

Private Members' Business

loose ends in the bill are not tidied up I will be unable to support it at third reading.

• (1400)

Mr. Derek Lee (Scarborough—Rouge River, Lib.): Mr. Speaker, I am very pleased to speak to this private member's bill introduced by the hon. member for Cambridge.

One of the things that makes Canada so great is the make-up of its population. People have come to Canada from all over the world, including those who came hundreds and hundreds of years ago over the land bridge from Asia.

However, as delightful and as strengthening as all of that is, there are a very small minority of immigrants from time to time within the country who refuse to take the benefit of and contribute to this longstanding tradition. Those relatively very few people break our laws and victimize our citizens. Some of these people are dangerous. This is unacceptable. Our country must deal with that very small group of people.

The hon. member's bill focuses on that very small number of immigrants or others who come into this country illegally and have committed serious criminal offences, sometimes violent. This bill distinguishes the criminals from the overwhelming majority of law-abiding immigrants.

I attended the CAVEAT Safety Net Conference this past September in Hamilton, Ontario. The conference was composed of leading justice reform and community activists as well as victim advocacy groups and persons from many other disciplines. The main goal of this conference was to put together draft legislation and public policy that would improve the safety of every Canadian. This bill takes into account many or some of the concerns raised at that conference.

The bill would do the following. It permits a criminal court to order the removal of a non-citizen convicted of an offence punishable by 10 years or more. It would accelerate the deportation process that already exists today. Currently deportation orders can only be issued by immigration officials. However, this bill would authorize criminal court judges to issue deportation orders at the time of sentencing and obviate the need for a second deportation step procedure.

The bill would not apply to anyone who arrived in Canada prior to reaching the age of 16 with some provisos.

Canadian laws have always recognized that serious criminality should have the consequence of removal from this country. The bill aims to improve the procedure under which violent and serious offenders are deported. Offenders will be required to serve at least a portion of their sentence in Canada in order to ensure that fundamental justice from the perspective of Canadians will be served.

The bill also provides for the removal by a court order of foreign offenders, that is non-citizens and persons illegally here, to their country of origin if reciprocal conditional release provisions exist in that country.

I should bring a few background facts to the attention of the House. The current state of immigration procedures reveals that approximately 40,000 to 50,000 persons—a layman's guess based on publicly available information—remain in the country in violation of the terms of their admission or for whom arrest warrants have been issued. That includes people who have been ordered deported.

Of this huge number, about 70 per cent are in the metro Toronto area. Many of those individuals will already have left the country on their own accord without checking in. Their names should not be on the system any more but we do not have a viable way of checking people out. There are about 2,000 warrants for people who have been ordered deported due to their criminal conduct.

We have a relative shortage of immigration officials. We have a great number of other government tasks we must do across this huge country and the people who are there are doing their best to manage our immigration laws and procedures.

• (1405)

In short, the bill would take the current two step procedure of conviction and deportation and combine them into one for serious offences, not for minor criminal offences.

In a private member's bill intended to amend existing legislation, as my hon. friend opposite has pointed out, there are always some procedural and substantive issues which arise. We in the House realize that. The procedure today is to adopt the bill in principle and refer it to a committee. My friend opposite has mentioned a number of things which will have to be looked at in this bill. I do not agree with everything on his list, but he has hit most of the hot buttons.

I would want colleagues to look closely at the application of this bill to the dependents of deportees. In addition, there would have to be some procedural preparation for criminal court judges to enable them to handle this type of procedure in the sentencing procedure at the end of a criminal trial. That needs some work as well. I know that colleagues on the citizenship and immigration committee will be able to do exactly that if the bill is adopted and referred by the House.

All of this would only happen with the co-operation of the Minister of Citizenship and Immigration, which I hope the hon. member for Cambridge will have. I would like to congratulate him on putting forward a private member's bill which addresses a procedural need. I hope it will fill the arguable procedural void