

Immigration Appeal Board Act

still essential and necessary legislation, which should be passed as soon as possible. First of all, the legislation provides for expediting, as the minister told us, the handling of appeals by adding to the present nine permanent members of the board, seven temporary members. It also enables, on occasion, a case to be dealt with by a single member rather than by the present panel of three. We say these changes are good and we support them. The other approach is to cut down the rate of appeal. Here again we think this approach is justified. It has long been our view that there was some unfairness in respect of these visitors who admittedly came to Canada for a temporary period because it enabled them, through the right of appeal, to stay in this country some times for years, thus acquiring rights which are denied to applicants who follow the regular procedure of applying in their country of origin.

There is another method of cutting down the number of appeals to the Immigration Appeal Board which I have commended to the minister but which does not appear in this bill. I shall repeat it. While we do not take away the right of the Immigration Appeal Board to consider compassionate grounds and the problems of political refugees, I believe the system worked better when the minister had a concurrent power which he exercised by the granting of permits, usually on the advice of responsible ministers and sometimes on representation made directly to them. This system was more expeditious and in some of these cases which are basically political, the responsibility should properly be that of the minister. I am not referring to cases dealt with by the Immigration Appeal Board on the legal merit of the deportation orders made but appeals for compassion under section 15. I have no hesitation in saying that, although I would not take that right away, I believe it would be more appropriately exercised by a minister responsible to Parliament than by a court of law. I speak without any disrespect for the courts of law, but on the basis of having had some experience in this particular field.

I was particularly glad to see that the right of sponsors to appeal under section 17 of the act is preserved. That is as it should be. If there is any right to come to this country which should be safeguarded it is the right of people who come in order to unite families, close relatives of people who either are Canadian citizens or who are already in this country. I am glad to see that right is not touched by this legislation. Like the previous speaker, I am very glad to see that at long last there is an explicit provision made for the admission of refugees as defined in the United Nations Convention of July, 1961. I think we have had an honourable record in this country in respect of admitting refugees. I believe it would be helpful to have this definition spelled out, and I am glad to see this in the legislation. Incidentally, it was recommended in the 1966 government policy paper. If I may say so I, personally, have reiterated that this provision should be made explicit, and it would be ungenerous of me not to say I commend the minister for having brought this forward.

In respect of the 60-day registration period for those who receive some sort of partial amnesty if they have been in this country before November 30, all I can say is that it might have been a messy situation and not one easily dealt with. We have no complaint about the way in which the minister has dealt with this. We might have something to

[Mr. Brewin.]

say about the term of 60 days, to use an expression of the hon. member for Hamilton West (Mr. Alexander), in respect of people who come out of the woodwork. However, on the whole we agree with that proposal.

I want to say one or two more general words before I sit down. We in this party regard this legislation as emergency legislation and by no means as a solution to the problem of Canadian immigration legislation. I have personally heard, I think, about eight ministers of immigration promise they would bring forward comprehensive legislation. As I recall it, our present legislation was passed in 1952. In this rapidly moving world, some of the conflicts of 1952 are thoroughly out of date. Indeed, in 1966 the government itself and the present Minister of Transport (Mr. Marchand), who at that time was Minister of Manpower and Immigration, pointed out that some of the phrases in the Immigration Act are antiquated, unreasonable and unfair. There are vague general provisions about keeping out people who are subversives long after we have learned that such language is dangerous and can result in political discrimination. There are provisions with regard to people who are mentally ill, but any qualified medical man could tell us this wording in the act is inappropriate and unfair. There are a whole series of excellent suggestions in the government's white paper of 1966. I ask why there has been this prolonged neglect. I do not say this to the present minister, because I am sure he will do his best despite the other burdens he has.

I should like to say to the government, and particularly the Prime Minister (Mr. Trudeau), however, that some of the reason for the neglect in this field has been the fact that ministers often have been appointed for short periods of time and then given other portfolios just as they begin to know what this is all about. This is a complicated subject. Ministers are moved to some other department. I am not wishing this should happen to the present minister, but I think I can safely prophesy that it might happen. Just as we get down to adopting some of these measures, he may be moved to another scene.

An hon. Member: To the Senate.

Mr. Brewin: No; I was not wishing that.

An hon. Member: Move him to the opposition.

Mr. Brewin: If he were moved to the opposition, then we would start the merry-go-round again. The Prime Minister has assigned certain responsibilities to ministers. The present Minister of Justice (Mr. Lang) was Minister of Manpower and Immigration at the same time he was in charge of the Canadian Wheat Board, which from what I gather from my colleagues from Saskatchewan and the west is no small job. Yet, he was asked to handle immigration as sort of a side issue. The present minister has had responsibility for manpower which, unless I misjudge the situation, is a particularly onerous and difficult portfolio. I say to the government that immigration is a highly important matter which deserves proper attention.

May I just complete my remarks with two generalities. Immigration is dual. It is partly a matter of economic policy. Immigration is an economic tool whereby we can attract labour, personnel, skills and capital to this country to build it up. We have done so successfully in the past. It