

NEWS LETTER

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TORONTO, March 4 - The program of the Toronto Co-operative Committee on Japanese Canadians was given whole-hearted endorsement at the General Meeting of the Citizenship Defense Committee on March 2. The Co-operative Committee will name a deputation to see Mr. King at the first opportunity. A vigorous public information campaign will be carried on to give information on the true nature of the Government's deportation plan. A Speakers Bureau has been set up to provide persons to address any organization. Talks have been arranged for the radio. Speakers will be going to schools, universities, Young Peoples and church societies, trade unions and many other groups. When Parliament meets after the middle of this month, further action will be taken in the House of Commons and Senate. A Youth Lobby at the end of the month will be quizzing M.P.'s and Cabinet members on this matter.

Should deportation not be completely dropped, and should the Government try to violate the will of the people, the Co-operative Committee will press for a stay in forcible deportation and carry through their Privy Council appeal. If, in the interval, the Government should commence forcible deportation, habeas corpus proceedings should be instituted.

There should be the understanding that habeas corpus proceedings are no absolute guarantee that the person will be able to remain in Canada. They should be looked upon as a last resort to stop the deportation of the person. A person contemplating habeas corpus action should understand its meaning. He will have to ignore his deportation notice and await being taken into custody. He will then have his lawyer make arrangements to have a judge or magistrate issue a writ of habeas corpus on his behalf. The writ will have to be issued in the name of the jailer or keeper of the immigration shed who has actual custody of the person, and will have to be delivered to him. The writ will require that the jailer or keeper, on or before a specified day produce the body of the person before the court, in order that an enquiry can be made into the legality of the detention.

At any time before the specified date the jailer may make a return to habeas corpus, and show the reasons for detention. He may state that the person is held on authority conferred on the Honourable Minister of Labour and show the deportation order. The return, to be effective, must show that the detention is lawful.

The primary purpose of the writ, as now used, is to have the legality of the detention determined. It will provide an opportunity to question the circumstances under which repatriation signatures were secured, whether the person actually signed the form, and whether he had a clear understanding of the meaning.

If it is ruled that he is legally detained, deportation becomes more imminent, otherwise he should be released. If charged under the Criminal Code, except for offences like murder, a person has the right to ask for bail. If charged with a bailable offense, the person is given his freedom after paying bail and has no right to ask for a trial. Should he be denied bail, he may demand trial at the next assizes; or his release, which means that the charges are dropped; or he is granted his freedom until the charges are again brought up.

Persons who wrongfully detain another can be sued for damages, for false arrest and assault. The detention must be authorized by law. Severe penalties are provided for wrongful denial of writs of habeas corpus. The person is liable to a fine not less than 500 pounds and is permanently removed from holding public office, under English law.

The General Meeting also passed a motion, moved by S. Ozawa and seconded by T. Kameoka, that a committee be set up to study the formation of a national federation of Japanese peoples organizations. A report on all the steps to establish a federation should come from the committee. The opinions of all Japanese Committees will be studied and incorporated in the report.