

thousands of people who would be almost immediately rehabilitated if they could only find a job. This is where I would place the emphasis and, as I have said many times, my sympathies are with the law-abiding and the innocent victims of crime. When they are looked after I will consider looking after the interests and the rehabilitation of those who have been convicted of anti-social behaviour.

● (1620)

Mr. Speaker, the Solicitor General apparently tried to beef up his case for abolition by commissioning Ezzat Fattah, chairman of the department of criminology at Simon Fraser University, to conduct a study of public attitudes on capital punishment. While Fattah and the Solicitor General call it a study, it is anything but an objective study. It is, in fact, a prejudiced, slanted, selective presentation summing up the views not of the public but of Fattah and the Solicitor General.

Fattah states categorically that public opinion polls on capital punishment are not true indications of public sentiment. He goes on to say that the people who supported a return to capital punishment in the polls were generally right-wing bigots, usually from the older age groups, insecure, socially maladjusted, ignorant, uneducated and ethnocentric. Fattah says people themselves are not competent to decide whether or not capital punishment should be restored and that the small group of enlightened men and women in parliament should make this decision. I am not sure I could take this as a compliment. When I consider how poor Fattah's judgment is with respect to the Canadian people, I cannot place much faith in his judgment of parliamentarians. Oddly enough, Fattah seems totally unaware of the fact that the majority of members of parliament in 1967 and 1973 favoured, and today favour, a return to the noose.

The Solicitor General deceived us when he failed to tell the House that he had commissioned Fattah to write a biased report that purported to show public support for abolition. Rather than helping the Solicitor General's case, this report has had the opposite effect. Fattah had many of us fooled when he sent an abridged version of his report to the newspapers and passed it off as simply a letter from an interested observer of the capital punishment controversy. He destroyed any credibility he might once have had by making himself party to a deliberate deception. I think the Solicitor General should make a clean break from the report and from its author, Ezzat Fattah. He should admit that it was a serious mistake to try to pass off this report as an objective analysis of public opinion, and admit that it was in fact a sham and a fraud.

In conclusion, Mr. Speaker, I would like to say that I have not changed my views with respect to the necessity for retaining capital punishment and I was not impressed by the Solicitor General's speech at the opening of this debate. I am a retentionist because I feel it is time for us to decide once and for all whether we are going to use all the weapons in our arsenal in an all-out fight against violent crime, or whether we will continue to give the advantage to the criminals. I do not trust the government to honour any agreement to keep convicted murderers behind bars for a minimum term; so I must opt for the one method which will ensure public safety and which will serve notice on criminals that we have run out of patience.

### *Capital Punishment*

In recent weeks I have received innumerable letters from constituents, the majority asking—indeed demanding—the return of capital punishment. I do not know the exact proportion in favour of a return to capital punishment, but I think at least ten favour a return for every one who does not. A good many people go so far as to say that all first degree murder should be punished by capital punishment. Some feel more strongly than I do on the subject.

I think that we should consider a more humane way than hanging of dispatching the murderer. I think others have read in *Hansard* the sort of questions which were submitted by the metropolitan Toronto police association on the subject of capital punishment. The association asked this question, among others: "Are you opposed to capital punishment because of the method of execution used (hanging)?" Hanging, of course, is a gruesome way of getting rid of the murderer. The public response was, 9,954 opposed; but 44,258 definitely wanted to retain hanging.

**Mr. Lloyd Francis (Parliamentary Secretary to President of Treasury Board):** Mr. Speaker, it is not my intention to make a long speech at this time. Briefly, I want to make two points in answer to some of the contentions made by other hon. members of this House and raised in the debate. While I have served in two previous parliaments, this will be the first time I shall be called on to vote on this question.

Every elected member of a legislature, Mr. Speaker, has to answer to his or her conscience on the basic question of whether to lead or reflect public opinion. Many hon. members who have spoken in this debate—as nearly as I can tell, every one of them an abolitionist—cited Edmund Burke of a century and a half ago to the effect that it would be a matter of an individual member's conscience how he or she voted on an issue after being elected. With all due respect, I cannot accept this position in regard to capital punishment.

Over a number of years I have serious reservations about the effect of capital punishment and have never been persuaded that it is an effective deterrent. The long, statistical arguments, many of which have been reproduced, including some raised by the minister in introducing this debate, have to me been inconclusive. It seems to me that the increase or decrease of crime and violence is more related to fundamental social and economic conditions in the community than it is to absence or presence of capital punishment.

I do believe, however, that an elected representative must lead on occasion and also reflect public opinion on other occasions. Since the days of Edmund Burke, many things have changed. The electorate is much more literate, for better or for worse. Many more people follow public events and are better informed. Public opinion is now capable of being analysed and measured through the device of polling techniques. To say that the job of an elected representative is to pay no attention to public opinion, but simply to act according to his or her conscience will not, in my opinion, be good enough in this situation.

To me, sir, it is a basic principle that laws must be enacted with the consent of the governed. A law that is not