

Capital Punishment

defence. Is the Prime Minister suggesting it is all right to take another person's life in self-defence, and that somehow it is wrong if a police officer apprehends that person, brings him to justice and he is finally convicted and executed? Is he inviting people literally to take the law into their own hands, or to arm themselves, in the sense that if they are to be attacked they can do no wrong so long as it is simply in self-defence? This philosophy frightens me.

I believe public opinion in this country indicates that the public wishes the retention of capital punishment at least for certain crimes. Canadians do not want to see a sort of self-justice encouraged in the country. I believe it is an integral part of the judicial system that there be a penalty for the most heinous or evil crimes which may be committed. It is very easy for members to sit in this House in their comfortable chairs and speak on this subject in academic terms. However, I can assure members that if they had been at the scene of a crime, as I have, and if they had seen the victim of a murderer lying on the street bleeding to death, and had seen the risks the police officers took in bringing the person who committed the crime to justice, very few of them would stand up in this House and suggest there should be complete abolition as has been suggested here.

To those who have played a part in commuting death sentences, may I say it would be wise for them to read their own publications in which cases are cited number by number indicating actually what has transpired in respect of the crimes in which the death sentence has been commuted. Let me read some of those cases in which the death sentence has been commuted. For example, there is case No. 27, of July 18, 1969. It reads:

The killing took place in St. Boniface, Manitoba, and the victim was a police constable who was responding to a burglar alarm at a local store. When he stepped out of the cruiser car he was shot by one of the hold-up men. Four men were charged with capital murder. Three men were convicted of non-capital murder and sentenced to life imprisonment. The fourth man was convicted of capital murder but his sentence was commuted to life imprisonment.

Then we have case No. 28, of August 23, 1969, which reads:

This killing took place in the town of Sandwich West, Ontario. The victim, a police constable, Sandwich West police department, was responding to a call concerning domestic complaint. As he approached the residence of the accused, he was shot and killed. There were three shots fired into the victim. Two other Sandwich West police constables who went to assistance were also shot by the accused and wounded. One member lost sight of one eye and the second suffered the loss of a lung. The accused, age 24, was arrested and charged with capital murder. He was found guilty and sentenced to hang. Sentence was commuted to life imprisonment.

I could continue reading the various cases in which commutation has been allowed. I feel it is a very sobering thing for a moment to start thinking about the victims who were involved in the various crimes. Basically, however, I want to put on the record, as I indicated, that I believe there is a place in our criminal process for the death penalty.

I do not believe the government is being fair with the people of Canada. The government has introduced a bill which it thinks perhaps caters to both sides. It looks as if

[Mr. Stevens.]

it is retentionist, yet the government does not seem to have an honest desire to bring in retentionist legislation. To that end I feel this bill, if it should receive second reading—and I sincerely hope it will not—should be amended at the committee stage so that crimes which are punishable by death include others in addition to those suggested in this bill. My hon. friend in the NDP indicated that he thought it should include pickpocketing. I would point out to him that certain communist countries have included that offence under capital punishment as well as various other economic matters.

Let me summarize my proposed amendments. I would point out that in my opinion it is necessary that the law with regard to the death penalty should apply where a person causes the death of a human being while committing or attempting to commit rape. This was included in our law until a few years ago. I believe there should also be provision for the death penalty where a person causes the death of another while committing or attempting to commit an offence under section 24 of the Criminal Code, which is the kidnapping section. I believe it should apply where a person causes the death of a human being while committing or attempting to commit a crime under section 76.1 of the Criminal Code, which is the section on skyjacking.

● (2050)

I also believe it should be applied in respect of any person who counsels, procures or incites another person to commit murder, whether or not the murder itself is punishable by death. I do not propose those amendments, Mr. Speaker, because I understand it is virtually impossible for me to propose them at the present time, but should the bill be passed into committee I hope at that stage to be able to raise them.

In short, as I mentioned at the beginning, I am the ninetieth speaker on this subject. I feel that it is to the credit of my party that I am its forty-third speaker so far. I also wish to point out that speakers from the Social Credit party have been 11 in number, from the NDP 15, and from the government party 21. In short, I believe that this bill should be voted down, be you an abolitionist or a retentionist.

Mr. Knowles (Winnipeg North Centre): Mr. Speaker, I wonder if the hon. member for York-Simcoe (Mr. Stevens) would mind accepting one question. When he gave a list of countries which he said were all the countries in the world that were abolitionist, how come he missed the United Kingdom?

Mr. Stevens: I spoke today to the person who prepared the report for the United Nations in New York. I asked him to give me the up to date list as to which countries they tabulate as being those that did not have capital punishment in their system at the present time. He gave me that list. I specifically asked him about the United Kingdom and he said it still had capital punishment for certain crimes, I believe one of them being treason and other crimes of that nature.

Mr. Knowles (Winnipeg North Centre): Has the hon. member checked with the authorities in the United King-