

[Later:]

ADMINISTRATION OF JUSTICE

COMMUTATION OF CAPITAL PUNISHMENT SENTENCES— POSSIBILITY OF SOLICITOR GENERAL REMAINING IN CABINET FOLLOWING VIEWS EXPRESSED

Mr. J. P. Nowlan (Annapolis Valley): A supplementary question, Mr. Speaker—not on the latter part of the answer given to a question yesterday which I know will be fully explored in a moment or so.

Some hon. Members: Oh, oh!

Mr. Nowlan: My question is directed to the Prime Minister since he was absent yesterday with an unfortunate attack of flu contracted in Newfoundland.

Some hon. Members: Oh, oh!

Mr. Nowlan: Without getting into a debate on the priorities of where you cut, but in view of the fact that at the time present law was being debated extending the capital punishment provision to apply to prison guards and policemen if they were killed, the Prime Minister, as reported at page 3842 of *Hansard*, assured the House that the royal prerogative was used in each instance only after every consideration of individual cases, and since the Solicitor General has stated publicly as a minister that he can only remain in the government if the prerogative is exercised in all cases, I ask the Prime Minister, whether he thinks that the Solicitor General, without casting any aspersions on his sincerity or integrity can stay in a government after stating publicly he can only look at one side of this issue.

● (1420)

Right Hon. P. E. Trudeau (Prime Minister): Mr. Speaker, I do not believe the hon. member has quoted the minister accurately. If I recall what the minister is reported to have said, it is that he would have to reconsider his position if there were some cases of hanging. He has not submitted his resignation to me yet.

An hon. Member: Yet.

Mr. Trudeau: That's right.

An hon. Member: Have you asked him for it?

Mr. Trudeau: Therefore, the question of the hon. member is hypothetical. I can assure him that the statement I made in the House is quite correct, that there is no blanket commutation. Each case is looked at individually on its own merits and each minister is free to express his opinion on that particular case regardless of what is the recommendation of the Solicitor General.

Mr. Nowlan: Mr. Speaker, I appreciate part of that answer, but in view of the fact the Prime Minister in his Canada Day statement referred to a nation that is maturing, and in view of the fact the Prime Minister has philosophized during the last two or three weeks about a respect for the laws and a respect for the institutions of this land, does he believe that the Solicitor General, in the very sensitive position he finds himself, is not letting

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justice be done but letting it seem to be done to the people of this land in terms of applying the law, particularly when the Solicitor General has stated he would have to reconsider his position? In other words, do Canadians really have the confidence that the Solicitor General is able to look at this question objectively and then exercise his ministerial discretion, which now seems to be rather restricted?

Mr. Trudeau: Mr. Speaker, I agree that each minister of the Cabinet must make a decision in his own heart whether he can support the decision of the Cabinet. So far, I repeat, there have been no resignations as a result of the position taken by the Cabinet on these matters. I do not know that possibly there will be none, but I can assure the hon. member that the Solicitor General does, like any other minister, express his views in Cabinet and then abides by the decision the Cabinet makes. When the Cabinet exercises the prerogative of mercy the ministers agree to that or they leave the Cabinet. In the contrary case, which is hypothetical, if the Cabinet should decide on the hanging of somebody each minister would have to decide whether he could stay in the Cabinet, or whether he will support that decision.

[Later:]

COMMUTATION OF CAPITAL PUNISHMENT SENTENCES— NUMBER OF CASES IN WHICH MERCY RECOMMENDED

Hon. Warren Allmand (Solicitor General): Perhaps I could take this opportunity to correct an answer I gave yesterday to the right hon. member for Prince Albert. He had asked me how many cases of commutation there have been since 1968 and in how many of those cases a recommendation was made for clemency. I said there were six cases and that there were recommendations for clemency in five. That information had been given to me some time ago, but after yesterday's sitting I was told that instead of six there was only five, and that there were unanimous recommendations for clemency in three of those cases and no recommendations in two others. So, there were five instead of six and recommendations in three instead of the number I gave.

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EXTERNAL AFFAIRS

POSSIBLE RECONSIDERATION OF SALE OF CANDU REACTOR TO SOUTH KOREA IN VIEW OF PROPOSAL TO PURCHASE PLUTONIUM SEPARATOR FROM FRANCE

Mr. Andrew Brewin (Greenwood): Mr. Speaker, may I direct my question to the Secretary of State for External Affairs. In view of the revelations on a CTV program shown on television last night at eleven o'clock in an interview by Mr. Eric Malling of a South Korean atomic energy official who said that the South Koreans are in fact buying a plutonium separator from France for \$50 million, is the government, as promised by the Prime Minister, reconsidering the sale of a CANDU reactor to South Korea?

Hon. Allan J. MacEachen (Secretary of State for External Affairs): Mr. Speaker, I have not seen the report