

資料5 改変

英国では死刑制度について議会に何回も報告書が出され、死刑制度について議論がなされてきました。英国は1969年に通常殺人に対する死刑を廃止しています。以下は1953年の9月に提出された「ROYAL COMMISSION ON CAPITAL PUNISHMENT 1949-1953 REPORT」からの抜粋です。

死刑に関する英国議会 1949－1953 報告書

女王陛下の命令により議会に提出する

1953年9月

ロンドン 英国政府印刷局

703の項 下線部の訳

《抄訳開始》

他にも不幸な出来事があった。落下距離が短すぎた者はゆっくりと窒息して死に、落下距離が長すぎた者は頭部が切断された。

《抄訳終了》



ROYAL COMMISSION ON
Capital Punishment
1949-1953
REPORT

*Presented to Parliament by Command of Her Majesty
September 1953*

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703. This was not the end of attempts to rid hanging as far as possible of its repulsive features. The authorities had already ceased to give literal effect to the sentence to hang by the neck "till dead", and tried to make death instantaneous by the shock of a long drop. But public opinion was disturbed by evidence that the task was sometimes bungled. In 1885 a condemned murderer was reprieved after three unsuccessful attempts had been made to hang him. There were other untoward occurrences: occasionally a man might be given too short a drop, and die slowly of strangulation, or too long a drop and be decapitated. In 1886 a committee was appointed to report on the best way of ensuring "that all executions may be carried out in a becoming manner without risk of failure or miscarriage in any respect". This committee made recommendations about the length of drop, improvements in the apparatus, and preliminary tests and precautions. They were designed to ensure speedy and painless death by dislocation of the vertebrae without decapitation. The present practice, which we shall describe later, is based on these recommendations. We were told by the Home Office that "there is no record during the present century of any failure or mishap in connection with an execution, and, as now carried out, execution by hanging can be regarded as speedy and certain".

704. It was indeed on the score of humanity that execution by hanging was defended by witness after witness. The Prison Officers held the present system to be "as humane as circumstances permit". The Prison Medical Officers said, "We cannot conceive any other method which would be more humane, efficient or expeditious than judicial hanging". The Prison Chaplains called it "simple, humane and expeditious". The British Medical Association said that "hanging is probably as speedy and certain as any other method that could be adopted". The Royal Medico-Psychological Association, after remarking that the method of execution ought to be "certain, humane, simple, instantaneous and expeditious", said: "on the information available to the Association the method of hanging fulfils these criteria more satisfactorily than any other so far proposed or in practice". Sir Norwood East said that "hanging is certain, painless, simple, humane and expeditious". No British witness advocated a change of method, with the doubtful exception referred to in paragraph 745.

705. Thus a method of execution whose special merit was formerly thought to be that it was peculiarly degrading is now defended on the ground that it is uniquely humane. This surprising inversion is not only a result of the change we have described in the way the operation is performed, by which "a method originally barbarous . . . has been successfully humanised".⁴ It also implies a change in public opinion—as expressed by our witnesses—which no longer attaches importance to the greater deterrent value attributed to a form of execution supposed to excite exceptional dread.

706. Some witnesses did not wholly accept this last inference. They argued that, even though hanging had, rightly, been converted in form of execution, it still carried with it a stigma that had no deterrent value. This was the view of the Prison Chaplains, the English and Scottish. The English Chaplains elaborated it in reply to a question:⁵

"It [the deterrent effect] is rather subsidiary to the idea of its being a public act rather than a hole-in-the-corner act of private vengeance. It is the public nature of the act—the law solemnly executing the man. . . ."

4. A former prison chaplain, quoted by Howard League, p. 284 (8).

5. Smith, Q. 1517.