

Immigration

(a) Possible codification of regulations issued by your department.

(b) Publications of intra departmental directives—particularly instructions to field officers as to the application or interpretation of the act.

(c) The implementation of proper and legal appeal procedures as contemplated in the act and as recommended in this subcommittee's preliminary report last year.

(d) The possibility of making departmental files available to applicants and their attorneys—possibly as handled by the Patent Office. (Excluding confidential material prepared and written by departmental officials but including all statements made by the appellant or any other person pertaining to the case).

(e) The recognition of the role of barristers and solicitors in immigration law.

(f) The establishment of a procedure setting forth reasons for rejection in each case, in such a way as to give the rejected party or the applicant concerned an opportunity of overcoming the department's objections.

(g) The committee's recommendations made in the 1953 report be implemented.

The subcommittee had pointed out earlier that in its 1953 report it recommended certain administrative reforms within the Department of Citizenship and Immigration and the creation of an immigration appeal board on a judicial and legal concept.

I should like to emphasize that these findings, and the criticisms inherent in these findings and recommendations, are based on cases which were studied by the subcommittee and which occurred when the present Minister of Finance was minister of citizenship and immigration. These were cases of injustice and hardship resulting from practices and policies for which he was responsible but which he refused to alter or review in spite of repeated urgings by ourselves and others. The Minister of Finance must take full responsibility for the mess in the Department of Citizenship and Immigration, a mess which drew such criticism from the bar association and from newspapers of all shades of political opinion from one end of the country to the other.

I submit to you that in all reason and in accordance with proper practices the existence of such a mess and the refusal of the minister to deal with it would call for the resignation of the minister who had condoned those practices. This is a situation which is not taken care of by the simple device of transferring the minister from one department to another within the government.

Mr. Pickersgill: I wonder if the hon. member would permit me to ask a question?

Mr. Fulton: I shall be coming to the hon. gentleman in a moment. I am sure he will be much more anxious to ask questions when I have dealt with him.

Mr. Pickersgill: My question relates to what the hon. gentleman has just said.

An hon. Member: Sit down.

[Mr. Fulton.]

Mr. Pickersgill: My question is this: Would the hon. gentleman quote the decision of the Canadian Bar Association to which he has just referred and not the rejected report of a subcommittee.

Mr. Fulton: If I used the words "decision of the Canadian Bar Association" I am glad to correct that. I made it clear earlier when I first introduced this subject that I was quoting the report of the subcommittee of the committee on civil liberties of the Canadian Bar Association. The report was made to the committee and was presented by that committee to the council of the bar association.

Mr. Harris: Just for the record, go on and tell what happened to it.

Mr. Fulton: It was not rejected. I thought the minister would try to take refuge in that. The report was not rejected. The report became a very heated political issue, quite true, and—

Mr. Pickersgill: Not with the bar association.

Mr. Fulton: As I understand the situation as it was reported to me, the bar association did not want to get involved in any political issue and the bar association council recommended that the matter be referred back to the subcommittee for their further study and consideration. I have no hesitation in placing these facts on the record because I was not referring to this as the full report of the Canadian Bar Association. This was a report by a subcommittee of one of their committees made after two years of study and investigation. That subcommittee consisted of a barrister in private practice in Vancouver, the son of a Conservative it is true but not himself active in politics; a Liberal lawyer here in Ottawa, who was a candidate for the Liberal party in the last federal election and the one before that, and an official of the Liberal organization. The other member was the hon. member for Halifax (Mr. Dickey), who is the parliamentary assistant to the Minister of Defence Production and who is I imagine perhaps the strongest Liberal of all three, strong that is in his adherence to the party. I do not mean in his contributions.

It must be emphasized incidentally that not one of these findings or recommendations has been refuted or denied. I repeat that under ordinary circumstances when a situation such as this is exposed the minister who is responsible, particularly when he refuses to deal with or improve the situation after it has been drawn to his attention, would in accordance with ordinary principles of responsibility be called upon to resign.