

they are less concerned personally with each application than any member of the house would be who has been asked to assist in particular instance.

The requirement to apply human compassion to the merits of each case often conflicts with the equally important requirement of following objective rules and standards which cannot easily be violated or avoided. The bill is inadequate in dealing with the human factor. I want to make clear that I am not criticizing the minister and his department for the sake of criticizing them; nor do I get pleasure from criticizing. I do not for one moment question the minister's sincerity of approach in bringing this legislation before us. But I wish to say that in several important respects the legislation just does not achieve what the parliamentary secretary last night said it does and what I hope the minister wants it to achieve. Perhaps when we are in committee the minister may accept suggestions for amendments so that the objectives may be realized effectively.

I say, as everyone else has said and will say, that in the past the minister has had the discretion to act in human situations, in compassionate humanitarian appeals. They may go all the way from some very unhappy person who has been left alone somewhere to some young person who has arrived here under one set of circumstances and wants to stay under another set of circumstances.

From my limited experience in these matters and from the greater experience of many people with whom I have had discussions, it is evident that the application of the act and the regulations has followed a meaningless and almost humiliating course. For example, the regulations required that before a person could be admitted as an immigrant he must have a visa. If a person came to Canada without one—he might have applied in another country for a visa—and applied for immigrant status, he went through the silly exercise of a special inquiry. An officer would ask, "Have you a visa", knowing perfectly well that the applicant did not have a visa because that officer or some other officer, had refused it. The man went through the silly exercise of being asked whether he had a visa and, when he said he did not have one, of being told, "In that case you cannot stay."

After that followed the equally silly exercise of going to the old appeal board. The old appeal board would look at the situation and say: "You do not meet the requirements because you have no visa. Our department

*Establishment of Immigration Appeal Board* refused to give you one, therefore out you go." This was what happened in most instances. If security matters were involved you did not really know that this was so. You could only guess that the refusal was for security reasons, because you were not given any reasons at all. Every time the department refused to give reasons one could assume that security was involved. I have always suspected that even the minister did not know what those security reasons were. Possibly all that he and his officers had on file—and I hope the minister will correct me if I am wrong.—would be a note from the Royal Canadian Mounted Police, or the relevant section of that force, saying, "Mr. A is a security risk." I doubt that whether the minister himself would find out what the evidence was behind this note from on high.

One argued, of course, until one was blue in the face. I have not acted in any of these matters as a lawyer, only as a person who knew some people in the immigration department before I was a member, and since. When you tried to help someone, when you inquired into the matter and delved into things, you faced a blank wall. You had no information. You did not know what the evidence was. You did not know the source of the allegations and you argued as if you were punching a pillow. Occasionally, by producing all sorts of affidavits and evidence showing the man was not guilty, you were able to prove his innocence. I have had that kind of experience dozens of times.

The important question in this legislation is: Has the appeal board under this legislation the authority to act compassionately, to use its discretion, to consider the particular circumstances affecting the human being before them, appealing through a sponsor, say, or with respect to a deportation order? Despite what the parliamentary secretary said last night, under clause 17, if my memory serves me correctly, the board is not given such discretion in appeals by sponsors. The board is not given the right to consider the human values and elements involved in a case. The parliamentary secretary said last night that this time the board would be able to consider the human elements. I say to the minister that if that was intended this bill does not realize that intention.

On second reading I cannot deal with the precise words of clauses, but I say to the minister and to the parliamentary secretary that clause 17 of the bill gives the appeal board authority to decide whether a sponsor