were on death row in 1976 and are now eligible to go before a judicial review to recommend parole before a parole board.

● (1640)

Let me tell you, these criminal lawyers—and there are some in this House of Commons—are working toward judicial review. And why do you think criminal lawyers want a judicial review? Why do they not want the Canadian Parole Board to make the decision on behalf of the people? The Canadian Parole Board is appointed by the Government and as such is accountable to the people.

An Hon. Member: So is the judge.

Mr. Domm: The judiciary are there until retirement.

An Hon. Member: They are put there by the Government.

Mr. Domm: They are there until retirement, unless they choose to quit, as was the case with the judge that I have quoted extensively, an individual who was also a writer of law journals. After 21 years as a magistrate and a judge of the British Columbia Provincial Court (Criminal Division) and six years before his statutory retirement, this individual wrote the provincial secretary, as the law requires, to advise him that, as of April 30, 1981, he was quitting.

The abolitionists say that there is no problem with homicides in Canada; none whatsoever. Let me tell you that when you break down the homicide rate—

Mr. Robinson: A point of order, Mr. Speaker.

The Acting Speaker (Mr. Paproski): The Hon. Member for Burnaby (Mr. Robinson) on a point of order.