

*Capital Punishment*

mentioned that the hon. member sent a letter to a constituent in which he stated:

I do believe that criminals convicted of the murder of policemen should receive the maximum penalty which is capital punishment.

The article implies that many people are now questioning why that hon. member happened to vote for abolition in support of the government bill. I believe that is an example—

**Mr. MacFarlane:** Mr. Speaker, I rise on a question of personal privilege. I am rather shocked that the hon. member, like the reporter, is reading my mail of one and a half years ago written at a time when I returned from the funeral of two policemen in Moncton and pointed out to my constituent that I supported the law as it existed. As the hon. member for Verdun (Mr. Mackasey) could tell you, I have lived that way since I was eight years old. I have always been a law abiding citizen and an abolitionist, but if the retentionists carry the vote and that becomes the law, I will certainly support the law. I resent that being brought up by the hon. member, who should be more intelligent.

**Mr. Kaplan:** Would the hon. member permit a question?

**Mr. Stevens:** At the conclusion of my remarks I will be very pleased to hear the hon. member's question and to answer it.

**Mr. MacFarlane:** The reporter withdrew; why don't you?

**Mr. Stevens:** I am pleased the hon. member has tried to clarify the article which appeared in the *Hamilton Spectator*. May I mention that the other quote appears in the same article. When the hon. member was questioned as to why he had taken the action he had, his answer was:

I had only been in parliament at that time (at the time of the letter) for six weeks. I was very new at the game.

**Mr. MacFarlane:** I think the hon. member should be extremely careful when quoting parts of a conversation which he did not hear himself. The reporter was not able to give me the name of the party whose letter he had, but since he had the date, I was able to go back in my files and discover that it was indeed January 22, 1975, we were talking about, and not January of this year.

● (1600)

In addition to that, the remark of the hon. member at the end referred to something I said about having written a letter when I had been in parliament only six weeks. It had nothing to do with my purposes, decisions, or anything else. I think the hon. member is complicating the matter further. I do not want to be as rude or as evasive as he is being by making accusations, but I think it is quite improper for a person who comes from a strange town a great distance away, after reading a strange newspaper, to make comments about a strange writer and a strange letter he has not seen.

**The Acting Speaker (Mr. Turner):** Order, please. I regret to inform the hon. member for York-Simcoe (Mr. Stevens) that his time has expired. He may continue with unanimous consent. Is there unanimous consent?

**Some hon. Members:** Agreed.

[Mr. Stevens.]

**Some hon. Members:** No.

**The Acting Speaker (Mr. Turner):** I would like to say to the hon. member for Hamilton Mountain (Mr. MacFarlane) that his point is not a point of order or a question of privilege, but a personal disagreement, and I would suggest that we get back to the terms of the amendment.

**Mr. Stevens:** Thank you, Mr. Speaker.

**Some hon. Members:** Order!

**Mr. Stevens:** I know that there are many who wish to speak this afternoon, and I will simply conclude my remarks—

**An hon. Member:** You have.

**Mr. Stevens:**—by stating that I would be pleased to hear from my colleague with regard to the three questions I raised concerning motions Nos. 4, 9 and 18, and perhaps if it is in order, after the hon. member for York Centre (Mr. Kaplan) puts his question to me, my colleague could be given the opportunity to answer the three questions I raised during the course of my remarks.

**The Acting Speaker (Mr. Turner):** Due to the fact that the hon. member for Oxford (Mr. Halliday) has already spoken in this debate, he needs unanimous consent to answer the questions. Does the hon. member for Oxford have unanimous consent?

**Some hon. Members:** Agreed.

**The Acting Speaker (Mr. Turner):** He will follow the Parliamentary Secretary to the Minister of National Health and Welfare (Mr. Kaplan).

**Mr. Kaplan:** Mr. Speaker, the hon. member suggested that certain prisoners who have committed serious crimes ought to be given the choice of life imprisonment or capital punishment. I could hardly believe what I heard when he said that, and I want to ask him if he does not consider that a form of suicide and the kind of immorality which should not be condoned by the laws of Canada.

**Mr. Stevens:** I believe if the hon. member had heard my remarks in full he would know that that question was raised, and I said in reviewing the motions of the hon. member for Oxford (Mr. Halliday), which provide for this alternative option in the case of persons convicted of various offences such as treason, piracy, and first and second degree murder that the timing of the option is most important. If a person has that option at the initiation of his trial, I think that is much more removed from any suggestion of a suicidal type of state enforced approach than if the option is taken at the time of conviction when the person is in a state of depression or despair. Perhaps at that low point the prisoner might say that he would rather be put to death than be sentenced to life imprisonment. That was really the point I was making, and that is the basis of one of my questions to the mover of the motion. Just what is his attitude with regard to the timing of this option? Should the option be at the beginning of the trial, or should it be operative at the conclusion of the trial when the man is convicted?