Some Hon. Members: Hear, hear!

Mr. Marchi: There is another section which states that an immigration officer will be able to break open doors, windows, ceilings, plumbing without a search warrant to look for evidence of those who may be in violation of our Immigration Act. No one has any concern for trying to rid Canada of those who possess a threat to our safety and well-being. But do we have to trample over the rights of human rights organizations or churches because someone may have a suspicion, or the Minister or his deputy may have a suspicion? That, too, has to be amended and mollified with the characteristics of Canadians and not some banana republic that allows its police and officials to run rampant because they may have an interest or a political motive in allowing that type of trampling of rights.

There are also special detention certificates. Presently the law provides that if the Government or the Minister feels there is either lack of identification or a possibility of a security threat the person can be detained for 48 hours. After 48 hours there has to be a request to a special immigration adjudicator for permission for a further seven day period of detainment. Fair enough, if there is a suspicion and to make sure that the suspicion is false a detainment is requested. That was done with the recent immigrants, and it has been done for years. It has worked well.

The Government wishes to move from 48 hours to seven days without any questions. After the seven days, and after a special detention certificate, it would permit a Minister to ask for the person to be detained for 21 days. The adjudicator has no discretion whatsoever to overrule that request. Once again the power has shifted from Canadians and their laws into the hands of one single Minister who is calling the shots. That is dangerous. Today it may be the 174 immigrants who came off a boat; tomorrow we don't know.

• (1630)

Therefore, we must look at the matter in the larger perspective because some of these moves are un-Canadian. They have not been approved in the past and I do not think they would be approved today.

Another question was documentation. If a person persists once he is here in Canada in pushing in the face of our immigration officials fraudulent information, misleading information, or information which might incriminate someone else, of course that would not be right. However, that is very different from saying and trying to suggest that any immigrant or refugee who does not come with a document should be tabbed a cheater.

Why? If the Minister of Employment and Immigration (Mr. Bouchard) knows the reality faced by many refugees, he will know that they may not have the luxury of being able to wait the six months needed to obtain a visa. Persons in Latin America may not have the luxury of going to our Canadian Consulate. I have written to the Minister about three or four specific cases of people who were afraid to go to the embassies because the Chilean police knew their movements and had stake-outs at various foreign embassies. In those circumstances they do not have the luxury of getting documents.

What do they do? They get on a plane, they come to Canada, and they do not have documents. Let us afford the individual the time and flexibility to explain why he does not have a document, not prejudice the case and instantly suggest in the legislation that that individual has to be a cheater, there must be something wrong, let us put him in detention, get a certificate of detention, then get a certificate of deportation, and send him back.

In the very few minutes that I have, I suggest that amendments are needed in these three, four or five key areas because we need to protect our rights as Canadians which we have developed in a mature and thoughtful way through the years evolving to this date. We cannot allow one week in the summer of 1987 somehow to turn back the clock of development and progressive legislation.

We all have our differences—the Liberals, the Conservatives, and the New Democrats. By and large, hopefully, our ends are noble. Hopefully we are all here—and I truthfully believe this—to serve the common good. This is why we stood for office. This is why we were elected. The ends must be noble.

Another aspect to which the Minister should pay attention is that if the piece of legislation is enacted there will be a lengthy list of court and Charter challenges. There is no question. The legal profession, Canadians themselves, and human rights organizations have said that there will be court and Charter challenges. I ask the Minister what that will do to our system. What will happen six months or twelve months hence when there will be Charter challenges left, right, and centre?

I will tell the House what will happen. It will render our system even more chaotic than the present one. If that happens, we will be testing the patience and trust of Canadians once again. Canadians deeply desire their Government and Parliament to get it right this time. If it takes additional time to ensure proper legislation, let us take that time. If it takes a committee to listen to some experts and to include Canadians in the public discussions, let us include them now. For the sake of God, let us have a piece of legislation which is foolproof from legal and human rights challenges. Otherwise, 12 months down the road Canadians will lose patience again. I fear, as a Member of Parliament, that if Canadians lose patience with a Government incapable of coming to grips with the situation, those sentiments and frustrations may turn, perhaps irreversibly, on a progressive policy.

Therefore, there is a responsibility on the part of the Minister. He goes across the country saying that they will raise immigration levels next year, which is fine and dandy. However, how do we expect Canadians to buy that policy if they are to be simply dragged through government inaction and incompetence and a system which has failed to be