

Capital Punishment

Mr. Ogle: The debate is on capital punishment.

Mr. Clarke: Read the motion.

Mr. Ogle: The debate is on the motion to bring again to this House the question of capital punishment. The position of the New Democratic Party, which every member of our caucus supports, is that clearly and unequivocally we are against capital punishment, against corporal punishment of any kind.

Mr. Corbin: Be consistent.

Mr. Ogle: A committee would not bring anything more to the people of Canada than what the Leader of the Opposition has already stated.

Since capital punishment was abolished in this country, the incidence of murder has decreased. I do not believe that any more information could be found except that found in transcripts of committee hearings. I have before me part of the debates which took place in 1976. I think probably the clearest and fullest argument on this subject was presented by the then solicitor general, the hon. member for Notre-Dame-de-Grâce (Mr. Allmand).

I shall read into the record a speech given on June 7, 1976, as found in *Hansard* at page 14215:

In my examination of the evidence—and, like other members of the House, I have made it my business to look at the evidence as it relates to the deterrent effect of capital punishment—it has been my judgment that capital punishment does not function as a deterrent in the case of those peculiar people who commit murder.

Those are the words of the Leader of the Opposition.

I have here material which was presented to me, and to members of this House, by Amnesty International. It states that all cruel punishment at this time, the death of people, be taken out of our country.

An hon. Member: What about murder?

Mr. Ogle: Also I have documents from the Canadian churches. The Catholic church, all branches of the Protestant faith and the Jewish communities all speak morally against capital punishment.

I want to tell a personal story about what murder and capital punishment is all about. After I had been nominated as a candidate to run in the new riding of Saskatoon East, and several months before we believed was going to be the time of the election, a mounted policeman by the name of Brian King was viciously murdered by two young teenagers from our city. The next day, people were angry. They were crying out, "kill them."

My background teaches me that when there is trouble, one should get to the people in trouble. It just happened that I knew all three families involved in this crime. I knew the mountie who had been murdered, I knew his wife and I knew his children. They were parishioners of mine. I knew the two youths and both of their families. Those two boys had walked out in the morning as two 17-year-olds. They never came home again. They were arrested that night after a vicious crime. I

am not in any way trying to cover for the crime. During the course of the next few days I acted as an intermediary for the three families. Two families were distressed because of what their children had done. The other family was distressed because of the loss of a father, a husband and a son.

My story is about three mothers, the mothers of the two young boys and the mother of the policeman. It was hard to console the mothers of the two young boys. It was difficult to console the mother of the policeman. She said to me, and I remember this so well, that killing their two sons would not bring back her son. If there is a question of humanity in the hearts of human beings, she said it clearly.

That is not the whole story. This murder caused a rise in human emotion. Several weeks later, in the same district, two grade five boys from a local school came home to play during lunch hour at the home of one of the boys whose parents happened to be away. They found an old 22 rifle and started to play cops and robbers. One of the boys shot his friend, who fell seriously wounded. The boy who had shot his friend ran home, went into the basement, took a rope and hanged himself. He hanged himself because he thought that would be the punishment for someone who had shot a human being. People who permit the idea that capital punishment will decrease violence are wrong.

If today we had been able to have a motion on capital punishment, I would have been proud to support the Progressive Conservative party in their move had it been a clear motion to support what the Amnesty International people are asking our country to do. That is to remove the provision of taking the life of someone else for the crime of treason, and join the 20 other civilized democratic countries in the world who have removed that provision from their code.

Our party will be voting against this motion.

Hon. Bob Kaplan (Solicitor General): Mr. Speaker, like members opposite, I intend to address the merits of this motion and the appropriateness of debating the question of capital punishment at this time either here in the House or in committee. Before doing so, I must say that we are dealing with a question of confidence in the government—

Mr. Clark: No.

Mr. Kaplan:—however the Leader of the Opposition (Mr. Clark) tries to disguise it. We are debating a question under Standing Order 58(9) of our rules. The rules clearly indicate that this is a question of non-confidence, and our party views it as such. The Leader of the Opposition refers to his willingness, as an individual, together with some of the members of his party, to change the rules. He referred to a precedent of the Pearson government which took place under other rules. We see ourselves in the position of following the rules and being obliged to do so.

● (1550)

Mr. Clark: On a point of order, Mr. Speaker, in my remarks in relation to the subject matter of capital punishment I was