

Capital Punishment

debate that hon. members now seek to resume. The hon. member for Esquimalt-Saanich (Mr. Munro) said then:

If we remove that ultimate penalty, we will have filleted our nation. We will have removed its backbone and removed from our citizens the will to stand up and defend our way of life.

Has that happened? The hon. member for Red Deer (Mr. Towers) said that "Canada will become a haven for criminal activity". The hon. member for Lisgar (Mr. Murta) said that "Capital punishment is necessary if we are to prevent civilization from becoming more brutal and lawless". The hon. member for Brandon-Souris (Mr. Dinsdale) said:

Communities of senior citizens (could be) forced to surround themselves with electrified barbed wire fences patrolled 24 hours a day by security guards in order to keep out marauders and potential criminals.

I recently opened a senior citizens' home in Edmonton in the constituency of the hon. member for Edmonton West (Mr. Lambert), who also had fiery words on the subject five years ago. There are no barbed wire fences around that senior citizens' home or guard dogs, even though they had advance warning that I was coming. On another line, an important point made by several members but perhaps most emphatically by Arnold Malone—

Mr. Clark: "The member for Crowfoot".

Mr. Kaplan: He is not in the House now.

Mr. Clark: He certainly is.

Mr. Crosby: It was Horner who was defeated.

● (1600)

Mr. Kaplan: He said this:

If you weaken the protection afforded to the police forces of this country, it goes without saying that when policemen act under duress, people will be killed. Policemen will obviously want to feel secure and, not having the protection of the law, will shoot first and ask questions afterwards.

Later he said:

If this amendment is not passed, capital punishment will not be done away with. It will be simply a case of the due course of law not being followed. Police officers and prison guards in this country will, in more rapid succession, be using their weapons in self-defence. The result will be capital punishment without trial.

The available evidence indicates that the words of the prophets in this case were widely mistaken. The trend in homicides, as the Leader of the Opposition (Mr. Clark) indicated, since 1975 has undoubtedly been downward. The actual over-all homicide rate over that period has declined from 3.07 per 100,000 to 2.48 today. Even more encouraging, however, is the information on murders committed during that same interval. In 1975 the murder rate in Canada had reached an all-time high of 2.79 per 100,000. Today that rate has fallen by about 25 per cent to 2.06. Yesterday, as was mentioned, data for 1980 were released by Statistics Canada, and last year alone the decline in the murder rate was equal to 17 per cent.

Let me interject because I want to speculate without being able to demonstrate. I hope that an analysis will be able to show that the tough gun control legislation we introduced a

few years ago, and which is now in its second year of operation, had something to do with that rapid decline in the murder rate last year.

Some hon. Members: Hear, hear!

Mr. Kaplan: I know that gun control law is hard to live with, that it has a lot of red tape associated with it, and that it has a lot of nuisance associated with it, but even with that I hope the trend we are seeing toward less lives being lost will be taken by hon. members to justify it.

This trend toward reduced homicides can be seen everywhere. In our three major metropolitan centres, for example, between 1975 and 1978 the murder rate fell from five to 2.4 in Montreal, from 2.2 to 1.8 in Toronto, and from 4 to 3.2 per 100,000 in Vancouver. In every single province except British Columbia both the 1980 homicide rate and the 1980 murder rate were below 1975 levels. These figures are encouraging signs and they are good news for all Canadians. They stand in stark contrast to many of the intemperate predictions that were made in this House five years ago.

The Canadian experience over the past few years argues eloquently against the reintroduction of capital punishment in the absence of any decisive evidence. Given that deterrence is a moot point, is there anyone who, in the face of this data, can stand and state unequivocally that the law as it now stands has served Canada badly? What so many feared has not happened; what so many predicted has not taken place. Even if we only focus on murders of policemen, where numbers are so small that the statistics are unsteady, the average rate over the past five years is lower than in the preceding five-year period. The facts tell us that in all categories of homicide, not only have the rates of the crime fallen, but the absolute number of incidents has dropped as well.

I do not want to leave the members of this House with the impression that there are no problems related to the status quo. There are problems relating to the managing of the 25-year "lifer" population who refer to themselves, recognizing the statute of 1976, as the "C-84s". We currently have 148 prisoners serving first degree sentences and an additional seven with second degree convictions with a minimum parole eligibility term of 25 years. At this point, after a year as Solicitor General, I have met most of these individuals and I have had an opportunity to talk with them. There are 20 who are women, and in the male population, as well as the women, it is settled that they are far from necessarily being the most dangerous inmates. The problems guards have in maintaining order and security are directed to some of this group, but certainly not to all of them, and their elimination from the prison population would not significantly alter the problems of security and order that exist in our penitentiaries. They include some of the most dangerous, but they are not all the most dangerous and far from it. Many of them, nearly half, are individuals who have had no association with crime before having committed their murders. Their murders involved individuals they loved, hated or worked with, and their appear-