

The Standing Senate Committee on Foreign Affairs

Evidence

Ottawa, Thursday, November 7, 1974

The Standing Senate Committee on Foreign Affairs, to which was referred Bill S-12, An Act to amend the Immigration Act, met this day at 11 a.m. to give consideration to the bill.

Senator George van Roggen (Chairman) in the Chair.

The Chairman: Honourable senators, we now turn to consideration of Bill S-12, An Act to amend the Immigration Act. We are fortunate in that the minister, the Honourable Mr. Andras, was able to get away from the Cabinet meeting for a short time this morning to appear before us and answer any questions members of the committee have in connection with this bill. Since the minister's time is constrained, I am going to ask him to lead off, following which we can then turn to the departmental officials for further information.

Have you an opening statement you wish to make, Mr. Minister?

Hon. Robert Andras Minister of Manpower and Immigration: I will just make some general comments, Mr. Chairman.

Honourable senators, it is my good fortune to get loose from Cabinet and join this august company, which I always enjoy. It has been about a year since I was last before you, but I have had an opportunity and, I might say, the pleasure of exchanging views on other matters on prior occasions.

Bill S-12 is, quantitatively, a small bill in the sense that it is not a voluminous document. However, it does have considerable significance both in terms of importance and in terms of timing.

As a government, we have been embarrassed for some time by a rather significant loophole in our legal structure to maintain a reasonable degree of control over certain aspects of immigration. This bill addresses itself to one such particular loophole, that being the lack of a significant deterrent to people who, having been deported from Canada for good and sufficient reason, checked out by the courts and the various appeal bodies, return to Canada. This, of course, is frowned upon under the present Immigration Act, but there is no deterrent provided under the act. I am not a lawyer, but I am advised—and I see the practical wisdom of that advice—that on examination of the Immigration Act it certainly indicates our distaste for people having been deported returning, but that is as far as it goes. It expresses our displeasure, but provides no real method of control, other than finding these people and deporting them again, which is really not much of a discouragement for people who are determined to engage in this practice.

This does not involve a large number of people in quantitative terms, or even proportionate to the number of people who are in fact deported from Canada. For that reason, I will be addressing myself not so much to the number of people involved in abusing this loophole but in the type of people.

In the first eight months of 1974 128 persons were deported from Canada for the second or third time and, in one case, the seventeenth time, for either entering Canada or attempting to enter Canada without the consent of the minister. In the main, people who do abuse this loophole are, by any standard, people whom we do not want in Canada. Generally speaking, their determination to return to Canada after having been deported is backed up by criminal intentions or criminal action. For that reason we want the power under the Immigration Act to provide a deterrent to these people.

I do not intend to give you the details of all the 128 people who have abused this loophole in the first eight months of 1974 but I do have three cases which I can relate to the committee. I do not claim that they are selected totally at random. They are rather loaded in the illustrative sense. I think it would be unfair of me to give names, so I do not intend to do so. However, if any honourable senator wishes to authenticate my statements, I will be glad to give the names in confidence. As you will no doubt appreciate, we are dealing with individuals and we are a large organization. I hope you will accept that the statements I am about to make have been researched thoroughly.

The first example involves a chap who is a pimp. He was deported first on February 10, 1966, and then deported again on the following dates: November 14, 1966; November 28, 1966; February 29, 1968; March 18, 1968; March 21, 1968; April 9, 1968; October 22, 1968; and on November 27, 1968. For all I know, he may be back in Canada again.

Senator Thompson: Was he deported to the United States?

Hon. Mr. Andras: To the United States, yes.

Senator Yuzyk: Did he make the same crossing on all occasions?

Hon. Mr. Andras: I really do not know how he got back in, senator. This fellow seems to be quite ingenious. In one case, I am told, he beat the escorts back. The escorts took him across the border, or to the border, and after that duty was performed stopped for a cup of coffee, and the story is that he was back before they were.

Another example involves a fellow who is not limited to just pimping but who is also involved in narcotics. He has been in and out of Canada 17 times in 13 years.