

Capital Punishment

it wanted to remain neutral. However, the motion says that this House supports the reinstatement of capital punishment and sets up a committee to decide for what kinds of murder and by what method. If the Government was really neutral it would have introduced a motion saying that the House should re-examine the penalty for murder and make recommendations as to what that penalty should be. This motion is unfortunate.

In conclusion, if we in Canada believe that the supreme value is human life, then society should never repeat the act of the criminal. A criminal justice system based on revenge is not appropriate to a civilized society. We must do everything in our power to combat murder and other violent crime. We must look for solutions which are humane and civilized but also effective and ones which will provide security. Capital punishment is not humane, it is not civilized, it is not effective, and it does not provide security. As a result, under no circumstances should capital punishment be reinstated in Canada as a response to murder.

Mr. Manly: Mr. Speaker, I would like to thank the Hon. Member for Notre-Dame-de-Grace—Lachine East (Mr. Allmand) for his speech and also for the leadership which he has given on this issue, not only in the present debate but in years past. I can remember writing to him when he was the Solicitor General and trying to give him some encouragement. I am sure he does not remember that letter because he was getting thousands of them from people all over Canada who were very concerned at that time that we should abolish the death penalty.

The Member may have mentioned this before I came in, but it seems to me that one of the major concerns which Canadians should have in re-examining the question of the death penalty is that juries have a much greater tendency to acquit those accused of murder if there is a possibility that a conviction will be followed by the death sentence. I saw one study which indicated that prior to the abolition of the death sentence there was a 10 per cent rate of conviction for those who had been accused of murder. Following the abolition of the death sentence, the rate of conviction went up to 20 per cent. It seems rather conclusive proof that having the death penalty in place means that a much higher percentage of those who are acquitted could be guilty. Could the Hon. Member comment on the safety aspect of this to Canadians on the streets, when there is a higher rate of acquittal when the death penalty is in place?

● (1530)

Mr. Allmand: Mr. Speaker, in the middle of the debate on the abolition of the death penalty in 1976, the head of Scotland Yard in England made a statement that he was opposed to the death penalty precisely because too many juries were acquitting too many people who were actually guilty of murder and should have been convicted because they were afraid of convicting someone by mistake. The head of Scotland Yard said that, for that reason alone, he was opposed to the

death penalty. He would prefer a system in which there is no death penalty in which at least those people who were guilty of murder would be behind bars until they were rehabilitated. He felt there was a more dangerous situation to have murderers acquitted because of a fear of the death penalty.

Several studies have been done in Canada, including one by Ezzat Fattah, of Simon Fraser University, who did a study that supports that theory, and a study by Jonathan Friedman of the University of Toronto, who conducted studies with jurors who served in murder trials. They said that if the death penalty had been in effect they would not have convicted some of the people they did.

There is also a report by Crown prosecutors in Ontario which states the same thing. There is much evidence to the effect that with the death penalty we often end up with a much more dangerous situation than without it. Of course, I am convinced of the argument for other reasons as well.

Mrs. Finestone: Mr. Speaker, first I want to say that I am proud to be a member of a Party which has a member who so strongly speaks in defence of all aspects of our society, particularly in this debate. I enjoyed the Hon. Member's speech and listened to him with great care.

Will he comment further on the social impact of the television medium in which we try very hard to imitate many American programs? The program *Night Heat* is the Canadian version of *Miami Vice*. The Hon. Member talked about the violence that we see on television. Can we do something about that?

Mr. Allmand: Mr. Speaker, studies have been conducted on this subject as well. The American Senate conducted a study under the chairmanship of the Senator from Rhode Island. It was a study on the relationship between violence on television and violent crime. His findings were to the effect that while violence on television would not prompt people who basically were not violent in the first place to commit a crime, it would prompt those who were basically violent to act out their violence in the way they see it portrayed on television.

That U.S. Senate committee made strong recommendations to limit the violence to hours that were late in the evening so that it would not be seen by the younger segment of their population. That was never legislated in the United States, but was put into effect loosely by some of the networks. I personally believe that there is too much violence on television and films that are available to minors.

We talked about limiting films in which there is pornography but we do not sufficiently consider the effect of violence on their development.

If we are serious about combatting violent crime and murder, there are many things we can do that are preventive, including this.

The Acting Speaker (Mr. Paproski): I will recognize the Hon. Member for Cape Breton Highlands—Canso (Mr.