

127. The Committee was told that the powers of search, arrest, detention, and interim release provided for by the Immigration Act are exercised in a manner that adheres very closely to the provisions of the Criminal Code and the Bail Reform Act. The Committee concurs with the Canadian Civil Liberties Association that "*it reveals no disrespect to insist that Ministerial assurances are no substitute for legislative safeguards*" and recommends that the same safeguards that exist in the Criminal Code and Bail Reform Act be applied to the prehearing detention of "*immigration suspects*" who have been admitted to Canada and/or have filed appeals (34.42). At the same time, the Committee recommends the assignment of additional immigration staff to investigative and enforcement duties, and the provision of more adequate communications equipment, facilities, and R.C.M.P. support at Canada-United States border crossing points.

128. The Immigration Appeal Board at present is empowered to hear appeals from refusals of sponsorship applications made by Canadian citizens, and from orders of deportation in respect of landed immigrants, persons in possession of valid Canadian visas issued outside Canada, persons who have claimed refugee status and whose appeal has been allowed to proceed by the Board, and persons who have claimed Canadian citizenship and whose appeal has been allowed to proceed by the Board. On appeals from orders of deportation, the Board must first consider the legality of the deportation order; if the order is found to be in accordance with the law, the Board may then consider evidence that the person should nonetheless be allowed to stay in Canada for humanitarian or compassionate reasons.

129. The Committee gave careful consideration to the arguments of the Chairman of the Immigration Appeal Board, made in testimony before the Committee, that *all* aliens should be given a right to apply for leave to appeal to the Board from a deportation or related order on questions of law, fact, or mixed fact and law, together