

with a right to claim special humanitarian or compassionate relief. It is the Board's exceptional power to grant special relief, to modify the laws of Parliament where the law would be unjustly harsh on individual cases, that the Board Chairman sees as the real *raison d'être* of the Board and as the justification for extending access to the Board to all persons ordered deported. A minority of the Committee favoured the recommendation of the Immigration Appeal Board. They believed that justice requires that a person ordered deported by an official of the Department should have a right to seek judicial review of this decision. They also thought that the experience of the Board should be recognized and its judgment be accepted on the principle of extending the right to appeal as proposed and on the practicability of the proposal—that it would not cause undue delays.

130. Most members of the Committee rejected the Appeal Board's recommendation for a number of reasons. It was felt that the Board's unique jurisdiction to modify the laws of Parliament should not be extended to visitors without visas who are ordered deported. Even granting only the right to seek leave to appeal would require a process of filing an application, production of the record of the Special Inquiry, written submissions from both parties, and consideration of these by the Board. This process, it was feared, would be unavoidably time-consuming, costly (not just in terms of the Board's time, but also because the subject would have to be detained and accommodated at public expense in the interim), create a backlog, and be largely unwarranted because Special Inquiries are judged to be satisfactory to these purposes. Here, specifically, Committee members did not want to create a situation where a person had more chance of gaining immigrant status by evading the selection process than by going through it. Moreover, the Committee's decision to recommend that students seeking to study in Canada should be required to apply for a visa abroad would somewhat extend the range of the Appeal Board's present jurisdiction. Should a future