

This is very important in a case where there has not been a deliberate criminal act but, rather, an inadvertent mistake. Some people might be allowed to return to Canada at some future date or at least to apply to bring about family unification.

I would like to refer to several cases to illustrate this point. In my riding, an east Indian woman, 22 years of age, overstayed her visit in Canada on a visitor's visa. She overstayed because she had no place else to go. Her family had applied some years ago to come to Canada, and at that time she was a minor. Because of the lack of immigration officers and the inaccessibility to an immigration office in India, there were long delays, and it took some years before the family was able to come to Canada. During this period, of course, she became an adult. She was no longer allowed to come with her family as a minor, and she was unable to come as an individual adult. In this case, it seemed important to me that there be some discretion shown and that she be allowed time to find an alternate place to go or to perhaps re-apply as a landed immigrant. There was some discretion shown in this case.

The second example I recall is the rather famous case of a Chilean, Galindo Madrid, who applied to stay as a political refugee as his life would have been endangered if he returned to Chile. In this case, the minister did extend his permit to stay in Canada. I might say that, to my knowledge, he has been steadily employed and has been a contributing citizen of our country. I might also say that there are many Chilean patriots who have serious concerns and fears with regard to the Immigration Act. This is because some of the sections define people who advocate changes or the overthrow of governments in homelands as undesirable.

Another case involves crew members of a Greek ship which came into Vancouver harbour last year. The ship's master owed back pay to these men. The master had not sent money to the families, as had been promised. The ship later went into receivership. The captain claimed that these men had deserted. The union actually proved that the men had been locked off the ship. In this case, deportation was delayed. Eventually the ship's master and owners were required to pay the return passage of these men back to Greece. However, a real injustice would have been done here if the case had not been processed.

I would like to refer to domestic workers. I recall one woman from Jamaica who overstayed her working visa. She had worked in Ontario, I believe, and eventually came out to British Columbia. She claimed that she did not understand some of the regulations concerning reapplication for an extension of her visa. However, it would perhaps be more valid to look at the situation from a humanitarian point of view. This woman was supporting elderly parents and several children in Jamaica. There was no chance to gain employment at home and her country was in turmoil at that time. Her skills, on the other hand, were needed here. She had many references stating that she was a very productive worker. As it turned out, she was deported; but present legislation would allow her to apply as a landed immigrant here.

Immigration Act

Another case concerns a domestic worker from the United Kingdom. She came to Ontario with confirmation of a job. This job fell through, through no fault of her own. She had relatives in Vancouver, so she came to Vancouver. In this case, it seemed much wiser to give her an extension of her visa so that she could get a job in B.C. as a domestic worker. There was no reason to deport her at that point.

I would like to mention the injustice in the history of immigration law in Canada. This was brought to my mind at a recent meeting with the Chinese community of Vancouver. We know that we have a sad history of prejudice and discrimination against Asian immigrants. This was particularly true in the early parts of the century. Indeed, Asians were not allowed to vote in Canada until 1947, I believe. During this period, many people went underground. I think the country was right to acknowledge amnesty years ago and to allow these people to be recognized and to apply for citizenship at that time. I really illustrate this to show that we must have some flexibility. Of course, we must have enforcement of the law as well.

I would like to conclude with a quick summary of some other points in our Immigration Act and the immigration policy of the Liberal government which should have been included in the revisions. I would like to ask that the government give serious consideration to changes.

The Immigration Act itself discriminates against women. The very language of this bill is "he, he, he", all the way through. Women are not treated as individuals. Many women come in family groups, but they are treated as spouses. They do not have rights in their own names. They are in danger of being deported if they happen to separate from their husbands or if they must go on welfare, for example. Domestic workers are solicited to come to Canada and jobs are made available, but they have no protection. Even so, changes are needed. Women from other countries, whether they are heads of families or single, do not have the same chance to come to Canada as do men, even though they may have training, education, and speak English, and really should meet the point system. If the same woman marries, she is much more likely to come under her husband's qualifications, but not in her own name.

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As I mentioned, there are serious questions with regard to the Chileans and the discretionary powers of immigration agents allowing them to decide who should be allowed to come to Canada and who should not. We know how personal judgments can enter into that kind of decision. A person who is not in Canada has no right of appeal, no chance to have an objective reconsideration of his case.

We talk about people who may be judged to be involved in militant activities. Would unions organizers from another country be judged undesirable? How would FBI agents who have tried to overthrow governments of other countries be treated under this act?

Something else that is very sad in dealing with the many persons trying hard to sponsor relatives who have been separated for a long time is that they are not given any reason why