

Government Orders

Mrs. Christiane Gagnon (Quebec, BQ): Madam Speaker, I rise today to participate in the debate, at third reading, on Bill C-44, which amends the Immigration Act, the Citizenship Act and the Customs Act.

Before getting to the crux of the matter, I want to make a few comments to help us during this debate or at least to make us think of the importance of the decisions which we will be making when we vote on this bill.

In Part I of the Immigration Act outlining the Canadian immigration policy, sections (i) and (j) mention the need to "maintain and protect the health, safety and good order of Canadian society", and also "promote international order and justice by denying the use of Canadian territory to persons who are likely to engage in criminal activity".

We agree with these principles and objectives because they reflect the large consensus on which are based our legal and justice systems. But there are also concerns which are directly related to Bill C-44 and which are equally important to understand the issue being debated.

During the recent consultations held by the minister regarding immigration, someone said that "intolerance was the fastest growing industry in Canada". Hysteria, racism and fear result from intolerance and generally lead people to confuse reality with perception. Reality is what exists in fact, while perception is the representation of something based on an impression.

This is why, for some time now, Canadians have been under the impression that criminal immigrants abound in our country. Given such an impression, it is easy to jump to the conclusion that immigrants are responsible for most crimes.

We must firmly oppose the spreading of adulterated and erroneous information on immigration, since it adversely affects the relation of confidence which should exist between a host country and its immigrants.

Last year, a study conducted by the Department of Citizenship and Immigration revealed that there is no link between ethnic origin and the propensity to commit crimes. Contrary to what some people would have us believe, persons born abroad and now living in Canada are under-represented in the prison population, as Derrick Thomas, senior researcher in the department has confirmed. While new arrivals represent 20.2 per cent of Canada's population, they represent only 11.9 per cent of the population in prison or on parole. Moreover, contrary to certain popular beliefs, visible minorities are not inordinately represented in statistics on crime.

In view of the many questions people have and the concerns they express, it is worth pointing out that the crime rate dropped by 5 per cent in 1993. According to the Canadian Centre for Justice Statistics, the crime rate reported by police departments dropped for the second consecutive year in 1993. The 5 per cent

decrease is the biggest in a single year since the practice of gathering statistics on crime began in 1962.

This confirms the statement I made earlier about reality and perceptions. While the public feels that crime has increased generally, this is not actually the case. The same thing may be said for the relationship people try to establish between immigration and criminality.

It is certainly not my intention to downplay the seriousness of criminal activities. They exist, and we are aware of them. I know people experience real fear about their safety. Surveys have shown this. Nevertheless, we have to look at the facts.

We should also look for and decry the source of public misconceptions. This House must not reflect the sensationalism of supermarket tabloids or the media, which give too much attention to individual cases making them appear to be the norm in Canada.

• (1545)

It is unbelievable that, having first singled out young people as being the source of all evil, we are now pointing to immigrants as being the scourge of humanity. Should we not regard socio-economic conditions as the fundamental basis of crime and not immigration? And are not the difficulties in the areas of finances, adjustment, training and employment experienced by immigrant families, and young people in particular, the true causes of crime rather than immigration itself? Do you agree?

An hon. member: Yes, it is true.

Mrs. Gagnon: Beyond the fears weighing on our minds, we have the following reservations about specific provisions of Bill C-44. The most important of these is the clearly expressed desire to eliminate the right to appeal allowed immigrants and refugees accused of crimes punishable by a prison term of ten years or more. This seems to run counter to the fundamental principles which should exist in a just society. The Charter of Rights and Freedoms should apply for us all as regards a fair and impartial procedure.

Another element of the bill which concerns us is that of sentencing. The bill considers only the nominal act, that is, the maximum penalty for the type of crime committed, without regard for the sentence actually imposed. We all know that, even though a crime is punishable by a 10-year prison term, in practice, judges use principles of sentencing to set terms. For example, someone who breaks into a private residence can be given a life sentence. According to the bill, the accomplice of someone who issues fraudulent credit cards could be deported to his or her country of origin.

In general, defendants are given much lighter sentences than the maximum. In certain cases, the sentence does not even include a prison term or a fine, the defendant is only given a suspended sentence or is put on probation. Persons given only very light sentences could see themselves, under the bill before