

### Capital Punishment

they want is security for themselves, their families and their communities. Large numbers of Canadians today are, I believe, very fearful for the safety of themselves and their loved ones. They want to make sure that never again shall a murderer commit the crime of murder. They want measures to be taken which will ensure that murderers are not turned loose on the community. To my mind, this is the big problem with which the Justice Committee will have to grapple when the bill before us reaches it. It seems to me that the committee might very well be examining a number of aspects which can not be adequately considered by this House in the time we are able to spend on the matter.

Speaking for myself, I should like to see the complete and final abolition of capital punishment. Reasons in favour of this point of view have been advanced by many speakers. I wish to summarize those which have influenced me most. First, figures fail to prove that capital punishment is a deterrent to murder. During the past five years, in Canada and elsewhere, crimes of violence have increased but the rate of murder has not increased. Second, practically every country in the industrialized world has abolished capital punishment. Third, there has been no hanging in Canada since 1962. The people have proven thereby that they have no desire to watch this cold-blooded taking of life; increasing numbers of people do not want it to be done, even though they are not called upon to watch it being done. Nobody can tell me that if the Canadian people overwhelmingly wanted to bring back hanging, the federal government would have been able to get away without executing a single individual since 1962.

The fact is that we, as a country, have outgrown hanging and capital punishment generally, as a means of dealing with murderers. Fourth, hanging will not bring a murdered person back to life. Instead of killing the murderer it seems to me it would be better to keep him securely imprisoned, put him to useful work and use his wages to help the family of the victim. In this way, he would be enabled to make a small measure of restitution to those whom he has deprived of a loved one. Fifth, in a world of large-scale violence such as ours is today, it merely escalates that violence when the state retains this survival of violence directed at an individual. Surely, the best way to inculcate respect for human life is to refrain from taking it in the name of the law.

For these reasons, I have long been in favour of the abolition of capital punishment. Speaking in this House in 1966 on a joint private member's bill before the final legislation was brought in, I made my position very clear. When the government, in 1967, brought in its legislation providing for a five-year trial period during which capital punishment would be abolished, I supported it. I shall do the same thing now.

It may be that we will require yet another trial period before we are ready to abolish the death penalty altogether. As the Minister of Justice (Mr. Lang) said yesterday, because some members are not in favour of doing away with capital punishment, there may have to be some exceptions made in order to establish the principle of abolishing capital punishment. If we cannot have a clear abolition bill passed, then I am prepared to accept abolition on the instalment plan. The main thing I want to

make sure of is that when capital punishment is finally abolished, it is abolished forever because we have proved that we have outgrown it. I was greatly heartened by the speech of the Parliamentary Secretary to the Secretary of State (Mr. Marceau) who yesterday made his position on this matter very clear.

What I think is required now is a quiet, dispassionate study of the best way of dealing with murderers in view of the over-riding need to protect society. Certainly, the House has given every demonstration of its concern to keep not only murderers but those who commit crimes of violence away from society. This chamber has, for days and weeks, heard the words of people who have been attacking the inadequacy of the present parole system and the detention of people in our prisons. I am very glad that the Solicitor General (Mr. Allmand) has announced he is prepared to hold an inquiry so as to improve the situation. The Canadian people do want more and better protection against people who have committed crimes of violence, and particularly against murderers.

In this regard I think the British experience has been very interesting. In 1949, the British government set up a royal commission to look into capital punishment in all its aspects, a commission which reported in 1953. Before that commission began its work, its chairman, Sir Ernest Arthur Gowers, was a supporter of capital punishment. During the life of the commission he became an abolitionist. Having travelled to other countries, had witnesses before him and studied documents and papers over a period of four years, he became convinced that he should become an abolitionist rather than a retentionist. I commend such a period of study to people like the hon. member for Burnaby-Richmond-Delta (Mr. Reynolds), the hon. member for Scarborough East (Mr. Stackhouse) and others who have studied the subject for a much briefer period and are retentionists. I think that if they extended their studies and examined documents, facts and figures, travelled to other countries and heard witnesses whom they could question, perhaps in the end, like Sir Ernest Arthur Gowers, they too would decide that retention was no longer good enough in this modern world in which we are living.

Capital punishment was abolished in Britain in 1965 for a trial period of five years. It was abolished permanently in 1969 at a time of some peculiarly horrible murders. In fact, one of the long-time supporters and advocates of abolition was opposed in a general election by a close relative of one of the victims of a very horrible murder, and to the ever-lasting credit of the British people and their maturity, this man was returned to his seat in parliament. Capital punishment was abolished permanently, as I say, in 1969. This year, 1973, an attempt was made by a private member to restore the death penalty in Britain and he brought in a bill to that effect. This bill was decisively defeated. There has not been a hanging in Britain since 1964.

Many community organizations and most of the major churches in Canada are opposed to capital punishment. They call for research into crime and its deterrence. There was a very eloquent article in the *Globe and Mail* this morning which quoted what Mr. Pearson, when he was Prime Minister, said on this subject a few years ago. He