

• (4:00 p.m.)

Why should there not be this kind of provision in the legislation? I respectfully submit that the minister would do a great service to this country if he included the provision to which I have just referred. Someone in the department could easily find for him the orders in council which dealt with the internment tribunals during the war. If we had something in this bill so that when a person was accused of having a criminal record or of being a security risk he could make his appeal knowing that he would be provided with particulars of the allegation against him, then I think we would meet the requirements of justice. Otherwise the same kind of thing which has happened heretofore will continue to happen.

I have on my desk a letter from the department about someone who asked me to assist him. The letter simply says that they are making inquiries, that some of the reports they have are confidential and that they cannot really tell me why this particular application was refused in a foreign country which I shall not name. They advise that they are making further inquiries to see whether a mistake may have been made. I do not know what allegations are made against these people. Their relatives and sponsors in Canada do not know. They and I are in the dark. I am not at all sure that the minister's officer is not in the dark concerning the precise nature of the allegation against these people who made application to come to Canada. I see no excuse in peacetime for having this kind of a provision in an immigration appeal board bill such as the one now before us.

Those are my major objections to this legislation. It imports into this process an entirely undemocratic and arbitrary procedure which is unjust to the people concerned and totally unnecessary for the security of Canada. If anyone can prove to the members of my party that this kind of thing is necessary for security and, if the officers of the department will forgive me for putting it so bluntly, is not just something which some bureaucrat thinks would affect the security of the country but is based on nobler facts and reasons, then we might be persuaded to accept the principle involved in this bill. But we cannot see any such reasoning. We cannot see that Canada will not be just as protected against security risks if the person concerned is given an opportunity to meet the case against him.

I am not saying that such a person should be admitted. I am not saying that he should

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not eventually be deported as a consequence of the decision of the appeal board. I am not suggesting that the doors of Canada be opened to security risks. Not at all. All I am saying is that when you provide a procedure for appeal it either ought to be meaningful, democratic, fair and just or it should not be there. If there is to be a ministerial ukase in any event, then let the minister make it in his office. I do not like the pretence of an appeal which in fact is no appeal at all but is merely a process by which two ministers file a certificate with the board, which certificate says to the board that this is what they shall do. You cannot see it, you do not know what is in it, and you do not know why the thing has been done to you. If it were decided there should be no appeal I would disagree, but at least I would respect the forthrightness of that position. I must say frankly that I do not respect a pretension that there is an appeal when in fact there is none at all and when in fact the decision is made by the ministers on the advice of the police and some officer of the department.

In concluding my remarks I should like to say that I agree with the parliamentary secretary that the idea of the appeal board embodied in Bill C-220 is a great improvement over the appeal board which we had under the Immigration Act. I agree with him that the apparent objectives are excellent and I admire and support them. But I am beginning to feel more and more, as I grow older and study the art of political science and government, that all of us, ministers and members alike, are much more in the hands of our officers and the bureaucrats than we like to admit. I cannot help but feel time and time again that as members of parliament or as members of the government we set out with good and sincere intentions to achieve a desirable social result and then on the road the bureaucratic fear and distrust of human behaviour, the bureaucratic desire to bundle everything up in a nice, neat package, the bureaucratic urge to be certain that every "i" is dotted and every "t" is crossed, regardless of the human values which are involved, gets in the way of the governmental and parliamentary intention to have a piece of legislation which really expresses their objectives. You then have a piece of legislation which so fences in the objectives with legalistic and bureaucratic requirements as to leave very little of the sincere desires of those responsible for the original idea.