

Immigration Security Act

Greenwood, that the responsibility might be shared for this brief period by someone who has full knowledge of the immigration laws of this country and great responsibility for them. In this case I think of the chairman of the Immigration Appeal Board. In that way at least there would be one additional safeguard.

Quite frankly, this is the part of the legislative initiative which concerns me most. I have seen certain aspects of this over the past few months in respect of communications being transmitted. Let us take, for instance, Interpol. It is well known that Interpol has received a good deal of criticism in recent months, particularly in the United States where there have been certain congressional investigations. Because Interpol is not a public but is, rather, a private police agency it can, in effect, be used by those who would not have the best interests either of their country or a number of individuals at heart.

That is why I am not at all happy with the provisions being requested by the minister. There are no safeguards whereby Canadians can be assured that the minister will not make decisions on the basis of information which is heavily politically coloured and may therefore, in effect, deprive individuals of rights which they would normally expect to receive from this country. I know the nature of the problem here is most serious and requires the responsibility of all members of this House, but without some kind of assurance concerning safeguards I am not happy to leave the bill in its present state. I hope the minister, with his officials, will find some acceptable compromise which would give the assurance which I think members on all sides of the House seek.

Mr. Brewin: Madam Chairman, if we had unlimited time I would find it very interesting to discuss with the minister some of the legal opinions he seems to have received from the law officers of the Crown which I find mystifying in the extreme from my experience as a lawyer. I shall confine myself to considering, with the hon. member for Edmonton West, some of the real points which exist here. There is a distinction that has been drawn between evidence, certainly the substance of evidence, and the reasons for taking an action which could be disclosed in many cases without revelation of the confidential sources. The minister has a perfect right in those cases, under the amendment we propose, to file a certificate in respect of the security of Canada.

● (1650)

There was a very clear illustration of this on an even graver matter, and that was the internment of people during the war who were suspected of being close to one of the powers we were fighting against. Originally, under the defence of Canada regulations, when many people were interned nothing whatever was disclosed as to the reasons. The minister was not required to say a word. But a tribunal was set up which was given the power to require the minister or his officials to give general particulars without giving details of names or sources. This was done and it worked perfectly well. That is the procedure which I think would be highly appropriate in this particular situation. It is not every fact that comes under the provisions of subclause (2), not everything that affects security. There may be the most open evidence of certain acts of violence which have nothing to do with confidential sources. Why, in those cases, should there not be disclosure?

There are other matters which I would rather like to discuss with the minister, but in view of our undertaking to be brief I will not pursue them at this stage. I am glad he thinks the debate has been useful. Certainly when we get on to permanent legislation we may have to debate this matter at greater length and with greater care than we have today, when the circumstances require us to act quickly.

Mr. Andras: Madam Chairman, I am attempting to resist the temptation to rise again because, as we have all indicated privately and publicly, we have time problems. I will simply say this. The hon. member for Egmont has put his finger on the problem. I do not think he has resolved it. I am trying to. We already have the situation in section 21, and it is more Draconian there if one accepts that a landed immigrant has acquired more rights by far than a temporary visitor to this country with whom this act deals. I totally accept the necessity to take my responsibility under section 21. Believe me, both he and I have been through this on a few occasions and have looked very carefully at that evidence.

With respect to the point made by the hon. member for Edmonton West, the possibility exists that you do get influenced by your officials, and indeed my concern is that the train of events can lead to that. I am totally conscious of that. I will say this much, that when we come to the immigration bill I will have some ideas which we are exploring now. Unfortunately, time does not permit their association with this quick job which I have to do because of the Olympics coming up. We are exploring avenues and mechanisms by which to lessen the confidentiality aspect of sources of information and yet try to get an independent view of the judgment which must be applied to that information. I am totally conscious of that and I have some ideas which I am discussing with my colleagues. I assume they will surface when we present the package to the House.

Some hon. Members: Bring on the package.

Mr. Andras: I respected the admonition of the joint committee that I not develop policies in the back room and then spring them on the people of this country. That is the reason we have this time lag to a degree. As the hon. member for Greenwood has indicated, I will welcome a debate at greater length on the permanent legislation. I am quite sure it will be a more detailed debate, with more concrete proposals to try to resolve to some degree this dilemma of the confidentiality of this kind of information, and therefore evidence that I can present now because these matters are all interrelated.

There are many versions of what that mechanism could be and how it could work. I do not have the final version in my mind, frankly, although I have definite ideas. I am in a position to say that that debate, on the permanent legislation, will come later. Regrettably, I cannot become enthusiastic about the proposals in the amendment because if I were asked by a court for reasonable grounds, and then said to the court that I was not required to produce evidence, they could say, "Therefore we will reverse the deportation order." I would be in a real jam then.

As to the comments made by the hon. member for Edmonton West, he is right. I worry sometimes about