

*Capital Punishment*

Such votes as these are called free votes but, in my opinion, there is nothing free about them at all. The entire onus for such decisions rests on the shoulders and the personal judgments of individual Members of Parliament. Each Member of the House cannot look to Party policy as a guide in voting, nor indeed as a means of justifying the decision he or she makes. One must stand on his or her own judgment after considering and stating the merits of one's case.

There are many people who are telling us to vote for abolition. There are many people who are telling us to vote for the reinstatement of the death penalty for first-degree murder. It is my firm conviction that most of the people who are demanding the return of the death penalty are doing so because they are frustrated with the perceived or real view that the administration of justice as it pertains to first-degree murder is not being carried out to their satisfaction.

During the last debate on this issue, after which I voted for retention, we were told that a life sentence would mean 25 years without parole. That has not been the case. Many people across the country feel that prison life is too soft for the convicted and that they are out on the streets and in the countryside too soon. They are telling us that if the Government is not willing to tighten up the system and make the law mean what it says, then they want the death penalty reinstated because they see it as the only other alternative.

I have told abolitionists time and time again that if they win this vote tonight by defeating the resolution before us, they will rejoice, but it will be an incomplete victory. It will be an incomplete victory because the Government, through this inadequate resolution which is before us, has totally failed to attack and to correct the real problem facing the administration of criminal justice in Canada, which is the need for tightening up the procedures dealing with the incarceration and administration of procedures relating to first-degree murderers. If this action is not taken it will only be a matter of time before this very same issue will once again be back before Parliament. Therefore, the onus is on every Member of this House to ensure that we take action, regardless of how the vote turns out tonight, so that the administration of justice pertaining to first degree murder is carried out and means what it says.

• (1310)

All it will take is another serious case of murder to start off the demand once again for the reinstatement of the death penalty. All it will take is another serious parole issue to condemn the present system further and convince people that the system is not working or protecting Canadian citizens.

If those who support the reinstatement of the death penalty win the vote tonight a 15-person committee will be set up to decide which types of first degree murder will warrant the death penalty and what the method of death will be. This may satisfy the strong capital punishment supporters, but it will not solve the problem because the system is not being repaired by

this resolution. I am certain that if the death penalty is reinstated tonight no Government will allow a death penalty to be carried out. That is the crux of this whole debate.

Let us consider that point very seriously because it is the basis of my thesis. There are three political Party Leaders in this Parliament, all of whom are very strongly confirmed abolitionists. I cannot see any one of them leading a Government which would allow a death sentence to be carried out. The Prime Minister of Canada (Mr. Mulroney) and his Cabinet have the constitutional right to commute a death sentence to life imprisonment.

As I said, I have voted for retention four times since coming into this House. The first vote retained the death penalty and the next two retained the death penalty for the murder of police officers and prison guards. However, I emphasize very strongly that no one has been put to death for murder in this country since 1962. That backs up the statements I have just made.

I have voted retention on this issue every time it has come up in the last 21 years. I remember the vote to abolish capital punishment which took place in Parliament shortly after I arrived here. That Bill was defeated on a free vote. The Solicitor General of the day was the Hon. Larry Pennell. I remember how terribly disappointed he was at that time. He then introduced a Bill for the reinstatement of the death penalty in cases of murder of police officers and prison guards. I supported that compromise measure and it was passed. I point out again, however, that no one was ever put to death under this legislation. Death sentences were commuted.

I am convinced that those who believe they will have won a victory if capital punishment is reinstated tonight will learn that they have not won a victory at all because the present Government and any future Government will commute death sentences. I will be surprised if anything different happens.

What is this debate all about then, Madam Speaker? Are we to vote for something if we believe it will never happen? I think I would be somewhat insincere if I did that. Or are we to vote against it and ensure that a life sentence means what it says, that the work ethic be upgraded in our prisons in order that first degree murderers, among others, must do useful and productive work to help pay for their expenses? If we consider it cruel for a prisoner to do an honest hard day's work in prison to pay for his or her keep, then we are being cruel to every Canadian citizen we expect to get up every morning and go to work.

I have attempted to formulate an amendment to this Bill which would provide for a 15-member special parliamentary committee to be appointed. Such a committee would proceed with an in-depth review of the parole system, the work ethic in our prisons, the so-called rights and privileges of first degree murderers in prison, and all other procedures related thereto. Such a committee would be charged with the responsibility of making a report recommending tougher provisions for the