

We had a tremendous backlog, and many of those ordered deported did not return to their country of origin. This left an enormous immigration mess.

To my personal knowledge we have had four immigration ministers in the last nine years, and this has added to our difficulties. I give credit to the present minister who has been seized with the problem and has attempted to solve it. Last year we had the readjustment program which brought forward many immigrants who had not obeyed the law. Many of them returned to their country of origin and applied for landed immigrant status. Many others during the readjustment program were allowed to remain in Canada, provided they could meet the criteria.

Bill S-12 is a move in the right direction. During the last three or four years we have had an average of 7,000 persons against whom deportation orders have been made. During the first nine months of 1974 there were 218 persons deported from Canada for the second, third, fourth and, in two instances, the ninth and 17th times. Surely it is time to make a change.

● (2050)

In fairness to the minister, he undertook to make this change as a result of pressure from the Toronto and other police forces. An election interfered with that, and he has now brought it forward. I agree with the officers of the Crown that sections 46 and 48 do not present an opportunity to allow people who have been deported from Canada to be convicted of an offence, and there was no deterrent under section 35. The other sections did not provide an opportunity to stop these people returning to Canada.

In the words of the minister, when we have 40 million odd visitors annually crossing the borders of Canada and also 30 million odd Canadians crossing the border, we can appreciate the difficulty immigration officers have at the border when handling these people. I am rather proud when I travel from Canada to the United States that there is a minimum amount of inquiry with regard to where I am going, when I intend to return, and so on. I appreciate that feeling. I am sure it is appreciated by many others. I just heard a little quip from one of my colleagues who mentioned that this perhaps is because I do not wear long hair. I do not accept the premise that just because a person has long hair he would be stopped at the border.

The officers at the border have a very difficult time. In order to secure a conviction under section 46 of the Immigration Act the officer at the border would have to ask a person whether he has ever been deported. Can you imagine the average Canadian travelling to the United States and being questioned, when returning to Canada, about whether or not he had ever been deported? This is the difficulty the immigration officers have, and this is the reason that out of 7,000 persons who were deported in 1974, in the first eight months only 128 cases were reported of persons who had been deported for the second, third, fourth time and so on.

There is a problem in respect of people who deliberately and intentionally violate the law. This is the reason why the police forces of the major cities across the country have raised this problem seriously with the minister. It is also the reason why the minister has responded by closing the loophole. Therefore we are rather happy this amend-

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ment is coming forward tonight. We are also happy with the statement of the minister that not only may an indictment be laid but that also there may be a summary conviction charge laid. This points up the difference with regard to the seriousness of the offence.

When people make a mistake unintentionally I would think they would be charged under the summary conviction procedure. If a person has intentionally committed an offence in returning to Canada without the consent of the minister then I think a serious attitude should be developed toward him.

I was happy to hear the minister say that if there should be a question with regard to a person who has been deported wishing to visit because of marriage, sickness or death reasons relating to his family, the department will co-operate in every way either by issuing a permit or giving consent relating to the period in which such person would be in Canada. I think this is the attitude that should be taken.

We all await the green paper on immigration because of the problems we have had concerning immigrants over the last nine or ten years. At one time the regulations were quite strict, and deportations were not as numerous as recently. However, once the change was made in 1956 which permitted visitors to come to Canada and apply for landed immigrant status within Canada, problems arose in great numbers. This is the reason why we must look again at the Immigration Act, the last major change of which was made about 30 years ago. It does not apply to present conditions.

In closing may I say that we in the New Democratic Party support the amendment. We note with interest that Bill S-12 was initiated in the Senate. That is a rather interesting departure because the Senate has not played a very useful role with regard to legislation. In the past the Senate has been considered to be a body that would take a second sober look at legislation. This time it took the initiative, probably on the suggestion of the government, with regard to Bill S-12 and did a job. I happened to read the minutes of the Senate proceedings, and it seemed to me that a pretty fair job was done. It may not warrant some of the criticism that has been levelled at it.

The Senate has been tagged as the delapidated annex of the Liberal Party. It may be that that is the definition of that body, but I think that the Senate is attempting to recover some of the prestige it had, if it ever had any. There are certain bills which therefore may originate in the Senate for the purpose of expediting legislation in the House of Commons and, if so, then as one member I would welcome the initiation of legislation in the Senate.

I notice my parliamentary leader is shaking his head.

Mr. Broadbent: I am leaving.

Mr. Gilbert: He is leaving. I agree with him in substance that the Senate has no place in Canadian parliamentary history, but if we must have the Senate we must make it function. This is one way in which we can make it function. Therefore we welcome the work of the Senate on this particular bill.