one needs reasons at the end of the transcript that consist of one page, one might have to purchase the whole transcript of 100 pages, which becomes prohibitive. There are all sorts of technical points I could make to show why the Government is being unfair.

Why not allow this motion? Reasons in writing may force the person who is making the adjudication to actually put down full and complete reasons for the decision rather than dismissing the application too lightly. This is a quasi-judicial procedure in the sense that there is appeal from it, although it is limited as the Hon. Member for Spadina (Mr. Heap) pointed out. Appeal, of course, is a judicial procedure. One wants to have the proper means to make that appeal and part of having the proper means is to have a reason for the decision from which one can appeal. Does that not make sense? So why is the Government being so tight on this issue, or is it just part of the way it has approached this whole Bill, and that is to slam the iron fist down and to heck with the rule of law?

Mr. Sergio Marchi (York West): Mr. Speaker, I think it is bad enough that the Government is imposing a prescreening stage. It is bad enough that the Government is saying that, notwithstanding that we have a refugee board, it is going to make a judgment anyway before one even gets a chance to go to the refugee board. That is the larger problem. That is the area on which the Government should have moved.

Given that the Government seems determined to have a prescreening stage, a pre-judgment, if you will, at the very least what the Government should do is offer a written decision that would reveal the reasons for refusing that individual claimant to proceed any further in the refugee determination system. I believe that is the very least the Government can offer, given that there is a possible appeal and also given that the Government wishes to move so quickly at this stage that the claimant may not have the possibility of having his or her legal counsel of choice, but rather a counsel appointed by the Government.

One can envisage the circumstances. If I was a claimant and I had to go through the proceedings in a number of days, and my solicitor of choice was not available to defend me, then at the very least, following my particular case, I should be able to offer a written reason for the decision to my proper legal counsel so that he or she may prepare the defence at appeal time.

It is not a question of simply saying it is on tape and the claimant should be happy. I think if we are going to treat this matter in an acceptable way, with the possibility that the legal counsel of choice will not be present at the first stage, but may be in fact working on behalf of the claimant at appeal time, at the very least we should try to maintain the standards of our judicial system and have it applied to the prescreening stage so that all decisions may be routed in the written decisions, and have the Government stand by those remarks, if they are in fact appealed.

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, I am rather perplexed as to why the Government will not accept this very simple and staightforward amendment. It is necessary for reasons to be given both in the case of eligibility and credibility so the reasons will be there. The Government says they will be there on tape. What is the lawyer and the refugee to do, go around with a tape recorder with a little cassette if the decision is unfavourable and the matter will be appealed? Limited as the grounds of appeal are, there are some. The possibility of appeal is there. How is the refugee to take advantage of it?

Normally, one cannot proceed with a piece of tape. A transcript will be needed. Who is going to make the transcript? There is then going to be a delay to get a transcript. As has been mentioned, if the reasons are not given in some succinct fashion, the refugee may have to get a transcript over a very much longer period of the hearing, which will be expensive and cause further delays.

It seems to me there are very good reasons for ensuring that there are written reasons as to eligibility and credibility and that the claimant should have access to these. There is a possibility that the person will not have his or her preferred lawyer there, that they may have to make do with one appointed by the Minister since so little time is provided for the refugee to get legal assistance. There may then be a change in lawyer which will cause further complications.

This seems to me to be a very reasonable amendment to facilitate things. Poor as the procedure which is being allowed is, it should at least be made to be workable within the constraints. It seems to me this is a very simple and straightforward amendment and I would ask government Members to support it.

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, the Government has decided on prescreening. What the Hon. Member for Spadina (Mr. Heap) is trying to do with his eminently reasonable amendment is to make the best out of this decision of having the prescreening. In other words, he is saying let us have a prescreening system which is the fairest possible.

• (1630)

How can a potential refugee who does not speak or understand a word of English or French make out when a verbal decision is handed to him or her, without having an opportunity to show the decision to someone who may want to help? Therefore, the request for a written record seems to be eminently sensible and fair. If an officer at the border decides in the negative, the decision should be available not only by word of mouth.

After all, we are dealing with human lives in this Bill. All this amendment is attempting to put in place is a technique of putting on paper the thoughts of the representative of the Government judging the person. What is wrong with a request that says "put it on paper"? That is what makes it so difficult