

and some accused cannot afford distinguished criminal lawyers.

Mr. Speaker, I do not want to suggest that a legal aid lawyer is not efficient on the contrary. I also know distinguished criminal lawyers who made their services available to penniless accused.

However, if only one alleged murderer was condemned to death because his financial means did not permit an adequate defence, I think that it is already unacceptable in a civilized country such as ours.

The third and last reason is that it is not a deterrent. Over the years, the statistics have demonstrated many times that the death penalty is not a deterrent. In fact, since it was abolished in Canada, the number of murders has not increased, and the American States which have renounced capital punishment have the lowest homicide rates in the United States.

The Association of Canadian Criminologists, made up of over 500 lawyers, shares this view. It states that a murder is often the result of an unexpected event, that it is committed on the spur of the moment, while the murderer is being carried away by passion.

I share its view that capital punishment as a deterrent is quite secondary, not to say irrelevant in most cases.

[English]

Is the fear of punishment an act of deterrence? No, not in Canada where we have had no executions for the last 25 years and where in actual fact first degree murder has declined by 25 per cent based on the statistics we have just heard.

[Translation]

It goes without saying that I could go on for quite a while developing my reasons for opposing the reinstatement of capital punishment. I urge those who do not share my view to consider honestly the recent decision of my friend the Hon. Member for Bourassa (Mr. Rossi) and wonder with him whether we should not rather review our penal system.

Instead of advocating a solution as radical and final as capital punishment, should we not reconsider seriously the administration of justice? Should we not make sure that the sentences are fully respected? That parole is granted more sparingly? What is needed is a system before which all are equal, a system where judges make the most equitable rulings possible. This review of our judicial and penal system should take into account the motives leading to crime: frustrations, disillusionment, unemployment, poverty, discrimination, distress, etc., and should try to support and encourage all those who are desperate to the point of murdering their neighbours.

We should not overlook the prisoners about to reenter society. We should help them more while they return to their community by providing them with adequate supervision and the psychological or psychiatric treatment which are often necessary if not essential to a successful return to normal life and the labour force.

### *Capital Punishment*

It is through constant prevention and rehabilitation efforts and not through capital punishment that we will reduce crimes in this country. This way, Justice, whether or not with a capital J, would be better served.

[English]

For me, Mr. Speaker, voting for capital punishment is not done out of a sense of justice but rather one of vengeance. A vote for premeditated state killing or state murder is odious and offensive as well as unacceptable. I have not been persuaded by any of the arguments. God forbid that this committee be formed, but if it is I say to it, do not kill for me.

**Mr. Oostrom:** Mr. Speaker, I commend the Member for a very fine speech. I have a few questions for her. She mentioned that there is not ample time to discuss this issue. The joint committee may find no circumstances in which capital punishment would be justified. After the committee reports, we will have months and months to debate the issue. I would like to hear the Member's comments on that.

The Member knows of the Nuremberg trials held in Germany for the atrocities committed during the Second World War. If such a thing were to happen again, would she not recommend another such trial and the death penalty for those who committed atrocities on innocent people during a war? Six million Jews were killed, Mr. Speaker.

The Hon. Member may remember that at the Olympics in Germany a group of young Jewish athletes was killed. We are going to have the Olympics in Calgary next year. If such a thing were to happen here, would she not be in favour of the terrorists being killed for their actions?

**Mrs. Finestone:** Mr. Speaker, the Hon. Member has asked a series of questions. With regard to the kind of actions the state shall undertake if we pass this motion, the committee will not have to decide whether we will execute if the motion is passed. The question will be that of how we should execute and who we should execute.

I would like to bring to the attention of my friend and colleague remarks which were made by some students who were visiting here last week. I must say that it shook me to my roots. One of them said, "Mrs. Finestone, I understand that you are in the midst of a debate on capital punishment". "Yes", said I, "and what do you think?" "Well", he said, "I do not quite understand. You are supposed to be trying to decide whether you should fry, hang, or inject. What is the shake and bake all about?"

When I hear young people ask questions in that way, I know that it is time to ask questions about what we are doing about the organization of the education of our youth. Why are we not spending our time addressing the violence in this society and how we can promote a different lifestyle? Why are we not addressing poverty, lack of education, jobs and job-training? Why are we wasting our time on this silly kind of non-constructive approach to this problem?