

afraid to go to the people. And yet they pretend to be the people's representatives. They tell us how much they like the people. But when time comes to consult Canadians on such a serious matter as capital punishment, the Solicitor General says: If capital punishment is not abolished, I will resign. I say to him that he does not even have the guts nor the slightest desire to resign because this is exactly what the people of Canada would want him to do right now. And I say that the people's attitude is not totally prompted by a desire for revenge, it is not so. On the contrary, they want to maintain capital punishment for the sake of justice.

**An hon. Member:** But it is for the protection of honest people.

**Mr. Caouette (Témiscamingue):** As I often said, we must determine whether society must be protected against criminals or criminals against society. This is the question we must ask ourselves today.

In the correspondence we get from Canadians of all regions we see they are in favour of maintaining capital punishment. Last fall, I attended hot line programs in Montreal, Edmonton and Toronto, and people were calling me from everywhere, asking me questions and giving me their views—

**Mr. Deputy Speaker:** Order, please. The hon. Minister of Justice on a point of order.

● (1630)

[English]

**Mr. Basford:** Mr. Speaker, I rise on a question of privilege. I understand that the hon. member has just attacked and commented on the absence from the House this afternoon of my colleague, the Solicitor General (Mr. Allmand). May I point out that while the bill is in his name I am here in the House as Minister of Justice representing both myself and the Solicitor General, who is in Montreal on parliamentary business meeting with various groups concerned with gun legislation, which is certainly no exhibition of a lack of courage.

[Translation]

**Mr. Caouette (Témiscamingue):** Mr. Speaker, I see some wise guys applauding over there. That does not change anything at all because the Minister of Justice is just as responsible for the bill as is the Solicitor General. The Solicitor General was here just 15 minutes ago with a motorcycle leather jacket, and was listening to the hon. member who spoke before me. If, on the other hand, the Minister of Justice wants to put on the hat, if it fits him, let him do so, I have no objections, but I want to continue my remarks and talk about the Solicitor General who will still have the right to speak when he comes back to the House if he is held up in Montreal today. Mr. Speaker, as I was saying, we received petitions, recommendations and suggestions from different intermediary bodies, and also from police forces. That the Minister of Justice knows, and so does the Solicitor General.

I have here, for example—and it is not so old, May 3, 1976, when the Metropolitan Toronto Police Association questioned 68,705 people and asked the question No. 1 in that letter. I believe that other members in the House received it also. It is a letter from Sid Brown, president of

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the Metropolitan Toronto Police Association. Here are the questions and answers. The first question is as follows:

[English]

Should capital punishment be retained only for the murder of on-duty police officers and prison guards?

[Translation]

The answers were as follow:

Yes: 4,855 No: 55,425

Not only for policemen and guards. Let us move now to question No. 2:

[English]

For the murder of any citizen during the commission of an intended or planned crime?

[Translation]

Capital punishment for those people. That is the answer of the public.

The public's answer: Yes, 55,374, to maintain capital punishment for premeditated murder; No, 8,516. That represents quite a large majority, almost 80 per cent and even more than 80 per cent.

Question No. 3:

[English]

Should the capital punishment issue be decided by a national vote of the Canadian people?

[Translation]

By referendum: Yes, 55,282; No, 3,444. So it is clear, Mr. Speaker, that those people here—the policemen's association—are in favour of maintaining capital punishment.

Question No. 4:

[English]

Are you opposed to capital punishment because of the method of execution used (hanging)?

[Translation]

Yes, 9,954 are against the hanging method but 44,258 who do not care about the way the murderer is executed, but about the execution of the murderer convicted of abominable, premeditated murder.

By the way, I might say here that we do not want to see capital punishment imposed as it was 50 or 40 years ago because at that time you ran the risk of hanging an innocent person, a man who was not responsible. But we say that in all cases of premeditated murder, when we are absolutely sure of the guilt, then capital punishment should be maintained. In all other cases we should have imprisonment sentences, but let no one suggest or make us believe that we are again going to hang innocents. The Minister of Justice knows what we mean and he knows that we absolutely refuse to hang any person when we are not absolutely sure that he is guilty. We do not want to take any risk. The case must be clear, obvious and definite.

Furthermore, we are not the only ones in this House to take a similar position. Montreal and Toronto newspapers take the same position too. However, some people in Canada do not behave this way, they go against the whole world: the Minister of Justice, the Solicitor General, the Prime Minister of Canada and some Progressive Conservatives. As for the New Democrats, they are always in favour of capital punishment. They are so illogical that they are in