

Immigration Act, 1976

There are other parts of the legislation to which we certainly object. I refer to the areas of search and seizure and wire-tapping. We consider this a wholly scandalous piece of legislation. We have humanitarian obligations to refugees. I am proud of the church groups which are aiding them, and which see that as part of a civilized society we have obligations to people who are exploited, obligations beyond our own citizens. We are part of a world and we have strangers, refugees or exploited persons who come to our shores. We have obligations as fellow human beings living on this planet to aid them. We need wise legislation which will make a distinction between the genuine refugees and which will protect us from crooks who want to abuse the system. We do not have that with the present legislation. I urge Members to vote against Bill C-84 as it presently stands.

The Acting Speaker (Mrs. Champagne): Are there questions or comments?

Mr. Fulton: Madam Speaker, I have just one brief question for the Hon. Member. One of the clauses that people from British Columbia who have contacted me have found most offensive is Clause 9. In relation to that clause, the Minister promised that he would never prosecute humanitarian groups or persons who were bringing people into Canada, smuggled or not. He said that he and some bureaucrats would decide who would be selectively prosecuted.

Many church groups and individuals in my constituency have been in touch with me with respect to that proposal. They have said that they find it to be one of the most offensive concepts in the Bill. They object to this idea of a Minister deciding selectively who to prosecute. Will he prosecute a nun from St. Catharines who brings a couple of people across from Central America? To leave an area such as that open to the political whim of the Minister of the day, and perhaps to what the Minister might have eaten the day before or whether he likes someone or not in a certain area, I find to be one of the most horrific and un-Canadian parts of the Bill. Will the Hon. member take a moment to comment on this selective prosecution process that is provided for in Bill C-84?

Ms. McDonald: Madam Speaker, I think that the Hon. Member has raised an extremely important point. Certainly organizations which have gotten in touch with me have raised this point as well. This is one of the most obnoxious parts of the legislation. There are several reasons why it is obnoxious.

One reason is that people do not want to be law-breakers, people who are doing good things out of conscience. These are church groups which are concerned. We have the Hebrew-Christian tradition which respects refugees. They are among the weakest and most oppressed members of any society. As a matter of conscience and religious belief they are obliged—it is not a matter of choice or ethics of deciding whether or not to go along with one rule or another—to aid refugees. Here, because of their religious convictions, they will do things that will make them law-breakers. It is outrageous in our society, our so-called Christian society, that we would have a law

which will make law-breakers out of some of our most outstanding members of society, people who are doing very good work. That is outrageous.

We are then given the answer that this law will not be enforced. A Minister will decide, and will simply not choose to prosecute these good people, people who are acting in good conscience. Who says? This is a very inappropriate way to word a law. The Minister should not be making these types of decisions. Do we want our Minister of Justice to be phoning up judges, telling them who to convict and who not to convict? Or do we want him phoning up prosecutors to say, "I want prosecution here and there"? It is a role of the Government to propose legislation and to propose policy, but not to decide on particular cases.

With regard to church groups, these are groups which are lobbying the Government for change in social issues. The same people came before the committee with respect to refugees, and they are also lobbying on all other kinds of social issues. They are lobbying with respect to poverty issues and issues of equality rights. They could be sent off to jail, which would certainly shut them up for a while. They are being placed in a very difficult situation and being ordered to keep on the right side of the law in order not to be prosecuted. Perhaps they will be pressed not to lobby on other issues. This will certainly put them in a very difficult situation, simply because they are acting in good conscience. That is a scandalous thing for the Canadian Parliament to do.

• (1630)

Mr. Althouse: Madam Speaker, my question to the Hon. Member for Broadview—Greenwood (Ms. McDonald) is a follow-up to the question on the church groups. I note that the Hon. Member was about to discuss the questions raised in this Bill on search and seizure. Most societies on this earth, regardless of their religion, society, or language, have viewed churches as a safe place, a sanctuary, and a refuge. Therefore, it is quite natural that refugees who are fleeing a regime for political reasons, or for their very lives tend to seek out churches when they come to Canada, or when they are on their way here.

I notice that there are some radical changes to the manner in which we generally handle the question of search and seizure. The process of warrants and orders for a search and seizure seem to be bypassed in this particular Bill.

Would the Hon. Member for Broadview—Greenwood give us her analysis of what this Bill does both to the principle of sanctuary and providing a refuge through church groups, which is something recognized by most societies, and to the apparent change in the law proposed by this particular Bill?

Ms. McDonald: These are two quite different issues. The sanctuary issue is an extremely interesting one. People do go to churches for sanctuary. Historically over the centuries, churches have played the role of rescuing people. Because of the churches' belief in the sanctity of human life, they rescue