

Criminal Code

communities in this country—for the incarceration of this prisoner from the time he was accused of the murder, throughout the trial and throughout the appeal, had to participate in the supervision of the erection of a scaffold because of the way we do things in this country. After having been really very close to this prisoner, in the best sense of the word, this jailer then had to be a witness to the execution. It became my responsibility to see that this person had very extensive—I was going to say compassionate leave but people do not like the word “compassion” in this debate—sick leave because of the strain to which this particular jailer had been subjected.

As I said, my imagination does not allow me to go into what happened at that particular hanging and I do not intend to be drawn into it. All I can say is that the job, if that is the word, was not conducted efficiently.

Mr. Speaker: Order, please. The hon. member's time has expired.

Some hon. Members: Go ahead.

Mr. Speaker: Has the hon. member leave of the house to continue beyond his allotted time?

Some hon. Members: Agreed.

Mr. Fairweather: Mr. Speaker, I am grateful to the house. As one who prefers to make short speeches I will hasten along. I repeat that the foundation upon which I build my case is that statistics do not prove that capital punishment is a deterrent.

The Canadian society for the abolition of the death penalty has worked hard to promote public understanding of the problem by means of panel discussions, talks and debates. For the most part its members are hardhearted realists although not bereft of idealism entirely. The society includes among its numbers, senators, members of parliament, university professors, lawyers, clergymen and many others. The society is not content merely to be in favour of abolition of the death penalty. It has a genuine and compassionate understanding for the families of murder victims. I am sure that as the debate develops we will hear a great deal more about this factor, that is, that we should pay a great deal more attention to the victims. Of course we should, but this really is not part of the argument about abolition.

Many members of the society favour state assistance or survivors' compensation for

murder victims, but the society knows that to have sympathy for the victim does not in any way exclude its need to understand the reasons which lie behind the murder having taken place at all. This parliament must study the motivation for murder. This parliament has a duty to ameliorate the problems facing the poor and those either on the fringe of society or in the underworld, for it is from this group that most men come who kill.

I must take exception to what my hon. friend from Swift Current-Maple Creek said, because unquestionably from the disadvantaged, to use the newest sociological term for the poor, comes by far the highest ratio of murderers per population. This need not be commented upon further.

This parliament must seek excellence in the administration of justice and in an improved and expanded parole system. I know that the Solicitor General is working on this now and that we are about to have a committee which will go into this aspect of prison reform and prisoner rehabilitation. Parliament must see to it that every accused has access to an adequate defence. Earlier I spoke of how capital punishment affected a certain judge, but this agony is not confined to him alone. When the hon. member for Regina City (Mr. More) asked me about hanging in New Brunswick I spoke about the effect it had on the jailer. I know that this applies not only to the jailer but to a great many of the jurymen and so on.

Nothing in the particular episode I mentioned earlier helped the victim or helped the victim's family. Society, I suppose, felt better because a debt had been paid, an account had been balanced. As put by Caesar in “Caesar and Cleopatra”: “So, to the end of history, murder shall breed murder, always in the name of right, honour and peace until the gods are tired of blood and create a race which can understand”.

What gives me tremendous satisfaction about this matter of abolition is that my 15 year old son told me that when his class had been polled about abolition of capital punishment 30 out of the 31 boys were for abolition. This is a wonderful thing to think of for the future.

● (4:40 p.m.)

[Translation]

Mr. Alexis Caron (Hull): Mr. Speaker, I can recall the days of prohibition, in 1917, where all the good people, the devout and the religious, in an attempt to check the spread of alcoholism, took it upon themselves to