

*Government Orders*

● (1210)

The bill before us presents amendments in more than a dozen areas. I would like simply to touch on a number of them that are more significant in terms of their impact on the current system. Among those are amendments that would stop serious criminals from claiming refugee status simply to delay their removal from Canada.

The legislation will put an end to the ridiculous spectacle, for instance, of an immigration and refugee board having to troop off to Kingston penitentiary to listen to a convicted murderer claiming refugee status. Average Canadians, average members of Parliament, know that is an abuse. However under current legislation the IRB is mandated and has no option but to respond to such a claim for refugee status.

I submit, as does my government, our refugee laws were not put in place to promote that kind of a claim. Rather, those laws are there to protect the legitimate fears of persecution for which Canada has won a Nansen medal, the only country and the only people on the globe to receive that distinction.

At the same time Bill C-44 will permit us to remove the most serious and dangerous criminal from a refugee process that may have already been commenced. If the system found either a serious act of criminality abroad or in Canada and the process had started the system was incapable of doing anything about it. Under Bill C-44 the amendments would provide that where warranted the system would be able to remove an individual from the refugee process and place the individual before an immigration inquiry to deal with the act of serious criminality.

I believe this is a common sense change. The system is not designed to protect the serious criminal. Nor should it be built on incapability of reacting to information once it is discovered by our officials. The time and energy spent dealing with serious criminals slows down the response of the IRB to real problems facing real refugees. That is why we have chosen to act.

When approved the bill will take away the power of the immigration appeal division to allow major criminals to remain in Canada on so-called humanitarian or compassionate grounds. I underline this is not a restriction of rights; it is more a matter of accountability. I also underline this is not an overreaction to a few isolated incidents. Instead it is a reality of the world in which we live. We should never forget the goal is to ensure that the interests of Canadians are protected.

The public across the country wants some balance of the scales of justice in a certain sense, in a common sense and in a fair and equitable way.

● (1215)

People want a sense of protection offered to those who seek it. At the same time, when someone contravenes that tolerance and crosses over the letter of the law, then there is a public that expects some kind of balance and some kind of accountability rather than a system that is indifferent to it, rendering a public that is frustrated, cynical and indifferent.

The minister and the government and indeed Parliament must deal with the consequences of any decision to allow a serious criminal to stay in Canada for either humanitarian or compassionate reasons. I believe it is both appropriate and reasonable that the minister and senior officials of the department make that decision.

The immigration appeal division will continue to have jurisdiction for all individuals on questions of law and fact. What we are trying to address is the accountability that the Canadian public demands of us and of its systems. As the law stands now, there is nothing to stop the citizenship process even though a person may be subjected to an immigration enquiry.

If citizenship is obtained the person cannot be deported. Once again we have tried to reflect the feeling of the public that clearly this is not in the best interest of the system. The right hand must know what the left hand is doing in government. Why should a citizenship process continue to move blindly on without due recognition for an immigration enquiry which may or may not be serious?

This bill automatically stops the citizenship process until the immigration inquiry resolves the matter for which that enquiry was caused. The bottom line once again is the protection of our interest and the safety of our country and Canadians.

[Translation]

Other changes mean that two summary convictions—in Canada or elsewhere—will make anyone ineligible to be an immigrant to Canada.

Madam Speaker, let me stress that we are talking about crimes as measured by Canadian legal standards and not political persecution for what some foreign regimes might attempt to disguise as a crime.

[English]

Bill C-44 would also give immigration officers the authority to seize documents from international mail such as passports, driver's licences and credit cards which could and are being used to circumvent immigration requirements or forge documents. This amendment does not apply to domestic mail and is limited to packages weighing more than 30 grams.

There is absolutely no question that the mails are being used to forward identity documents. We would expect the volume to