

Criminal Code

Mr. Fairweather: I have just listened to one of the most moving speeches we have had for a long time.

Mr. Deputy Speaker: The time allotted to the hon. member who has just finished his remarks has expired. The hon. member for Royal.

Mr. Fairweather: Mr. Speaker, I want to take a minute to deal with something said by an hon. member. In fact, it is the hon. gentleman who sits in front of me, the hon. member for Swift Current-Maple Creek. I am going to comment on only one aspect of his remarks. He quoted the London *Daily Express* for some statistics to bolster his retentionist point of view. I think any of us who are interested in the abolition of capital punishment know that one of the severest advocates of retention is the London *Daily Express*, a very powerful newspaper whose opinions, very often not backed by anything but prejudice, spread all over England.

My hon. friend should have checked the London *Daily Express* a little farther, because there was a subsequent correction of the London *Daily Express's* comments on the murder statistics of England. I am quoting from a despatch from London by Martin Dewey of the *Victoria Times* of January 17, 1966, in which he says among many other things:

The newspaper errors occurred when the editors of the *Daily Express* and the *Sunday Times* failed to distinguish between the first murder totals released by the Home Office each year, listing deaths "provisionally" recorded as murder, and the much smaller subsequent list of deaths "finally" recorded as murder after police investigations have been completed.

Mistakenly equating last year's provisional total, tentatively set at 235 murders, with the previous year's final total, 158 murders, both papers proclaimed in black headlines that the murder rate had soared by more than 40 per cent since hanging was suspended.

The hon. member for Hochelaga (Mr. Pelletier) very eloquently put it to the house a minute or two ago when he said that it is futile to take statistics for a short period of time. In other words, if we only use one or two years to bolster a case it really is not very helpful to any case, be it the case of retention or abolition.

I have one other comment to make with respect to the quotation by my hon. friend from Swift Current-Maple Creek from the *Daily Express*. May I read a telegram addressed to Mr. Arthur Maloney, president of the Canadian society for the abolition of the

[Mr. Deputy Speaker.]

death penalty, from Mr. Sydney Silverman, M.P., dated February 1, 1966. I quote:

Actual figures for 1965 not yet known. Provisional figures slightly but not significantly above 1964. Since no discrimination between capital and non-capital cases figures meaningless anyhow. Variation in annual murder rate over 30 years never more than between 3.2 and 3.3 per million inhabitants whether death penalty for all some or no murders.

This, of course, is of interest to this country too. In Canada from 1926 to 1962, when there was a change in the system of reporting, there has been a very slight variation in the ratio of murders per hundred thousand of population. The poignant statistic in the middle of this long sweep of years is that the murder ratio was highest in the years 1930 and 1931 when this country was in the middle of a very serious economic crisis.

I have another comment to make about misleading information, and I refer to that contained in a Toronto newspaper, the *Telegram*, in an editorial last evening. The editorial surprised me because the newspaper had not taken the trouble to check its statistics. There has really been no significant change in Canada or no measurable change in Canada, the ratio being 1.4 murders per hundred thousand of population. New Zealand has also abolished capital punishment. It was abolished, then re-instituted and then abolished again in 1962. However, I am not here to debate the *Toronto Telegram*, fortunately for the house, and for everybody else concerned.

An hon. Member: Hear, hear.

Mr. Fairweather: I am here to comment upon what to me is really one of the most serious matters I have had anything to do with since entering parliament.

Albert Camus asks this question in "Reflections On The Guillotine":

When the extreme penalty simply causes vomiting on the part of the respectable citizen it is supposed to protect, how can anyone maintain that it is likely, as it ought to be, to bring more peace and order into the community?

He answers thus:

Rather, it is obviously more repulsive than the crime, and this new murder, far from making amends for harm done to the social body, adds a new blot to the first one. Indeed no one does speak directly of the ceremony.

May I add that this is borne out in this country because hangings are done at night and in private. I do not have the imagination nor the power of speech which would enable me to shock the house, even if I wanted to, with the lurid details of hangings. Neither do