

### Capital Punishment

tions in this House. I have risen 20 or 30 times a day for six days and I would like to draw that to your attention.

**Mr. Speaker:** Orders of the day.

## GOVERNMENT ORDERS

● (1610)

### CRIMINAL CODE

#### REINSTATEMENT OF LAW RELATING TO CAPITAL PUNISHMENT THAT EXISTED PRIOR TO DECEMBER 30, 1972

The House resumed, from Thursday, May 24, consideration of the motion of Mr. Allmand that Bill C-2, to amend the Criminal Code, be read the second time and referred to the Standing Committee on Justice and Legal Affairs.

**Mr. Ellwood Madill (Peel-Dufferin-Simcoe):** Mr. Speaker, when the House rose at 10 o'clock on Thursday night, May 24, I was speaking on Bill C-2. In continuing the debate, I wish to put on the record a table indicating the murder rate in Canada per 100,000. The source is "A Study of the Deterrent Effect of Capital Punishment with Special Reference to the Canadian Situation" by E. A. Fattah. The two years to which I will be referring will be 1962 and 1970. The rates are as follows: Newfoundland, 0 in 1962 and .2 in 1970; Prince Edward Island, 1.1 in 1962 and 1.1 in 1970; Nova Scotia, 1.6 in 1962 and 2.2 in 1970; New Brunswick, 1.6 in 1962 and 1.5 in 1970; Quebec, 1.4 in 1962 and 1.9 in 1970; Ontario, 1.4 in 1962 and 1.7 in 1970; Manitoba, 2.5 in 1962 and 3.3 in 1970; Saskatchewan, 1.7 in 1962 and 2.9 in 1970; Alberta, 1.7 in 1962 and 3.1 in 1970; British Columbia, 3.9 in 1962 and 4.1 in 1970. These figures indicate a growth over the years. Ezzat Abdel Fattah draws the conclusion that this increase is no greater than the general increase that was occurring prior to temporary abolition.

In the February 20 issue of the *Brampton Daily Times*, there is an editorial headed "Death Penalty Demand Anti-Liberal Backlash". It reads:

Our readers have voted overwhelmingly for retention of capital punishment in some form.

A *Daily Times* survey now compiled and tallied indicates 73 per cent of those replying wanted retention of capital punishment as it was before the five-year trial ban and another 10 per cent wanted a limited form of capital punishment.

Any sort of liberalism which brought the ban into effect in the first place appears to have been dispelled, judging from the fact that only 17 per cent of those replying wanted total abolition of capital punishment.

It was clear while compiling results that our readers freely relate bail reform legislation and other liberalizing trends with capital punishment.

Quite frankly, we're not sure these can be related. However, it is clear that what is being said is that "enough is enough" and we're inclined to agree.

We would suggest that through abuses of current bail and penal legislation, Canada has sold out on its prerogative to abolish capital punishment.

We are not sure that capital punishment deters crime but we are now very certain that liberalized prison and bail procedures certainly don't. The general public, however, sees a parallel between the two areas in question and the cry is out for capital punishment.

[Mr. Dick.]

Considering the number of brutal murders of police officers and citizens generally, one can hardly blame the public for being incensed.

You may call capital punishment a "revenge" motive and point out that innocent people are hung, too, but it will do little to deter the tide of public opinion.

We think an alternative is to tighten the legal controls on bail and assure that sentences as they exist are carried out.

We would further suggest that if this were done, many capital punishment advocates might change their mind. On the other hand, the vote we received is undeniably clear . . .

Needless to say, our social order is in sad shape when the public cries for death but we understand the reasoning behind the cry and we would have to ascribe it to a situation where such a demand was predictable.

In discussing the pros and cons of capital punishment, one would be wrong not to consider facts lest one be carried away by strong emotion. Thus, when the facts suggest some conclusions which do not support a person's feelings, a great conflict might arise. However, we should look again at those figures and ask why there is a rise in the crime rate at all. Murder is the most glamourized of crimes, but other crimes are on the rise, even faster than murder.

If the liberal attitude taken in the last dozen years regarding crime and criminals had been the correct attitude, surely the crime rate would not be rising. Our leniency has led to a grave situation. The argument that abolition of the death penalty has not caused an increase in murders, especially when compared to other crime rates, cannot be fully accepted because our liberalism has led to a general easing of punishment for all crimes. Murder, as mentioned above, is only one portion of an overall horrendous picture. By retaining the death penalty and enforcing its use Canadians will be returning to a more common sense attitude. It is not so much the execution of the murderer but the self-realization that we are prepared to deal sternly once again with all criminals that will help society. As with the proverbial camel who has worked his head and neck into the tent, so it is with our leniency towards those who commit capital crimes. We must take a strong stand now.

The crime of treason against our country should never be removed from our statute books. Any one who commits treason against this country deserves the death penalty. Hijackers, who endanger the lives of hundreds of people, should not have a second chance because they do not consider the passengers on the aircraft or what this act means to society. If life imprisonment meant at least 25 years for those convicted of murder, whether it be a policeman, guard or any citizen, we could probably take a second look at this bill. However, there are those who consider that 25 years in prison is not humane punishment.

Those of us who served our country in World War II did so in order to protect our democratic way of life and to keep Canada a safe place in which to raise our families. There could be a much more humane method of execution than hanging, such as the electric chair, the gas chamber or the needle which we use on our pets when we put them permanently to sleep. However, since during the five year trial period the murder rate in Canada has increased, it is necessary to have a strong deterrent as well as a punish-