

I have noted that all hon. members when speaking for the first time have paid tribute to you, Sir, and your deputy, and have congratulated you upon the elevation to your high office. I, too, join with my colleagues in this House to congratulate you, Mr. Speaker, and the hon. member for Halifax-East Hants (Mr. McCleave). Had I spoken earlier, my words might have been mere form rather than words with meaning, but I have now had the opportunity to observe your command of this House, your sense of wit and humour, your warmth of personality and great sense of fair play. I now have experienced the reasons why you are held in such high esteem and affection by all members of this House, and I appreciate those reasons.

In speaking for the first time, I might have preferred, Mr. Speaker, to tell you and hon. members of the House generally something of the constituency of Lincoln and the people whom I have the honour to represent. I trust I shall have an opportunity to talk about these things on another and more suitable occasion.

● (2110)

During this debate on the proposed amendments to the Criminal Code incorporated in Bill C-2, a great deal has been stated by members of this House, both by the so-called abolitionists and retentionists of the death penalty. As is usual with the final speaker or two, there is little original or of startling consequence on this subject that has not heretofore been brought before this House for consideration. Thus, one is left to comment on one's personal observations of what has transpired in this country during recent years, one's conclusions and recommendations.

The ultimate question to be decided—that is to say, whether we are to retain the death penalty for all premeditated murder or merely for the murder of police officers and others listed in subsection 2 of section 214, as proposed in Bill C-2—is a most difficult and complex one, having as it does social, legal and moral ramifications and sparked by a high degree of emotion regardless of one's point of view on the subject. It is a subject which has clearly awakened the conscience of Canada, as may be evidenced by the continuous and voluminous amount of mail which each of us as members has received during the last five months, and I am sure over greater periods of time for members who have been here longer than I have.

I should have preferred that this parliament deal with the question on a more permanent basis than continuing the experiment, as it were, for a further five-year period. While I appreciate that any statutory provision may be repealed or amended by an act of this or future parliaments, I do not believe that it is either wise or intelligent to deal with this matter on an ad hoc or continual-review basis.

I should have preferred, as well, that this parliament deal not just with the narrow question as to whether we are to abolish the death penalty for most murder for a further five-year period, but rather that we consider in a most comprehensive manner the startling increase in crime, including armed robbery, rape, arson, theft, drug abuse and similar crime, and generally the administration of our penal system, including the administration of our

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parole system. The fear of our citizens to go about their daily activities in safety in our cities and towns across this country has, in my view, created to a large extent the emotion surrounding the issue which we are discussing tonight.

Much has been stated as to the deterrent effect of the death penalty, and presumably reliable figures have been quoted to illustrate or prove that the removal of the death penalty has not substantially increased the homicide rate during the last five years. However, I have heard very little by way of figures to show how many murders did not take place because of the presence of capital punishment in the Criminal Code prior to five years ago, and I suspect that such figures would be impossible to compile. I am sure of the advice offered by the sociologists and psychologists on the subject, but I do not comprehend the argument that punishment, albeit the ultimate punishment, is not a deterrent to wrongdoing—in the case at hand, the crime of premeditated murder.

I have heard the argument of the finality of the death penalty in the case of an error in our judicial process. I must admit this is difficult, for admittedly the subject at hand is not a pleasant one. But such argument does a disservice to our judicial process, for we must say that such cases are very rare, and we will retain the royal prerogative of clemency which should be exercised in favour of the convicted should there be any shadow of doubt as to his or her guilt, or should there be humanitarian or extenuating reasons not to exercise the penalty of death.

**Mr. Deputy Speaker:** Order. I very much regret interrupting the hon. member, more particularly since it is his maiden speech, but the House made an order earlier today that would permit the Solicitor General (Mr. Allmand) as mover of the bill, to reply for 15 minutes before the vote is taken. Again, I apologize to the hon. member and thank him for the spirit in which he takes the interruption.

**Some hon. Members:** Hear, hear!

**Hon. Warren Allmand (Solicitor General):** Mr. Speaker, in closing this debate on second reading I should like to emphasize a few points that I think need emphasizing, and to answer some of the questions and arguments put by hon. members during the debate. It was interesting this evening that the hon. member for St. John's East (Mr. McGrath) said that 101 members had spoken in the debate to this time. As hon. members know, I made a lengthy statement in favour of the bill at the beginning of the debate, so I shall not repeat those arguments this evening.

Above all, I should like to urge upon members, especially those in doubt and those undecided, to vote for the bill on second reading. By doing this they will send the bill to the justice committee where it can be considered in detail and amended where appropriate. Consequently, this will give parliament the opportunity to improve the bill and to examine many of the suggestions put forward in the debate, many of which were good suggestions. So I ask those who are undecided to vote for the bill now, exactly for that reason. This will give the bill a chance to be improved. If it is not improved, then the House still has a