

Adjournment Debate

responsible but that "the authority who ordered a physician to undertake or even contemplate such an action would also be acting unethically. The fact that someone follows an unethical order or request does not exonerate the person who gave that order".

• (1825)

So the minister and her officials are not excused from the unethical action of a doctor in administering those drugs. There is nowhere that the air carrier security regulations provides that drugs are to be acceptable as a means of transporting prisoners or detainees. They allow restraints, but not drugs.

I have checked the Ontario Mental Health Act. It too asserts that it is illegal to give someone drugs without that person's prior consent. The only exception is if the person is mentally incompetent.

In the case that were considering of Mr. Said, he had been found mentally competent by Dr. Philip Berger who examined him and said that his response to a situation was the response of a sane man.

I am very sorry that the minister still declines to give us the guidelines that were issued and were used by her department as early as last August, as has been admitted by certain officials.

I have to conclude that the government does not wish us to know the truth about the practice of administering sedative or tranquillizer drugs to people it wishes to deport who are sane, who are not mentally incompetent, but who perhaps are difficult to deport.

Prisoners are transported in this country without the use of drugs, since to use drugs in the transportation of convicted criminals when it is necessary in public aircraft or public vehicles would be contrary to the Ontario Mental Health Act, at least as far as Ontario is concerned.

I am asking again that the minister, if she believes she is in a clear position, table those guidelines that govern the action of her officials in these connections and not hide behind excuses about maybe somebody had diabetes or maybe somebody had a heart condition.

The matter has to be cleared up and brought out into the open so that the laws of this country and the laws of the medical association of this country are honoured by the Minister of Employment and Immigration.

[*Translation*]

Mrs. Lise Bourgault (Parliamentary Secretary to Minister of National Health and Welfare): Madam Speaker, it is important that the government's position on this issue be clearly understood.

Whenever a person is in immigration custody, immigration officials are responsible for that person's well-being. Immigration officials also have an obligation to effect removals from Canada in a manner which protects the safety of the person concerned, as well as the safety of the travelling public and any immigration or medical personnel involved.

They are very few cases, where a medical attendant must accompany a person who is being removed from Canada. The decision that a medical attendant is required, and what, if any, treatment is necessary, is made by a physician according to the laws of the province in which the case occurs.

This is not a procedure that we established recently. In fact, the use of medical escorts, although rare, has been part of the removal process for many years.

Immigration officials do not administer drugs to persons who are being removed from Canada, nor does this government have a policy concerning the sedation of persons being removed. Such decisions can only be made by qualified medical practitioners and rightly so.

It is clear however that there are legitimate concerns about the administration of any drug during a deportation. The minister of employment and immigration (Mrs. McDougall) recognized the seriousness of these concerns.

For this reason, Madam speaker, immigration officials have been instructed that all medical removals are to be reviewed by senior officials at immigration national headquarters before the person concerned is removed from Canada.

I believe, Madam Speaker, that in the circumstances the hon. member from Trinity—Spadina will be satisfied with the answer I just gave to that important question.

Madam Deputy Speaker: The motion to adjourn the House is deemed to have been adopted at this time. Accordingly, the House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

The House adjourned at 6.30 p.m.