

Supply—Justice

and made stronger the case against him. To make doubly sure there was no miscarriage of justice, even after all this took place representations were made and voices were heard suggesting that this was a terrible thing and that something should be done.

I am very disturbed when I see petitions being passed around asking that something be done for the boy. As you know, I am not inhuman. I am one of those who has always been opposed to capital punishment. I do not believe in revenge for the sake of revenge. I do not believe in being extra tough or harsh; but I have always said that we should not mollycoddle anyone who has done harm and that justice must be justice, although I think it should be tempered with mercy.

We have a basic system of justice in which all our citizens place their faith and confidence. As I said, it is not faultless. Anyone who has been to the courts knows that there are many small factors which may sway the mind of a judge or a jury; but this is part of our life. These are the considerations with which we have to live day by day. These are things which we must and will accept because we have not arrived at a finer system and we know no finer system. We as citizens of this country realize there might be a slight miscarriage of justice here or there, or a certain feeling that a decision should have gone the other way, that mistakes might be made, but at the same time we know it is the best system we can devise and each of us must put up with slight mistakes. Each of us must bear any slight miscarriage of justice that might occur, because we know that by and large we can arrive at no better and no fairer system. Surely this is the attitude of any citizen of this democracy who wants to see our way of life continued and improved.

How much stronger then is the duty of a member of parliament who, because I believe he must, represents the finest of citizens, to make sure that he carries out his duty and to be wary of taking cheap political advantage of a situation which may build up his name but will at the same time shake the confidence of the people of this country in the system of justice which we have tried to make as good as we can.

• (8:30 p.m.)

I am glad to see the hon. member for Winnipeg North Centre is sitting in his seat. The judge and jury as well as the court of appeal, all dedicated people who try to be fair, gave weeks and perhaps even months of

[Mr. Nugent.]

study to the facts of the case. I found it most repugnant, reprehensible and repulsive to hear this hon. member say, after five minutes conversation with that boy, "I will stake my seat on his innocence." It shows either such complete contempt for our system of justice that we cannot believe that a member of parliament is guilty of it, or such contempt for his position as a member of this house that we are surprised he is still sitting here.

Mr. Knowles: Will the hon. member permit a question?

Mr. Nugent: Yes.

Mr. Knowles: Is he aware of the fact that I did not make the particular statement which he attributes to me; I think it was another member who said that, but I too believe Steven Truscott is innocent. I visited this young man not just for five minutes, but twice for an hour each time.

May I ask the hon. member also if it is not in keeping with our system of justice that a man is not guilty until he is proven guilty, and that when he has a jury trial the verdict must be unanimous? In view of the fact that one of the Supreme Court justices of this country felt this young man had not had a fair trial, does it not serve the interests of justice best to take the position that there is reasonable doubt and that this young man's case should be reconsidered?

Mr. Nugent: I want to apologize to the hon. member for misrepresenting his case. In fact, I understand that perhaps it was the hon. member for Kootenay West who said he would stake his seat on the young man's innocence. I withdraw any suggestion the hon. member only had a five minute conversation. However, I do not believe two one hour conversations make that much difference. The essential point is that the hon. member is putting up two one hour conversations against the patient hearing of all the evidence by men and women of the jury, plus the judges on appeal, judges who certainly cannot be suspected of the political motives, the jumping on the band wagon for political achievement, that we may suspect in this case, not only of the hon. member for Winnipeg North Centre but of the hon. member for Kootenay West.

Mr. Byrne: The hon. member for Kootenay West had no connection with this case so far as I know; it was the hon. member for Kootenay East.