

38 it is suggested, subject to further discussion, that motion No. 7 should be debated and voted on separately; motions Nos. 10 and 11 could be grouped for purposes of debate, and a vote on motion No. 10 would probably dispose of a vote on motion No. 11; motions Nos. 12 and 13 would be grouped for debate but voted separately; motions Nos. 21 and 22 would be grouped for debate and would be voted together; motion No. 23 would be debated and voted separately; motions Nos. 24 and 25 would be grouped both for debate and for voting; motions Nos. 26 to 32 inclusive would be grouped for debate with only one vote being required; motions Nos. 33 and 34 would be grouped for debate and one vote; motion No. 35 would be debated and voted separately, again subject to discussion according to the caveat that has been put forward; motions Nos. 36 and 37 would be grouped for debate but a separate division would be required on each motion; motions Nos. 40 and 41 would be debated and voted separately subject to comment; motions Nos. 42, 43 and 44 would be grouped for debate and vote, and motions Nos. 43 and 44 might depend on the result of a vote on motion No. 42; motions Nos. 45 and 46 would be debated and voted separately.

Those are general suggestions and as we move along, after hon. members have had an opportunity to reflect and we might have an opportunity to engage in further discussion, the Chair would be more than happy to receive suggestions on any particular question. It would appear there is ample work for the House between now and Monday and this will give hon. members an opportunity to bring forward suggestions.

Order, please. The hon. Solicitor General.

**Mr. Allmand:** Mr. Speaker, I have finished my remarks.

**Mr. Speaker:** The hon. member for Hamilton-Wentworth (Mr. O'Sullivan).

**Mr. Sean O'Sullivan (Hamilton-Wentworth):** Mr. Speaker, last night in this House I had the honour to second the amendments put forward by the hon. member for Oxford (Mr. Halliday). He is an abolitionist and I am a retentionist. Last night he spoke to these amendments on the basis of compassion. I should like to speak as a retentionist, and as one who, while he might not be so presumptuous as to lay claim to the virtue of compassion might say at least that he aspires to it. It is on the basis of compassion that I support these amendments and urge abolitionist and retentionist alike to join in supporting them.

These are very straightforward amendments, three of which will allow inmates in particular circumstances to elect for the sentence of death by himself choosing it. Of course it would have to be carried out by the state but there is this essential difference which allowed Mr. Speaker to rule these amendments in order. The fourth amendment is conditional upon the other three and has to do with the means of capital punishment.

It might be said that my support for these amendments goes back some time even though they were only introduced yesterday. It goes back to the summer of 1973 when I was a member of a subcommittee of the Standing Committee on Justice and Legal Affairs which was established to investigate the Canadian penitentiary system with particular reference to the matter of escapes and the need for

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security. Other members of the House who participated were Doctor Reg. Stackhouse, who was then the member for Scarborough East, the hon. member for Kingston and the Islands (Miss MacDonald), who was co-chairman with the hon. member for Louis-Hébert (Mrs. Morin), and two other Liberals, the hon. member for Argenteuil-Deux-Montagnes (Mr. Fox) and the hon. member for Longueuil (Mr. Olivier). I was privileged to serve on that committee along with the hon. member for New Westminster (Mr. Leggatt), and although a member of the Social Credit party was named I do not believe anyone actively participated.

We travelled from the Maritimes to British Columbia looking into the situation. The subcommittee was set up because my colleague, the hon. member for Burnaby-Richmond-Delta (Mr. Reynolds), recognized a failure in the Canadian penitentiary system to provide adequately for the security of the Canadian population as was shown by the number of escapes which occurred. He moved a motion during the minority parliament to establish a subcommittee to investigate the Canadian penitentiary system, and the motion was accepted by all parties.

I have mentioned the people who served on the subcommittee, Mr. Speaker, and none of us had any professional experience within institutions. For all of us, therefore, the experience was an eye-opener, and I want to place on the record today some of the experiences we had so that I can put forward the case of compassion and of human decency in support of the argument of the hon. member for Oxford that his amendments to the bill should carry.

I should like to quote from a report of the hon. member for Argenteuil-Deux-Montagnes to the Solicitor General in which he stated:

In spite of the fact that the subcommittee had begun its work with much energy and vitality, the subcommittee was not able—due to the magnitude of the task it was entrusted with—to complete its work within the period set by the House of Commons. Subsequently, the co-chairmen of the committee . . . have attempted to obtain an additional delay which would have enabled us to complete our work and submit a report to the House, as a committee. Unfortunately, the co-chairmen were not successful in obtaining this.

Along with the hon. member I regret that we were not allowed to report to this House because we had put together individually, and we had hoped collectively to give in a committee report, documentation of the serious situation which faced the Canadian people if measures were not taken to protect them adequately, and also the serious situation within the prisons. The prisons offered no hope for those inside, and very limited protection for the innocent Canadian population on the outside.

I think of the impressions of the beginner and I refer to the words here of the hon. member for Argenteuil-Deux-Montagnes which I think every member who saw the prisons would go along with. We visited the prisons without prior notice; we just knocked on the door and announced ourselves. He said that his very general observations were based on the first impressions of a beginner where visiting prisons is concerned. He went on to say this:

● (1520)

If Lord Durham in his famous report came to the conclusion that in Canada there were "two nations warring in the bosom of one country", one has partly the feeling that in the Canadian penitentiary system there are not two but three factions whose relations, if they cannot be