

Immigration

Unfortunately for him the present minister has inherited this mess, but I suggest that it is absolutely incumbent upon him to clear up the situation. He has shown no signs of doing so. I think there are some quotations or statements in this regard which might be rather interesting. *Saturday Night* of September 25, 1954, makes a comment with which I agree with respect to the report to which I have referred. It states:

The only conclusion is that when the Hon. Walter Harris made his recent move from the immigration ministry to finance, he left a mess behind him. His failure to straighten out his former department is not a glowing promise of success in his present, more difficult job.

Then perhaps we might be permitted to hope that if the Minister of Finance, as he now is, has done nothing, at least his successor would show an inclination, indeed a determination to clean up the mess. But the Minister of Citizenship and Immigration (Mr. Pickersgill) has shown no inclination to accept his responsibility to improve the situation. He did say some months ago that the reports were being studied, but the *Winnipeg Tribune* of November 26, 1954, states this:

But when Mr. Pickersgill was in Manitoba early this month taking part in the Selkirk by-election he stated that he was taking no action on the charges because he had not officially received a report from the bar association committee.

The minister's attitude is apparently reflected in the attitude of the deputy minister who said on September 2, 1954, that no changes were contemplated in the procedure followed by the overseas officers of the federal department, which came under considerable criticism at the annual meeting of the Canadian Bar Association.

The necessity for the minister to take some action to improve the situation in his department is, I believe, obvious from the very serious nature of the criticism made by the bar association subcommittee, which made a summary of some of the cases. I will briefly outline the nature of some of these cases.

The cases were summarized by Mr. McDonald, chairman of the subcommittee, in an interview he gave in Winnipeg and as reported by the Canadian Press on September 2. Some of the points he made are as follows:

That in countless incidents Canadians trying to return from abroad were delayed by the immigration department anywhere up to five years. They appear at an overseas immigration office with their birth certificates. An inspector simply tells them he doesn't believe they are the person named on the certificate. Then he tells them goodbye. They have no recourse to the courts.

The inspectors themselves are not clear on what authority they have for their actions. The west coast inspectors are determining some cases on

the basis of a statement made in the Commons by the minister. They have nothing else to go on.

At overseas ports Canadians are refused representation by counsel. The Hong Kong office bears the sign "no agents allowed". The department refers to lawyers as "agents".

When a lawyer writes the department on behalf of a client, the department habitually writes directly to the client, sidestepping his counsel.

Mr. Dickey: Would the hon. member be good enough to identify the document from which he is now quoting?

Mr. Fulton: I cannot understand why hon. gentlemen opposite are so suddenly hard of hearing when criticism is directed against them. I said this was a Canadian Press report from Winnipeg dated September 2 and it summarized a press interview given by Mr. McDonald, chairman of the subcommittee. The report continues:

That, on occasion, the department has advised clients to deal directly with the department and dismiss their counsel.

These are some of the points made by Mr. McDonald in substantiation of the subcommittee's criticisms.

Now, let us look at what this department does when it gets an adverse ruling in the courts. I have referred to the case of Leong Ba Chai in which there was a decision of the Supreme Court of Canada. After being in Canada for some time a Chinese gentleman applied for the admission of his son from China, and when the department refused, his counsel insisted that the matter be referred to the courts. The question of the admissibility of the son was referred to the courts and they upheld the submission. The court held that the son was admissible within the definition of the regulations.

Mr. Pickersgill: Has the hon. member the court's decision there?

Mr. Fulton: No, I have not got the court's decision, but I have discussed it with counsel and I have a summary of it here. If the hon. member does not agree with my interpretation he can make his own remarks in his own time.

Here is a report in the *Vancouver Sun*—a paper not hostile to the government—dated December 10, 1954:

A Canadian citizen, whose right to bring his 20-year old son from China to Vancouver was upheld in the Supreme Court of Canada nine months ago, is still awaiting an entry visa for the boy.

The supreme court decision came December 28, 1953, as a climax to a three-year battle with the Canadian immigration department fought by Leong Hung Hing, an elderly chef in a Vancouver chop suey house.

Today the visa application is "still under investigation", despite the fact that most immigrants get cleared for entry in a matter of a few weeks.