

Criminal Code

abolished, rather than to help reach an unbiased conclusion. The statistics they have given were chosen to show that capital punishment has no deterrent effect; but these people have not given any statistics on crime in general.

In my opinion crime statistics do not offer proof either for or against, and it is easy to assemble statistics in such a fashion as to prove capital punishment is or is not a deterrent. For example, it can be shown by statistics that five states which have the death penalty have a lower ratio of murder per 100,000 population than the state of Michigan, which does not have the death penalty. For example, Massachusetts, including the large city of Boston, had a ratio of only 1.3 per 100,000 population compared to the state of Michigan, in which is included the city of Detroit, and which had a ratio of 4.5.

It can also be shown that the state of Ohio, which has capital punishment, has a ratio in total crime offences of 838.9 per 100,000 population, compared to the neighbouring state of Michigan, which has no death penalty, but has a ratio in total crime of 1,348.6, and is close to 40 per cent higher; while the state of New York which has a ratio of 1,289.7 per 100,000 population is lower than the ratio of Michigan, and New York state has capital punishment in force. Therefore statistics could be used to prove that it has a deterrent effect on murder and crime in general.

Statistics are unreliable and misleading, and cannot be compared from state to state, country to country, or continent to continent because of differences in nationality, religion, politics, and their social and economic make-up. Literature which we have received from many of the religious authorities has included a great many quotations from the Bible to support abolition and also to support retention, and thus there is confusion.

In Great Britain since the abolition of capital punishment, crime in general, and murder in particular, are at an all-time high. British Bobbies who traditionally never carry a revolver are now taking marksmanship courses and may be obliged to carry arms in order to protect themselves. At present a petition is being signed by thousands of British citizens demanding that parliament restore capital punishment.

In 1961 the Canadian Criminal Code was amended to classify murder as capital or non-capital. In Canada murder is capital when it is planned and deliberate, when it is committed in the course of certain crimes of

violence, and when committed upon a police officer, a prison warden, etc. . . . Otherwise murder is non-capital in Canada.

It is strange that whenever there is a bloody murder the names of the victims and the problems of their widows, families, children, mothers, fathers, sisters and brothers are completely forgotten. But the murderers' names like Marcotte, Mathew Kerry Smith, Leopold Dion, Phileas Oscar Letourneau, Fournel, Jack Graham, etc., are publicized and remembered by all. But society completely forgets the names of the victims and their relatives who have suffered so much.

Many hon. members have argued in favour of the abolition of capital punishment because of their fright at a possible error in judgment resulting in an innocent persons' being hanged unjustly. They say it is better to let 50 guilty murderers live than let one innocent man die, but the abolition of the death penalty may still send an innocent man to prison for life, and there is the other argument that only the rich can afford a proper defence while the poor usually hang. They also make no attempt whatsoever to correct this machinery which is supposed to make errors.

I submit, Mr. Speaker, that since the state provides public prosecutors and a police force to solve and investigate crimes of murder, it should also provide for the accused a public defender who would have a staff of investigators, so that no stone be left unturned. I also submit that before any sentence of death be decided by a judge, the Department of Justice, with a specialized staff, could scrutinize all evidence in order to submit to the judge that, to their knowledge, and opinion, there is no doubt, or that there may be a possible doubt. Further, when there is a death sentence there should be an automatic appeal whether requested or not.

I cannot comprehend the attitude of so many who have so quickly forgotten the victims and their families and have so readily gone to bat for the murderers, the persons who have coldbloodedly killed innocent storekeepers, taxi drivers, police officers, bank managers and little children. These abolitionists are ready to say to a murderer, "You have been a bad person; now stay in that corner for life"—whatever that means—"and we will provide you with a life pension, with food, bed and clothing, and recreational facilities and, who knows, maybe after 20 years we will be able to rehabilitate