

*Criminal Code*

an added protection to the police forces of our country, undoubtedly I would have to give a second thought to the position I have consistently taken. But, Mr. Speaker, because of my interest in this matter I have endeavoured to the best of my ability to study government records and the writings and speeches of eminent criminologists throughout the world, and I have no hesitation whatever in saying that all the known facts demonstrate that capital punishment is not a deterrent to homicide.

In the past year in particular I have been most interested in trying to ascertain whether any further studies have been made anywhere in the world with regard to whether or not capital punishment is an added protection to police forces. I have been particularly interested in that phase of the matter because I have noted that almost without exception the police associations maintain that it is a protection, and that is the reason why they support the retention of capital punishment.

So, Mr. Speaker, no matter what communications I have had with other countries of the world or international agencies, I have only been able to find one study that has ever been made of this phase of the question of abolition or retention of capital punishment. I refer to an exhaustive study made a few years ago by Professor Thorstein Sellin of the United States who had questionnaires sent to the police chiefs of every town and city in the United States with a population of over 10,000. The results were tabulated by the senior students of the University of Pennsylvania. When the results were tabulated, it was found that there was no variation as between states of the United States that had capital punishment, those that had abolished it and those that had abolished it and brought it back in so far as the percentage of deaths of policemen in the course of their duty was concerned.

I say, therefore, that the evidence throughout the world, not just for one year but over the years, demonstrates that capital punishment is not a protection to the police forces of the country. It is not a deterrent to crime because if it were I would have to change my mind.

**Mr. McGee:** Would the hon. member permit a helpful question? Is the hon. member aware that in the state of Delaware, following the abolition of the death penalty, the police forces within that jurisdiction were specifically asked to state their opinion as to whether they, in fact, regarded this as an additional hazard in connection with their duties. The results of that were along the lines just indicated by the hon. member.

[Mr. Winch.]

**Mr. Winch:** No, I was not aware of that question being asked of the police associations in the state of Delaware.

May I just conclude in this way, Mr. Speaker? Changes were made in the Criminal Code last year. A great deal of publicity was given to the change and to the question of capital punishment. It is known throughout Canada that we still have capital punishment for the capital crime of murder. It is known that the hangman's noose is there if you take the life of another. Yet, Mr. Speaker, pick up your newspapers and day after day, week after week, what do you find? Most unfortunately, you find reports of premeditated murder; you find reports of the killing of innocent citizens during the course of armed robbery and, I do not know why, but in recent months you find reports of husbands killing their wives, wives killing their husbands and parents killing innocent children as young as a year old. However, Canada has the hangman's noose, and that is known by everybody. These things still occur and, in the majority of instances capital punishment is no deterrent. People do not think about it when they commit homicide during emotional passion or some other emotional feeling, such as fear. There is no thought about the fact they may hang for it.

I say, sir, for all the reasons that can be found throughout the world, capital punishment not being a deterrent or a protection for our police forces, it is high time we in this country got away from the spirit of revenge, got away from a penalty that does not do any good. If it did any good, there would be a reason for it. We should establish a principle that those who cannot be trusted because they are a danger to society should be put away so that they no longer endanger anybody else. We should not take the power unto ourselves to say that they should die. For all the reasons I have read and discovered over the years, I am still completely in favour of the abolition of the death penalty and support the bill which is now before us.

**Mr. G. W. Baldwin (Peace River):** Mr. Speaker, I find myself in complete accord with the principle involved in this bill as expressed by the hon. member for York-Scarborough (Mr. McGee), who has on this occasion once again presented this measure to the house. I must say also that, feeling this way, I still subscribe to the opinion that what the government did last year was the wise and proper thing to do at this particular stage of this emotion charged issue. This is a somewhat Pickwickian philosophy, but I hope later on to be able to develop the argument and to indicate the reasons behind my thinking.