

*Amendments Respecting Death Sentence*

policeman come along and been killed, the accused, on conviction, would have been sentenced to death. What kind of nonsense is this?

Taking my argument further, section 436 of the Criminal Code reads:

Any one may arrest without warrant a person who, on reasonable and probable grounds, he believes

- (a) has committed a criminal offence, and
- (b) is
  - (i) escaping from, and
  - (ii) freshly pursued by, persons who have lawful authority to arrest that person.

The provisions of sections 434 and 436 are almost identical. In other words, to come to grips with the subject quickly, if a person who accepts his responsibilities under the Criminal Code arrests someone who is committing an indictable offence and is killed, the murderer, under this bill, will be sentenced to life imprisonment. On the other hand, if the accused kills a policeman, he will swing.

• (8:10 p.m.)

The Solicitor General said the only way in which he could get this bill through the house was by moving it in its present form. I say to the abolitionists that for those who really want to abolish capital punishment, this bill is a hoax. The minister is telling us, in effect, that he has had to play ducks and drakes with the House of Commons by getting the bill drafted in such a way that if a person kills a police officer, and is found guilty of capital murder, he receives the penalty of capital punishment, whereas if he kills a civilian who is doing the same job as a policeman, the penalty is life imprisonment. Hon. members opposite have created second class citizens; that is what they have done.

The Solicitor General knows I have a great deal of affection for him, and I respect his sincerity and his honesty. But he is telling us, in effect: I know this is a bad bill, but I cannot get it through unless I put these tit-bits in to win over retentionist votes. I say he and his friends are making a complete mockery of justice. This is the strongest argument I can make. If there is any moral, legal or logical idea in this bill in favour of singling out any particular class, then it is right to follow the same course with respect to everyone taking on the same responsibilities. Let us have no second class citizens in Canada.

**An hon. Member:** Question. You are wasting your energy.

[Mr. Woolliams.]

**Mr. Woolliams:** I may be wasting my energy, but it is time someone stood up and said these things. I voted against abolition, but I would prefer to vote for complete abolition rather than vote for the bill before us, because it is a bad bill and it makes a complete mockery of justice. The only reason the Solicitor General and his friends will vote against this amendment is that they want to pilot this bill through, no matter how bad it is and no matter what it does to the administration of justice.

Surely, when we are dealing with a matter as important as the administration of justice we ought to be men of principle, men of sincerity. If hon. members opposite believe in abolition, let them be sincere in expressing that principle. This is a democracy. If a bill in favour of abolition goes through the house I am prepared to accept it 100 per cent. But I would prefer to see complete abolition, than support a bill the effect of which is to throw out a few crumbs with the object of getting it through. Does not this prove what I said at the opening of this debate? What the government is really doing is this: It attempting to legalize what it has done illegally. It is designed to help the consciences of hon. gentlemen opposite. Justice cannot be administered on this basis; I say this in all seriousness.

We criticize what is going on here and there among young people today. If there is anything wrong it is we who are responsible. As long as we implement such laws as this in parliament, how can young people have any respect for parliament or for the Prime Minister or for the Solicitor General? We have made a mockery out of justice and we are responsible if we fail to invest law and justice with the dignity they deserve. We are in danger of eroding the morality upon which a great democracy is built. This is so important that I have decided to say a few words about it tonight.

**An hon. Member:** About democracy?

**Mr. Woolliams:** The hon. member is a friend of mine. I did not think he would want to heckle me while I am speaking on this important subject. I realize he is an abolitionist and I respect his views. He is in favour of complete abolition and I know he would want good laws.

What the Solicitor General is arguing is still worse. It is likely to bring society down to a level which we would all abhor—a women murdered in broad daylight on the