

Capital Punishment

raging today in Great Britain over the increase in the crime rate; I suggest that with the committee of this House of Commons and of the Senate making a similar recommendation two years ago that a deterrent did exist; all these things are ample evidence—based on all the facts and statistics that this house should require—and are indeed an answer to those who would ask us to remove capital punishment.

It would be wrong for any of us to become involved in sheer emotionalism or sentimentality in discussing an issue as important to the public of Canada as this. The hon. member for Parkdale spoke of the condemned man awaiting his final days. He suggested to us that he would be experiencing a fate far more horrible than that which he had inflicted on the individual whom he had murdered. How more, I ask, can one become involved in emotionalism? No one questions that the individual, the convicted murderer, is very much alone and will experience some unusual sensations while waiting to die. I remind the house that no one will also deny the fact that he did have a fair trial; that he had a fair opportunity to have his sentence commuted to life imprisonment if the cabinet considered there was justification for it; no one will ever question the fact that the Solicitor General did read the evidence and had to make a recommendation to the cabinet; no one would question the fact that he had the right of appeal to the courts. Therefore, while I agree he has had an experience which is peculiar only to one who is about to lose his life. Perhaps there is one exception, namely the individual, the relative, perhaps, of the man who was knocked down and killed by the bullet of the convicted murderer, or perhaps that child who was lying on the road, having been knifed by the convicted murderer. If we are going to insist on dealing with sentimentality or emotionalism I ask that this house look on the other side of the coin as well.

This is a problem that we cannot take lightly. We have been asked to eliminate a provision which has made, or contributed to making Canada relatively free of serious crime in relation to many other countries. It is one factor. The other factor, of course, must be credited to our magnificent law enforcement officers. I suggest to you, sir, that the moment we eliminate this deterrent—how big or how small, who knows, but which does exist, if we judge by the words of the hon. member for Parkdale and by the findings of the parliamentary committees and by the remarks of most of the greatest authorities who have considered this matter—we shall be making a mistake. So long as this

deterrent exists, so long as there is in the mind of the individual who pulls the trigger that he may lose his life in the event that he takes another man's life, only then will the public continue to have a feeling of safety. This house will be doing a disservice to the public of Canada by removing anything which in any way will prevent the furtherance of crime in our country.

Mr. Erhart Regier (Burnaby-Coquitlam): Mr. Speaker, I have waited ever since 1953 for an opening to express myself on this matter in this House of Commons. I am happy indeed to see that for once in a long long while members of the House of Commons have been freed from the restraint of party discipline and as members are able to examine their conscience and express themselves as their conscience dictates. I wish that occasions such as this would happen much more often. I feel the parliament of Canada and the government of Canada would be much the better off for it.

I regret very much the growing power of political partisanship and of political parties to determine issues in the nation and the lessening of the rights of individual representatives of the people of Canada to express what they feel in their hearts the people back home would like them to express on so many other issues. I feel that we have in this matter arrived at the stage in Canadian history when the House of Commons ought to give very serious consideration to what has happened.

Time after time we know that the people who are selected to act on a jury in a murder case will return a verdict of manslaughter rather than murder because they know the result of a murder verdict.

I agree wholeheartedly with the contention I heard made earlier this afternoon that the place to change the law is in this house and not within the confines of a jury room. I regret very much that in this respect the parliament of Canada, in my opinion at least, is lagging behind the opinions of the men and women who are from time to time asked to serve as jurors. I do not like to see juries subvert the law because of their hesitation when they realize the possible result of a verdict of murder. I feel that the House of Commons is lagging and has lagged for a goodly number of years. All we have to do to find evidence of the fact that we are behind the times is to make a survey of all the cases where men or women have been hauled before a court on a murder charge.

In the presentation of the idea of the abolition of capital punishment I believe that possibly we have not given adequate consideration to some of the problems that may