

*Private Members' Business*

I congratulate the member for Cambridge, first, for bringing forward the bill that would amend the Immigration Act and, second, for being able to convince the appropriate House committee that the matter is of such urgency that it should be a votable item. This demonstrates that the issue the hon. member has brought forward is one of concern to a significant number of people across Canada.

I congratulate the hon. member because he has brought an interesting perspective to the debate in the sense that he is an immigrant to the country. He had to comply with the rules and regulations that were in place at the time he came to Canada. He knows what a privilege it is to be a Canadian citizen and how lucky those of us who were born in Canada are.

The hon. member did something that I could never do. He chose his country. In choosing that country he knew what the rules and regulations were. His hard work in this country has been rewarded by the fact that he is sitting in the most august House of Commons and is able to represent his constituents on matters of concern to them.

The issues raised by the hon. member in his private member's bill are issues of concern not only to the people of Cambridge but also to the people of Scarborough West. I say with some certainty that they are the concerns of many Canadians across the land.

The reason I say this is that in the 34th Parliament I was the immigration critic for the Liberal Party for a period of time. In that capacity I was asked by my leader to travel across the country and speak with Canadians about immigration issues, which I did. Time after time after time, regardless of whether it was in Victoria, Moose Jaw, Halifax, St. John's or Scarborough, one issue that was raised was that of people who arrive in Canada, are not citizens, do not appreciate the privilege of being here and commit heinous crimes.

In my own riding there was a situation where someone came from a country and pistol whipped a McDonald's employee for the pure pleasure of pistol whipping this person. It was clearly identified in the evidence. He committed armed robbery. He was obviously armed with the pistol that he assaulted the person with. He was committed to jail for a period of time. Then through a series of legal manoeuvres over a period of five years, extending through the first period of time that I was a member of Parliament, he succeeded in thwarting the immigration system and the deportation system. He was able to use every so-called legal manoeuvre to remain here in spite of the fact that subsequent to being released from jail for the armed robbery he was caught, charged and convicted of trafficking in drugs. He was still allowed to remain here through a series of legal technicalities.

After persistent pushing by the immigration department through a series of frustrating events involving the meshing of the judicial system and the immigration system, about which the parliamentary secretary was talking earlier and which caused delay and frustrated the department of immigration, the person was finally deported at the end of 1994. It was to the great relief of everyone concerned about the activities he had been involved in, including the immigration department, myself and my constituents who were personally attacked by the individual who was nothing but a downright, low-down criminal that should have been thrown out of the country upon his first conviction.

This is a private member's bill. We have heard from others that private members' bills are never perfect. I speak from experience of private members' bills that have been accepted by the House. We do not have departmental officials and departmental awareness of the issue on a day to day basis to help us. We come up with a germ of an idea. We see if people generally like it and we try to get it approved in principle so that it can be looked at in committee and amended if necessary. This is precisely what the hon. member has done.

Let us look at the bill in the very short time that I have left. The purpose of the bill is to provide the following:

If a person is convicted of an offence punishable by 10 or more years imprisonment and is or is seeking permission to remain in Canada but is not yet a citizen, the court may, on application by the prosecution, order, in addition to any other sentence, that the person and anyone dependent on the person be removed from Canada.

I would be hard pressed to find a constituent of Scarborough West who on principle would disagree that a person who has committed a crime in this country, punishable by more than 10 years in prison, should not be deported. The proposition is the correct one. It is supported by the vast majority of Canadians, certainly those with whom I have interchanged on the subject.

We get into technicalities and that is true. We get into potential constitutional arguments and that is true. How do we even deal with the problem if we are afraid to bring something forward because it might possibly in the future contravene some section of the charter? We cannot operate like that. We have to do the best we can.

For example, it was brought up, and legitimately so, that there could be some constitutional arguments, such as how does the crown know anything about the immigration system. One potential amendment one could suggest immediately upon a cursory review of the bill might be in subclause 3(2) of this bill, dealing with section 32.1 of the Immigration Act, whereby one could put an amendment that the crown, on the recommendation of the immigration department, could make an application to the court to have the person deported.

Where there is a will there is a way. It is that simple. Once we recognize that there is a principle that is worthy of proceeding with, it is simply a question of figuring out how to do it. If Bill