

Criminal Code

• (6:00 p.m.)

[*Translation*]

Mr. Clément Vincent (Nicolet-Yamaska): Mr. Speaker, it is with a great deal of serenity that I rise this afternoon, to take part in the discussion which is to end tomorrow night, not as a representative of the New Democratic party said a while ago, but by a vote for or against the abolition of capital punishment.

Right away, Mr. Speaker, I must say that I am in favour of retaining the death penalty in our statutes and opposed to life imprisonment, that is, imprisonment until death, and I shall try to give my reasons in the next few minutes.

I do not want to take more than the time allotted me but I would like to say that since the beginning of this debate, and I was here all the time, only one member was refused more time and unfortunately he was in favour of retaining the death penalty.

For a great many years, a public debate has been going on in Canada on the possibility of removing from our statutes the death penalty imposed as punishment to people found guilty of capital murder. Since 1961, the criminal code provides for the death penalty in the case of people found guilty of qualified murder, that is premeditated murder. Since 1961, no one under 18 can be accused of capital murder under the law. Right away, we must eliminate from this discussion the case of young Truscott. Since 1961, any person convicted of capital murder can benefit from an appeal to the mercy of the jury or the judge; he can also benefit from the fact that his case is referred to a higher court and, finally, the accused found guilty can benefit from the fact that in the last resort the cabinet can exercise the royal prerogative and commute the sentence into a sentence of life imprisonment which, in fact, is a sentence of 15, 20 or 25 years.

Someone mentioned a little earlier the case of a man from Longueuil, Mr. Bernard Chartier; I found that case terrible, especially when it was discovered that a mistake had been made. Well, I do not think, Mr. Speaker, that capital punishment is at fault if a man in Montreal was falsely accused of a crime he did not commit. A mistake was made, I do not know by whom, but certainly not on account of capital punishment.

On one side, we have the abolitionists and on the other the retentionists or those who are in favor of retaining the death penalty, as it exists today. The abolitionists favour the

abolition of the death penalty in the case of capital murder. When I talk of capital murder, I think of the tragedy at Sault-aux-Cochons.

On that occasion, Guay Ruest Pitre had premeditated the explosion of an airplane, killing 20 of 23 passengers.

There are those in favour of abolishing the death penalty even in the case of the murder of police officers on duty. It happened that police officers were murdered while on duty. The abolitionists tell us that they favour abolishing the death penalty in the case of murders of prison guards. I will not give any examples, because I want to be as brief as possible. And, there are those who favour abolishing the death penalty in the case of murders committed by the underworld or crime syndicates. Recently, we read in the newspapers that the bodies of people killed by the underworld were found in our region. They had been buried four feet underground and covered with quicklime.

There are also those who favour abolition of capital punishment and who, for several months now, have been carrying out a well organized campaign to ensure that their views prevail. Their intentions are good and, in the course of the debate, I have admired the arguments they raised in good faith. On the other hand, those same people accuse us of being barbarians with the poor victims who have to pay the consequences of their premeditated acts. They talk of barbarism and yet those same people who favour the abolition of capital punishment speak of life imprisonment, that is imprisonment till death.

Does that mean that life imprisonment is even more severe a penalty? I said I was against inflicting that punishment upon a human being: You will be imprisoned till death; we are denying you any hope of ever being a free citizen in this land.

When 30 or 40 years behind bars are involved, can you imagine the moral agony of the convict? In many cases, repentance will give way to a deep hatred for society, and anger will seize the convict, drive him to despair and even to suicide. Convicts have been known to commit suicide after being condemned to rather long confinements. When abolition of the death penalty is recommended, to be replaced by life imprisonment, is the condemned really being treated more humanely? Is his freedom not being denied him little by little?