

Government Orders

ly it was settled by the Dutch community in the 1950s. We have recently had Portuguese immigrants.

We have a long tradition of recognizing the importance of immigration to this country and to our communities. Everybody is concerned about making sure that Canada has the right type of immigrants, that we are the ones who are doing the selecting and not others selecting us. We want to have an appropriate system in place. If a criminal comes to this country and commits a crime, we want to have certain mechanisms in place. If they are a danger to Canadians this mechanism will allow us to get them out fairly quickly, with reasonable recognition that they have legal rights. We want to kick out the right people, not the wrong people.

• (1330)

That is why we want to put in place a proper process. I stand in support of Bill C-44 because I believe it does that. I am sure members will think, after listening to my speech and the speech of my colleague who spoke before me, that one of us could not have been listening at the immigration committee or one of us is patently wrong. I will try to point that out as I go along.

The key aspect I like about the bill is that it will remove the right to appeal to the immigration appeal division of the refugee board when the minister has made a determination that the person is a danger to Canadian society and has committed a crime with a maximum sentence of more than 10 years.

To understand why that is important we need to understand the process now. Let us say my colleague is a landed immigrant who commits an assault or a series of assaults. He does his time in jail. Then he comes out and the department says that it wants to kick him out. He can appeal to the immigration and appeal division and ask to stay in Canada simply on humanitarian and compassionate grounds.

Whether or not we agree with that the system as it stands now has a three-year wait. That is inexcusable. We have a process in place that says we want him out of the country because we think he is dangerous and the criminal can say that on humanitarian and compassionate grounds he wants to stay. We should have a mechanism in place that at least decides that question fairly quickly. A three-year wait is just unacceptable.

Another thing that concerns me about the immigration and appeal division doing its work is the people on the board who determine whether someone is a refugee. We would want people that would give applicants the benefit of the doubt. They should be fairly liberal in their views and have a good understanding of circumstances in other countries. I am not sure whether the same person should be putting the mechanism in place, controlling the mechanism and deciding whether to deport somebody.

I do not think anyone wants to deport someone. It is difficult to do and one has to be fairly tough minded to do it. I am not sure we want the same sort of character making judgments about who is a refugee. We want to be more liberal in our determination of refugees and fairly tough minded in our determination of who should be deported.

The criteria determining when someone will lose their right to appeal is fairly straightforward. First there is the 10-year rule, which means if a person commits a crime he has to be sentenced up to a maximum of 10 years. That mechanism will ensure we are not using this rule or law for trivial matters. Simple things like shoplifting or writing a cheque under \$1,000 will not get someone kicked out of the country. That is appropriate. More serious crimes such as rape, assault and murder will get someone kicked out of the country.

Another rule being applied is that the minister must make a determination that the person is a danger to the country. While some offences, oddly enough like writing a cheque for more than \$1,000, make one eligible for up to 10 years in jail, I do not think any of us would say: "We want to deport you for that". Maybe some of my colleagues across the way would say that the person should be deported for that.

Clearly the law is saying that one has to be a dangerous criminal, a danger to Canadian society, someone who we think will perhaps assault, rape or murder again. Those are the people we want to kick out of the country.

Some very difficult questions arise. I know the minister does not have an answer and Canadians will have to determine the answer. Let us say we have someone who comes here when they are six years old. Their parents, for whatever reasons, do not apply to make them Canadian citizens; they forget or whatever. These persons go through life not realizing they are not Canadian citizens. If they commit a serious crime at 25 years of age, do we kick them out, even though other persons in the same circumstances simply because their parents went through the process of making them Canadian citizens when they were seven, eight, or nine years of age did not get kicked out? They might have committed the same crime.

Say someone comes here at six months of age. They are from an Asian country or any country dissimilar to ours. Are we going to take people who have virtually lived here all their lives, except for maybe the first six months, and deport them simply because they have not become Canadian citizens?

• (1335)

Many people in Canada would say that was their tough luck and if they have committed crimes they should be put out. I am not sure it is that simple. That is something we have to work out, because there is no provision in law that if people come to this country before a certain age they will be able to stay here. The definition is clearly that if one is a Canadian citizen one stays