

Let us examine some of the provisos that have been proposed in the Bill before us today. It is the Hon. Member's intention that there be very selective use and careful measures taken. He referred to 100 per cent reliability. I would respectfully suggest that it is not possible to have 100 per cent reliability. His Bill said there would have to be more than one witness or if one witness, that there be corroborating material evidence. I do not quite know what he means by this witness. Is it going to be an actual eye witness to the murder? I wonder how many cases would be covered. We also know about eye witnesses. There have been instances of mistakes being made even with eye witnesses. It seems unlikely, but it has happened. We have instances of people being hanged or otherwise executed who have been subsequently found not to have committed the murder in question.

There is even the matter of having material corroborating evidence, and I think of a recent British case where there was a handful of hair in the victim's hand. Many years later it was found it could not have been hair from the convicted person because new scientific tests had been developed which made that identification possible. At the time of the trial, the material evidence was extremely convincing that the person convicted was the murderer. It sounds all very good in theory to talk about material corroborating evidence and eye witnesses, but we do know that mistakes will be made and there is no way of having an absolutely safe system.

I want to get a little more broadly into the issue of violence. I suggest that capital punishment is not going to help deter the offence of murder or treason. We do have too much violence in our society, even if our society is not as violent as that in the United States and in many other countries. Naturally we could all like to see a reduction in violence.

I wonder why we are focusing so much on murder and not spending our time more constructively in looking at other causes of violence and other measures which this Parliament could be taking. I refer to the issue of violent pornography on which we have had an enormous amount of stalling. Proposals have been made. I have been active in the struggle over a number of years. This Parliament is very slow to act. Here is an opportunity where we could change the context, change the reality in which people do commit murder. We have all kinds of practical things we could do about such things as husbands who beat their wives and children. There are far more things to be done by way of prevention, such as counselling services, group discussions, all kinds of practical measures to develop a spirit of co-operation and non-violent solutions to problems. It would be far more useful for us to be discussing these measures which possibly could have some practical impact and could actually reduce the level of violence in society.

● (1750)

Far more people are killed unnecessarily by other means. For example, roughly 5,000 people per year are killed in traffic accidents, and roughly half of these deaths is the responsibility of drunk drivers. That is far more than the murder rate. However, practical measures to reduce the number of drunk

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drivers and practical measures to enforce the laws in a stricter fashion are shunted aside; they do not seem to be so important. Also a large number of people die in industrial accidents as a result of negligence. People debate whether it is criminal negligence or non-criminal negligence, but it certainly is very wrong. They are violent, preventable deaths. They occur in much larger numbers than murder by one person in a deliberate fashion of another. Also there are large numbers of deaths of people as a result of exposure to low levels of radiation. This is not dramatic; it happens over time. It is not someone shooting or knifing someone else, yet the number of deaths caused in this fashion is very much greater. Also I could refer to the number of fires and deaths which are caused inadvertently by people who are careless smokers. Again the number is very large and many of these instances are preventable.

I do not think we as a society are helpless or that we have to accept a large number of unfortunate but "nothing can be done about it" deaths. We could be acting constructively to reduce many other forms of violence in society.

In conclusion, I suggest that capital punishment is a false solution to a problem. We are spending our time debating capital punishment, a relatively modest problem within the context of the world and within the context of other preventable causes of death in society. We are taking time away from much more practical activity which could be socially much more beneficial.

[*Translation*]

Mr. Barry Moore (Pontiac-Gatineau-Labelle): I would like to comment today on Bill C-240 sponsored by the Hon. Member for Ontario (Mr. Fennell).

Many of us have had an opportunity to speak to this topic during discussions in the House on the reinstatement of provisions relating to capital punishment. The problem is a very complex one. It raises questions about our personal convictions and philosophy, our concepts of justice and of what constitutes fair and equitable punishment for certain crimes.

However, although it may be difficult to avoid getting involved in philosophical considerations, nevertheless, it may be useful to aim for a more objective assessment of the issue.

Mr. Speaker, there are several subjects that can provide the neutral terrain favourable to the kind of discussion we wish to undertake. Some of these have already been suggested by a number of my colleagues in this House. Today, I would like to talk about international conventions.

At the international level, there has been for several years a growing concern for humanizing penal justice. The United Nations, for instance, has been making a sustained effort to obtain fair treatment for prisoners and inmates and to prevent abuse in the penitentiary system. As an example of these efforts I would like to quote certain provisions of the Universal Declaration of Human Rights: everyone has the right to be presumed innocent "until proved guilty according to law in a public trial at which he has had all the guarantees necessary