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The Honourable Andrew Telegdi

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•(0900)

[English]

The Chair (Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.)): I call the meeting to order.

This morning we have the minister and her officials with us. She is going to be talking about her supplementary estimates.

Minister, welcome.

Hon. Judy Sgro (Minister of Citizenship and Immigration): Thank you very much. I'm very glad to be here this morning.

I have a few opening remarks to make on the supplementary estimates for 2004-05. As I indicated at our last meeting, I will also provide you with an update on my conference with the federal, provincial, and territorial ministers responsible for immigration. I'll be more than happy to answer all your questions following that.

I'm delighted to report that the meeting with my federal, provincial, and territorial colleagues was very productive. Over the past year we have already made progress in a number of areas, including providing support to francophone minority communities outside of Quebec. At our meeting we agreed to continue working closely together to build an immigration program for the 21st century. In particular, we agreed to jointly develop a Canadian immigration framework that will strengthen our existing partnerships and to build from each jurisdiction's experiences and successes. I think we're all very excited about this initiative and plan to discuss some more concrete ideas at our next meeting in June 2005 to start to put Canada on a new direction for immigration.

The supplementary estimates for fiscal 2004-05 provide the department with additional resources of \$54.3 million. This includes \$47.48 million in additional budgets to cover operating expenditures and \$6.8 million for grants and contributions. Slightly more than \$12.5 million of the total has been allocated to public security initiatives to be undertaken by the Canadian Border Services Agency. These activities, which mostly pertain to the 30-point smart border initiative with the U.S., are to be funded through my department until our agreement on the transfer of resources to CBSA is complete.

The 2004 budget provided my department with additional resources of \$15 million annually to enhance language training for newcomers. This fiscal year's supplementary estimates reflect this additional spending authority—although it would be logistically very difficult to put the appropriate infrastructure in place to match the additional resources before the end of this year. Approximately \$5 million has therefore been set aside as part of our contribution to

the government's reallocation initiative, as set out in the February 2003 budget.

This fiscal year's supplementary estimates also reflect a revised profile of spending on the global case management system, resulting in an increase in operating resources of \$6.3 million. This is simply a reallocation of funds and in no way affects the total costs of the GCMS initiative. I'd like to add on that issue that the GCMS program is on budget and I intend to see that it is completed on budget.

As well, my department received authority in September to include an additional \$6.2 million in resources to help address a growing inventory of citizenship applications. This inventory is largely the result of a 40% increase in citizenship applications over the last two years.

In conclusion, I want to create a 21st century delivery system that is fast, efficient, responsive, and accessible worldwide. Those are the objectives of where we want to go in the 21st century with our immigration system. We need to create the conditions to ensure that the newcomers we bring to Canada can fully participate in our national growth, and we need a new approach to helping genuine refugees that will uphold and strengthen our humanitarian traditions around the world. Ultimately, I want immigration to take its rightful role in shaping the Canada of tomorrow, and I am committed to achieving that goal, Mr. Chairman.

I also appreciate very much the standing committee's input. I commit to engaging you and Canadians throughout the country as we move forward with our new immigration system. It's also important for me, as the minister, to hear from you on what you feel are the most important policies that we need to change.

•(0905)

Your feedback in the coming months will be extremely helpful and important in order to make sure we get it right. Citizenship issues have been identified as your first order of business. I look forward to receiving your recommendations for my consideration before I introduce the legislation. I believe that's a different step from what is normally done, but our whole issue of citizenship legislation is long overdue. We've tried three times to get legislation introduced and have not been able to do that. I think this clearly brings us an opportunity to work together and move forward on it.

It has been said that Canada has shown the world how to balance freedom with compassion and tradition with innovation. An immigration and refugee program for the 21st century should serve as a model for the rest of the world and help to define what it means to be Canadian.

Thank you very much, Mr. Chairman. I'm available to answer questions pertaining to the supplementary estimates or to the policies of my department.

The Chair: Thank you very much, Madam Minister.

First, we'll go to Ms. Ablonczy.

Mrs. Diane Ablonczy (Calgary—Nose Hill, CPC): Thank you, Mr. Chairman.

Thank you, Minister, for appearing. We're often lucky to get a minister once on the estimates, but you've agreed to come a second time, and we appreciate that very much. Thank you for your presentation.

I want to begin by talking about the backlog in applications for immigration. When your officials briefed the committee on October 26, we were told that the current immigration backlog is 679,000 people. I have a series of questions about that. Perhaps I'll just get them all before you and you can deal with them all at once.

First, can you confirm that number of 679,000, or is it something different?

Second, what does this figure represent in terms of categories? Can you break it down or frame it a little bit better for us?

Third, with the backlog, how long are people waiting to have their application dealt with? I know this varies, but if you could give us some ranges, that would be very helpful.

What is the implication of this backlog, and how fair is it to potential immigrants? We know we're trying to attract skilled workers in larger numbers, so how does this backlog impact on that goal?

Last, are immigrants being frankly and clearly told, in accurate terms, what they can expect? In other words, we get many cases where our constituents are concerned or people are calling in because the timeframes on the website are exceeded quite often.

I think this discussion will help the committee reach some conclusions about allocation of resources for the department. So I'll just leave it to you to deal with those issues.

• (0910)

Hon. Judy Sgro: Thank you very much, Ms. Ablonczy.

The figure of 679,000 is fairly accurate. It's close to that number, give or take five or ten files on either side, but that's the approximate number. As I mentioned when I was here before, you can call it a backlog, but I prefer to look at it as the inventory of people who want to come here. The more important way to talk about it is that those are the 679,000 applications for people, human beings from all over this world, who want to come to Canada. We are victims of our own success in that particular part of it because a lot of people want to come here.

As you know, on November 1, I submitted to Parliament the range of 225,000 to 240,000 people. We've met our targets every year. We had 223,000 people in 2003. I expect it will be somewhat higher in 2004, but it will stay within the category that was announced to Parliament on November 1 in my report.

The objectives are met. The reason I say we need to move forward on a new immigration system for the 21st century is because immigration is going to be the foundation of the human capital to build this country. We need to look at a different way for immigration in the future.

When we talk about what Canada needs, we have to identify the needs of this country and know how to facilitate that. We have approximately 95,000 people, parents and grandparents, who have put in applications to come to Canada. Under our current system, which is 60-40, 60% is economic, and out of the 40%, 25% are spouses and children. They are the first priority when we talk about family reunification, which leaves only 15% of that number for parents and grandparents.

It is creating an issue for us, without question. We need to look at that; hence, the reason for us to start looking at a whole new delivery system on how we do it. We need to make sure the labour needs are looked at so that we are identifying the labour needs early on and we have a plan for the future. We need to make sure that our policies are going to be part of that as well.

That's the reason I very much look forward to the input of the committee. I believe we have a unique opportunity to plan a different system, a different way of doing immigration in Canada. I welcome your input and your help in designing it and making sure that's exactly where we're going.

I think I've covered most of the questions, Ms. Ablonczy.

You asked whether people are told the amount of time. My understanding is that they receive a letter indicating the application will be looked at in 36 months, or whatever the case may be. I don't think that's necessarily the best way. I'd like to see us do things a little differently.

Mrs. Diane Ablonczy: I guess the question was this. How often are the timelines that people are initially given exceeded? I think our experience is that it is all too often causing tremendous frustration for people.

I want to move to an issue I raised with you when you appeared at committee on November 2. At that time, I asked you about the sizeable amount of money allocated to the so-called new citizenship strategy. As you know, it was \$14 million in 2004-05; \$14 million for the next fiscal year; \$7 million for the year after that; and \$6.5 million after that. This is many millions of dollars.

When you answered my question, you really touched only briefly on this citizenship initiative. In my view, I didn't receive any justification on why this program should receive so much money, given the other problems, and my own and many others' desire for us to focus on the recognition of international credentials and experience. In order to get some idea of proper priorities, could you expand on that and give us some reasons on why this money should be spent on the new citizenship initiative—which is on hold, by the way, as you've told us, and really isn't going ahead—rather than equally attacking the problem of credentials?

● (0915)

The Chair: You have one minute to answer.

Hon. Judy Sgro: The whole issue of citizenship, frankly, is that there has been a huge increase. Since 9/11 a lot of things have changed in our country as well, and people recognize the value of citizenship and how important it is. We've had a 46% increase in people recognizing how important it is to have a Canadian passport and why they should have one. We've had a huge increase, and additional funds are specifically for that reason, to handle the volume so that people can get citizenship. I think that's something, as you said, where we all very much want to see Canadians get citizenship.

Mrs. Diane Ablonczy: Except they're not getting it because there are no citizenship judges.

The Chair: We've run out of time now. You're over.

We'll go on to Madame Faillie. We'll come back to you in the next round.

Roger? Okay.

[*Translation*]

Mr. Roger Clavet (Louis-Hébert, BQ): Thank you, Madam Minister. Your comments contained some very interesting information, and you have expressed some good intentions. My party agrees with the key intentions.

For example, within the 2004-2005 budget request for language training, roughly \$15 million was requested for language courses to be offered to newcomers. This money should, in the normal scheme of things, serve to improve the situation. The subcommittee tabled a report in 2003 explaining the shortcomings in the area of language training.

Would these \$15 million be better used, for example, by the people who have that training, in order that language training services better meet the needs expressed? We need to know this.

Secondly, I would like to know if there are general strategies, or goals that the minister would like to reach in terms of language training.

[*English*]

Hon. Judy Sgro: We clearly know that a lot of the problems newcomers coming to Canada have is that they need this.... It's always a language problem; it causes huge problems for people, whether we are talking about people who come to Quebec or come to other parts of Canada. Language is a big key; it's a big problem. It prevents them often from getting employment in the occupation that welcomed them to this Canada of ours. The whole issue for the enhanced language training will be to help another 20,000 new

immigrants so that they get the language assistance they need to successfully obtain the employment they very much want to have.

[*Translation*]

Mr. Roger Clavet: We could also correct the sort of perception that was pointed out in the committee's report regarding inequalities in regional language training. There were examples of certain provinces, such as Manitoba, where more importance was given to language training, whereas this was not necessarily the case in other regions.

Can this be corrected?

[*English*]

Hon. Judy Sgro: We have special agreements with nine out of the ten provinces on a variety of things to do with immigration and language training. We allow the provinces to have as much flexibility as they need to be able to meet the needs of their specific province and to focus their resources on the appropriate areas. Regionalization and trying to attract people to different parts of the country is extremely important.

Different provinces have different ideas. That's part of why the future of immigration, which involves a very close relationship with the provinces, is very important as we move forward on these things. We're making sure we are open-minded, flexible, and able to respond to all the different opportunities and challenges that are clearly out there.

[*Translation*]

Mr. Roger Clavet: In your presentation, you also mention the assistance offered to francophone minority communities, to francophone communities outside Quebec. This is close to my heart as I spent several years outside of Quebec in a minority situation.

Will this help offered to francophone communities outside Quebec also respect the intention to better support francophone communities outside Quebec when they receive newcomers? Have there been problems along the way? Can we keep this in mind? For Quebec, francophones living outside the province are very important.

● (0920)

[*English*]

Hon. Judy Sgro: Very much so.

The francophone immigration is at 4.4%. Clearly, we want to make sure that people who live in the other provinces have access to the French language and are encouraged as well to advance in that whole area, because it's all part of making sure our country respects both languages and that we provide, as much as possible, those opportunities for people who live in other provinces.

The Chair: Thank you.

Mr. Siksay.

Mr. Bill Siksay (Burnaby—Douglas, NDP): Thanks, Mr. Chair, and thanks, Minister, for being here again this morning.

I have some questions about the refugee program and the money that's in the estimates for the resettlement assistance program.

One of the key issues raised by many organizations working with refugees in Canada is the delay in family reunification after a refugee has been successful in making the claim to stay in Canada. We've seen that many families are put under terrible pressures; that women and children especially who remain outside of Canada in refugee camps or in other dangerous situations are particularly vulnerable to terrible conditions and exploitation; and we've seen the pressures this puts on families. We've even seen family breakdowns as a result of the delays, where people think the person in Canada just doesn't care about them anymore and has made other relational arrangements here in Canada.

I'm wondering whether this is receiving attention, whether the line that's in the supplementary estimates will do anything to speed up the processing of those applications, and whether there's any intent to address the situation of children who are successful refugee claimants but then can't sponsor their own parents to be reunited here in Canada.

The minister has spoken about the need to review the refugee system. Some of us perhaps wish the provisions that have already been passed by Parliament might be put in place. But I'm wondering if there's been money set aside to undertake that review, what the shape of the review is, when it will be begin, what the timeline is, who is going to be consulted—those kinds of things. Perhaps you could be specific about what your intent is concerning a review of it.

Concerning the refugee appeal division, which hasn't been put in place, I'm wondering if the department ever did an estimate of how much it would cost to implement the refugee appeal division and whether there was ever an attempt to secure the money to do that—certainly, in my opinion, important—piece.

On another subject, I know when you were here last time you addressed the issue of pilot projects for international students to work off campus. I met recently with the international students association at Simon Fraser University and heard their concerns about the inability of students to work off campus. They noted that those pilot projects are under way in a number of places. I think there was some intent to expand their number. Now I think there's a feeling that there's an inequality developing across the country, where some international students are able to work off campus and others aren't.

I'm wondering what the intent is when the assessment of these pilot projects is done and when we move into a different policy, if that is indeed the intention.

Hon. Judy Sgro: Thank you very much, Mr. Siksay, for the questions.

You raise some really important issues. First on the whole issue of our refugee system and reuniting the children with their parents once their parents have been recognized and deemed refugees, it's an extremely important area. We talk in our legislation and we talk in our country about the best interests of the child and how important it is to have family reunification, especially when they've had to leave children back home in refugee camps and so on. It's an area I would like to see us do a lot more in. It's an area in which Canada is known

for its humanitarian traditions. We may meet our goal of 3,400 in one category, 4,200 in another. I would like to see us have a much higher target than that as we move forward.

I have to also acknowledge that we're celebrating the 25th anniversary of the Canadian privately sponsored refugee program. It's something of which we should all be extremely proud as Canadians—and as a government, frankly—and we owe it to Canadians in the voluntary sector who have worked with the government to be able to do it. We bring in about 7,500 people a year, which is the target our government and we as parliamentarians set as what we want, and we have a split, between 3,400 and 4,200. In 2001, 3,500 people came in; in 2002 there were 3,037, and so on. I'd like to see us do more, and I'd like to see us do more with private sponsors as we move forward on that whole issue, because it's an issue I think we all very much care about.

I would welcome some input from the committee on a variety of these areas. You have the refugee reforms on your agenda, and I've asked you to give me some comments back. I think it's important that we streamline the process and look at what areas of reform we can move forward on. But without the RAD, our refugee determination system is still internationally recognized as fair and generous.

Is that enough? No. I don't think that just because it's recognized that ours is a good program we should ever stand back to rest on our laurels and say we have a good program and don't need to do anything with it. Our goal needs to be to ask: to how many people who come here seeking our protection under the Geneva Convention can we make sure we offer that protection, in as fast a way as possible? I don't think people, if they truly are in need of our protection, should have to wait two, three, or four years. We need a system that recognizes these people and gets them the help they came here for and at that same point starts trying to reunite them with their families, if they left them overseas.

Jean-Guy Fleury would be the ideal person for you to have over here, if I can suggest that again. He's the head of the IRB and has a lot more information specifically on some of the issues.

You asked about the pilot project. It's part of the flexibility of working with our provinces and being responsive to them. If the provinces ask that we have those pilots in universities that allow work off-campus, then we respond to that. But at all times we're trying to look at how you use regionalization, how you attract students to the smaller universities so that they have the same opportunities our major universities have throughout the country.

I don't know if I covered all of your questions, Mr. Siksay, because I didn't write them down.

• (0925)

Mr. Bill Siksay: I'm wondering specifically what the line that's in the supplementary estimates as refugee assistance program money is for.

Mr. John McWhinnie (Assistant Deputy Minister, Centralized Service Delivery and Corporate Services, Department of Citizenship and Immigration): This is specifically to improve our efficiency and monitoring of the resettlement assistance program. In fact it's a transfer from our vote 5 program dollars to our operating budget, so that we can put more resources into monitoring and tracking. We're doing a review of the private sponsorship program; we're implementing an evaluation program to continuously follow up on how well we're proceeding; and we're putting in an ongoing evaluation of our immigration contribution accountability measurement system, really just to improve our capacity to monitor, measure, and make continuous improvement. That's why it shows up in supplementary estimates, because it's an in-year transfer to operating funds, just to help us better manage the program.

The Chair: Thank you.

Ms. Beaumier

Ms. Colleen Beaumier (Brampton West, Lib.): There are three areas I'd like to discuss: the privately sponsored refugees, the adoptions, and the visitors.

I'm quite surprised to hear us talk about how proud we are of 25 years of privately sponsored refugees when we're not processing them any faster than we're processing other cases. Refugees, just by virtue of the term "refugee", need to be lifted from their place of residence quickly. That's just a comment.

But on adoption, we have all sorts of kids growing up who have been in inter-family adoptions, and when they want to have visits from their natural parents they're told "You have renounced your parents, so they're no longer your parents." These kids are three, eight, nine, or ten when they've been sent to this country, and this is routinely an excuse for not issuing visitor visas. We won't let your parents come because, first of all, they aren't wealthy in their country of origin. That's probably why they have sent their children for adoption, to give them a better opportunity.

You may say, that's fine; the parents made their choices. However, these kids didn't really make their choices. I think it's rather disgraceful that we hold them responsible for what happened when they were three years old.

The other issue, Minister, of course, is visitor visas and the increasing lack of respect for members of Parliament. I believe attitudes start at the top and run down. They don't start with the people who are on the front lines and go up. Your office leads me to believe that this is true as well.

We have a situation in many of these countries—Vietnam is one area, and New Delhi—where it's very common knowledge, and in fact I've had a few constituents prove it to me, that if you can't do anything for me, I'll just go over and pay 100,000 rupees and we'll all come here and laugh at you.

I had spoken to a previous minister about this and she sent us over. You were actually with me and saw the results of that investigation, when we went to New Delhi. They had taken a bunch of front-line women and made scapegoats of them. I'm sure you recall us meeting that one night in the hotel with one of these women. It was devastating for her.

I want to know what we can do about this. I also want to know why, when I put forward a guarantee knowing full well that if this person does not return I will be punished, I can't get permits or why the embassy in New Delhi does not accept my word. You keep a running tab on what all of us do. Every single one of us, you know what we do. If we were to get in the habit of writing letters of guarantee and people didn't return, then I could understand them contemptuously scrunching up our letters and throwing them in the garbage, but I do not understand this contempt and this absolute disregard for letters written by members of Parliament. If they can't tell the difference between a token letter and a letter of guarantee... I'd just like to know where this disregard for members comes from.

• (0930)

Hon. Judy Sgro: Thank you very much, Ms. Beaumier.

I'm not sure if you were in the room this morning, but as we move forward to try to look at what kind of immigration system we need for this century, I asked if you would also get back to me on what policies you think we have in place that don't function necessarily the right way, what policies we think need to be changed.

Clearly on this adoption one that you just raised, I would find that terribly distressing to think they were no longer allowed to come and visit their children. It's an area clearly where I'm sure there are some adequate answers around the table here, but I'm telling you that it's an issue, as you presented, that I find distressful when we're trying to say we are humanitarian and compassionate. So it's an issue that I will look into, but I would also appreciate you raising what kind of policy concerns you might have on those files or others.

Ms. Colleen Beaumier: You know, in—

The Chair: Ms. Beaumier, I think we should let her finish her other answers.

Hon. Judy Sgro: The visitor visa issue continues to be a huge problem for many of us. When we look at the numbers, we've had the same consistency for the last 21 years of refusals. The challenge has come with the huge volume of requests. We have a couple of million more people living in our country now who want their families to come over for a visit.

Part of the challenge we have is that the IRPA legislation we introduced seems to have taken away a lot of the flexibility and the discretionary ability from the embassy officers. It's an issue I'm looking into, as I think you know. I've mentioned it, and I hear from all of you on that frustration. I had the same frustration. I'm no different from who I was 11 months ago, when I was an MP sitting there with the same concern.

I can tell you that I am pushing to the extent I can to see how we can make some improvements in those areas, because of the pressure that many of you as MPs hear, and end up coming to me, asking me for intervention, so that families come over here for a visit or what not. It's clearly there. It's a huge pressure point for me and my office. I've had more than 3,300 requests since December 12, when I became the minister, from MPs and from other people across Canada, making a case on behalf of their family or relatives, and seeking interventions.

We look at all of those on a case-by-case basis and attempt to assist. I think I've assisted an awful lot of you here in this room and in the House. That's part of the opportunity and the privilege of being the minister. It's also the obligation of the minister to look at it on a case-by-case basis.

When you raise an issue of parents wanting to come and visit the children they had given up for adoption, and their being denied that opportunity, again, those are the kinds of cases that as minister I have the ability and the opportunity to intervene on, on humanitarian and compassionate grounds.

I'd like the system to work better than it does. When I say that we want to move forward in a new direction, I'm very clear about, first, how do we do that, and where does it mean we're going?

• (0935)

The Chair: Thank you very much.

Now we're going to move into five-minute rounds.

We have Mr. Jaffer, five minutes.

Mr. Rahim Jaffer (Edmonton—Strathcona, CPC): Thank you, Mr. Chair.

Thank you, Madam Minister, for being here.

My question relates specifically to vote 1. Under vote 1, more than \$19 million is for the carrying over of the operating budget, which includes your ministerial office, your staff. My question is particularly with regard to the case of the Romanian dancer. I understand that you had said this was an issue of permit given on humanitarian grounds. I'm not going to argue with that. That's going to remain to be seen. Where I have a concern, and I think in order to vote on this particular line....

Mr. Wons was a senior staffer in your office and apparently took leave from that position during the course of the election. What I want to know is, do you feel he acted outside of his role as a campaign worker during the time he gave assurances on behalf of the department and you with regard to individual immigration files, and when did you first learn about this and authorize these actions?

Hon. Judy Sgro: Mr. Chairman, I made it quite clear yesterday, and the day before, and I think last week. I've asked the ethics commissioner to look into all of the details of that issue. That's why we have an independent ethics commissioner, so that when we need advice, we have someone to go to and get it. I have asked for that advice.

I'm not commenting on those issues until the ethics commissioner releases his report, which I will table in the House. I have no

issues—I will share it with anyone who wants to read it—but I'm not commenting on the issues until that time.

That has very little to do with vote 1 anyway.

The Chair: Mr. Jaffer, I really wonder, we are here talking about the department and estimates. I hear what you are saying, but I guess my question as chair is that this has been referred to the appropriate channel we have as parliamentarians. It's being dealt with. This is a big test for the newly created office. I wonder if you could just let it work. It's not really fair to go back and forth in this forum.

I appreciate the question and how it might tie in, but could we stick more closely to the...?

Mr. Rahim Jaffer: I'm willing to do that, Mr. Chair. The only concern we have in the opposition is that clearly we're going to be faced with voting on these estimates before any ethics commissioner is going to have the chance to report. In order to have confidence in the minister, and especially in what she's asking for here when it comes to ministerial staff and the amounts allocated, clearly we have to have the background on some of these things that only she could answer. That's one of the reasons we're asking these questions. It's a question of confidence and if in fact we can vote for these estimates.

That's why clearly this relationship and whether you think he operated within the guidelines as someone who was on leave from the department and still operating on immigration files.... I think it's a very valid one. It speaks to your character and to the relationship you had with it.

Hon. Judy Sgro: I'm going to ask Mr. McWhinnie to answer from the financial perspective.

But, Mr. Jaffer, I can tell you that I take huge pride in my integrity, in my honesty, and in my government. I have been 15 years in political life, and I can assure you that I can stand next to anybody you can mention when it comes to honesty, integrity, and respecting the rules that are there. I would never knowingly violate any of the conditions set out by any of our organizations, whether we talk of Treasury Board or anyone else. I take huge pride in being able to stand here very straight and very clear.

I'll ask Mr. McWhinnie if he'd like to respond to some of the financial issues, though.

• (0940)

Mr. John McWhinnie: Given that you've referenced vote 1 and the operating budget carry-forward, this is something that all departments have the opportunity to roll over from one year to the next; it's 5% of their operating budgets. This is a very important part of just running the key day-to-day aspects of any department.

Certainly, in our case, we use that carry-forward and count on it in terms of additional kinds of things that may be somewhat out of the ordinary. You may well know that our department has a very high rate of access to information requests, which is very costly and time consuming. Out of that rollover, we spend almost \$3 million in running the process to respond to those. We also have some legal issues, where we have to come up with settlements. We use that fund to do that sort of thing.

Basically, on an ongoing basis, we input it back into our information technology programs and application forms and those sorts of thing.

So it's a flexibility that departments have for their day-to-day operations; it's pretty fundamental to the operation of the department.

The Chair: Gurmant, for one minute.

Mr. Gurmant Grewal (Newton—North Delta, CPC): I only have one minute. Okay.

Mr. Chairman, the minister stated that she would like to see a delivery system that is fast, efficient, responsive, and accessible. The department's record show it's completely contrary to that. We have immigration cases for family reunifications where the department is giving an indication that it will take 53 months to 58 months. In my constituency, I have about 25 cases, which I gave a list of to the previous immigration minister. For some of the refugees, they have been waiting 18 years. They're living in Canada, they are getting annual work permits, but they have been waiting for 18 years.

I would like to find out from the minister what she's going to do and if she can tell us what the timeframe is for different categories of immigrants waiting in the pipeline from Delhi, Beijing, and London. Could she table a timeframe report with the committee in two weeks?

Hon. Judy Sgro: No problem. We could do it next week if you would like it. In two weeks we'll have it for you. It's not an issue.

We go back, Mr. Grewal, to the fact that part of our challenge is not a capacity issue; it's not, can we do more? We have to look at what Parliament decides are the numbers. Remember that one of the important things is that immigration is a shared jurisdiction with the provinces. The provinces clearly have a lot to say about how many people they can absorb or what they feel their capacity is. So when we're looking at the numbers we have mentioned, of between 225,000 to 240,000 a year, they have been agreed upon with our partners, who are the provinces. That's one part of it.

If we want to start increasing those numbers considerably, we have to look at the implications and costs of that. We have to make sure our provinces are in partnership with us. So when we talk about the future of immigration—and I say it's time we had a fast, efficient, reliable system—we need to change the way we do that system so that we go into the kind of thing that talks about a just-in-time delivery system. It talks about recognizing our labour market needs and moving forward in a system that says, "In 18 months, you're going to be in Canada". That means you get ready to come to Canada in 18 months to 24 months, not five years.

But part of this is a policy choice that we have to make as Parliament. So when I go back to saying that the committee needs to be helpful and engaged in how our future immigration looks, those are policy choices. Clearly, we have to make those recommendations.

I look forward to the standing committee participating in all of this as a partner with me as we move forward. This is very important for us, not just as a party but certainly also as a government. I know you have a huge interest in it, and I want to see us be able to move forward in a positive way.

The Chair: Thank you very much, Madam Minister.

Before I go on to the next person, I just want to remark that probably for the first time in the history of the citizenship and immigration committee—as a matter of fact, it is the first time in the history of this standing committee—we have a husband and wife team sitting next to each other.

Some hon. members: Oh, oh!

The Chair: Certainly, they have some expertise from their own experience in coming to this country. Anyway, I think this reflects well on Parliament and the committee.

Dr. Fry.

● (0945)

Hon. Hedy Fry (Vancouver Centre, Lib.): Minister, as you know, we've been dealing currently within this committee with citizenship issues and the changing of the Citizenship Act. We heard testimony from Don Chapman and Charles Bosdet on the issue of lost Canadians and dual nationalities. Why is it that the government does not support the bill that is coming from the Senate on this issue? What is the position of the government on this bill?

Hon. Judy Sgro: As you know, Bill S-2 seeks to facilitate the acquisition of citizenship by adults born in Canada who lost Canadian citizenship when their parents took out citizenship in another country. At that period of time, Canada or the others did not have dual citizenship.

Current resumption provisions, though, for this category of individuals are the same as for any other former Canadian who wishes to become Canadian. They must obtain permanent residence status; they must live in Canada. In order to retain permanent resident status, they have to live in Canada for one year and then make an application to resume their citizenship. All other immigrants, though, who would want to do this would have to come and live in Canada for three years. What the policy currently says is they have to live in Canada only for one year and they have to meet language and knowledge requirements before being eligible for citizenship.

This whole issue I think is one that asks what is their commitment to Canada. I think we need to talk about that, and does that not require people to have a commitment to this country? What have they contributed, and what would they contribute? By having the policy adjustment that was done in 2003, they waived medicals. If you want to resume your citizenship, you no longer have to have a medical done, but you have to live in Canada for a year, which shows a commitment to the country. Otherwise, why do you want citizenship if you don't care about your country either? By asking individuals under the current policy to live in Canada for one year...

At the same time, we have to remember that just because they're a so-called lost Canadian, we have no idea who these people are. We're getting requests from people who are just getting out of prison who want to come to Canada. They need to undergo criminal checks for crimes committed outside Canada. So we need to do security checks. For that year while the individual lives in Canada and that we process their application, we clearly have the opportunity to know who these people are rather than just randomly say they can come into Canada any time.

I think it goes back to part of the legislation on citizenship. I would hope that there would be a good, succinct debate on what does a commitment to Canada mean. Why would people want to live here if they're not committed to Canada, number one? But what's our commitment, as individuals who live here, to Canada? How do we look at what is your commitment to this country? Why do you want to live here? And what's your contribution? I think we need to be talking about and discussing those issues. Frankly, the policy says right now that if you're a lost Canadian and you live in Canada for a year—that's all that's required—you would automatically resume it.

Another angle that I think the committee needs to talk about is the whole issue of what happens to their wives and children. Under the current policy they're going to have to then apply and be sponsored. So things can get pretty complicated.

I would very much enjoy the opportunity to be here when you have that discussion. But I think it needs to be looked upon in a broader sense. I don't think we're asking a whole lot to say if you lost your citizenship as a child and you live in Canada for a year, you'll automatically resume your citizenship. This is simply asking people to live in Canada for a year. This says that's your commitment. But if all you're going to do is come here for two weeks out of a year, I think it's a debate that needs to happen, and I would certainly welcome that. That certainly will also be part of the citizenship issues we have to deal with in the legislation.

The Chair: We'll make sure we invite you for the debate. We'll take you up on that.

Madame Faillie.

[*Translation*]

Ms. Meili Faillie (Vaudreuil-Soulanges, BQ): My questions will focus on the immigration reform that the minister has alluded to, more specifically as regards refugees.

It seems important for the current government to reduce the number of cases and to deal with them quickly. I find this admirable. On the other hand, I would like to have some more clarification from the minister as regards fair and equitable treatment within the accelerated case- management process.

With the current system, what guarantee is there of a certain fairness and respect of fundamental rights? The fact that the Appeal Division has not been set up, whereas the House passed the act, worries me. In light of this, I would like to know what resources have been earmarked to study this issue. I would also like the department to table the projected costs of the implementation of the Appeal Division for us.

Reference is often made to 22 appeal situations. I would like the minister to describe a few appeal situations to us, and not situations

that are judicial reviews. Finally, I would like to see the 22 appeal cases that the minister referred to tabled here at the committee.

As far as the immigration reform we have discussed is concerned, what resources have up until now been devoted to this initiative, and how many people are currently working on this issue? What is the plan? How many consultations have taken place up until now? I would also like to hear something about the next steps.

I may have further questions later on.

● (0950)

[*English*]

Hon. Judy Sgro: Thank you very much.

I had mentioned earlier having Jean-Guy Fleury, who is the head of the IRB, come and address the committee. As you know, it is a quasi-judicial body that is there. He clearly is working very hard at trying to make sure we can reduce the numbers so that we can respond to people's needs in a much faster way. Overall, as you get into the intricacies of the system, I think he could probably more appropriately be able to give you the answers on some of those questions you raised.

Our refugee system is internationally recognized as being fair and generous; the UNHCR said the same thing. Canada has one of the highest acceptance rates. I think our acceptance rate is currently at 41% or 44%, and correct me if I'm wrong on that. There are a number of recourses that are available before someone is removed from Canada, pre-removal risk assessment and reviews on humanitarian and compassionate grounds, that look at everything from the merit of the case and an appeal to Federal Court for judicial review after each decision.

Looking at the whole issue of the RAD, which is an appeal on merit, it has to be examined in the context of the reform. That's where we're trying to move forward on this. The objectives of the refugee reform are to maintain or increase the traditional Canadian level of protection. It's to create a fair but more efficient system to ensure time and attention will be devoted to protection of those who need our protection, and to ensure that decisions are faster both for people who deserve our protection and those who don't. There is not money in this budget for implementation of the RAD appeal system at this particular time. On the avenues of recourse, the whole issue is being able to appeal and re-appeal under various categories, and again, Jean-Guy Fleury will be more than happy to go over this in detail for you.

I'd like to see the reform move forward as quickly as possible. We continue to deal with huge numbers and are spending a huge amount of dollars trying to speed the system up and move it along. I'm not sure if there is some other issue, but at the end of the day it goes back to protection and trying to help as many people to come here who need our protection as possible. I don't know if my staff want to add anything to that.

● (0955)

[Translation]

Ms. Meili Faille: In fact...

[English]

The Chair: Madame Faille, you're over five minutes. We'll come back to you again. We'll have time.

Lui.

Mr. Lui Temelkovski (Oak Ridges—Markham, Lib.): Thank you, Mr. Chair.

Thank you, Minister, and your department for coming again to shed more light on this much needed work on the immigration file.

You mentioned in your speech that you'd like to create a 21st century immigration policy that was fast, efficient, responsive, and accessible worldwide. First, I'd like to ask your department to give us some ideas on how we can do that.

Second, if we have time, when will the CBSA be fully operational? Have there been any performance assessments prepared for the system?

The third question I have is on people who have overstayed their welcome in Canada. Obviously we have many of them in Canada. Can you comment on any numbers you might have? Do you have any suggestions on how we can integrate these people into the system so they can become productive members of society, as opposed to being underground members of society? Obviously they're working here, by the length of time they've been here, and they're able to sustain themselves. But they're not on any books anywhere, because if they were we would be at their necks.

The fourth item I have is on the appeals board for refugees. Is that anywhere on the horizon?

Hon. Judy Sgro: We have been in discussions with the provinces for some months now on the future of immigration and just where we are going with immigration in Canada, what kind of system. The system we currently have has no control of the tap. There's no control of the inventory. If you cannot control your inventory, you're going to continue to have, as we said earlier, 689,000 files that are there.

So part of our frustration with the current system is that we do not have the ability to turn it off and say we have received all of the applications we are capable of processing within the objectives for the year 2004. So if 500 people show up at every embassy every day, we have to continue receiving those applications, and I think that makes it very difficult on the other end because that's where you build up huge inventories.

I think it's very important that people know what the timelines are, so they'll know it takes two years to come to Canada, not six years,

as long as you get your application in appropriately and properly. Then we need to look at the policy suggestions and direction we are attempting to go in, but all of that has to be done in consultation with the provinces.

I'm happy to say we had a terrific meeting with the provinces last Sunday and Monday and they all agreed it was time we looked at our immigration system in a different way, both from how we process them to the system, the delivery system we currently have, to being able to have more flexibility, to be able to work with our provinces much more as a partner. But now we've gone to another level, and we're also talking about working with our cities and with our communities and other stakeholders.

So no longer are these kinds of decisions made in isolation in Ottawa about what our immigration policy should be or the direction. Those policies need to be done in cooperation with Canadians, with the stakeholders, with the people who care about it, who are going to help to guide us, including—and I had mentioned it before—suggestions and direction from the committee on what it thinks Canada's immigration system should look like.

The delivery system is extremely important, but so are our policies. If you go back to Mr. Grewal's comment earlier, it's policies. What are our policies? What kinds of policies does Canada need to have to meet the future needs of this country?

We clearly have to become much more competitive for immigration, because that's the human capital to build this country. Immigration built the country today, but it's going to be even more important in the future. So we need a system that is, as I indicated, fast and efficient, and so on.

We are getting together with my provincial colleagues in June. We hope at that point to have a proposal and a system that we'll have all worked on between now and then, and that we will be prepared to go forward and have consultations on publicly and get some feedback at that particular time. But a lot of that, again, is going to come back to, I hope, some cooperation and assistance from the standing committee on just what they think. I think it's a great opportunity for all of us to get involved.

You had a lot of questions on the CBSA issue.

Mr. Dorais, do you want to give a quick comment on that?

● (1000)

Mr. Michel Dorais (Deputy Minister, Department of Citizenship and Immigration): I'll just comment very briefly that we've completed the transfer of the functional staff. We're completing the negotiation on all the corporate resources, so the transfer will be completed, but the agency itself is fully operational and has been since December 12 of last year. They do now cover the entire spectrum at the border point.

Hon. Judy Sgro: You asked about deportation. Of course, that's an avenue now that is clearly in the hands of CBSA. That is their responsibility. That's why it also gives us an opportunity to focus on how we welcome people to this country, rather than on who we are deporting every week. The big interest in immigration has been who you are deporting each week. It's completely opposite, and I think it's a real conflict. We should be talking about how we are going to welcome more newcomers to Canada. How are we going to help them integrate, and how are we going to do all the positives of immigration?

Clearly it's a department that will provide the capital for the future, so we need to make sure we're getting on with doing it right. Deportations and the rest of it will be handled by the CBSA and that avenue.

The Chair: Thank you.

We're going on to Mr. Grewal.

Mr. Gurmant Grewal: Thank you, Mr. Chair.

Thank you, Minister, for appearing before the committee.

I have questions on three specific issues.

I think immigration is our first line of defence because people who come from abroad are screened abroad. It's not the job of MPs to police or to be informants for the immigration department. But since 1997, based on the information I have been getting from my constituents, I have tipped off the immigration department, as well as the police commissioner, on corruption issues in foreign nations. Based on my information, significant results have been produced, and people have been caught red-handed and arrested or charges have been laid. At one time, there were 48 different investigations in the department for corruption-related issues.

My first question is this. What is the minister doing to combat corruption abroad, and how many cases of corruption are continuing at this time?

The second question is on the visitor visa process. It's the milk cow for the department. A lot of money in local currency is being paid for visitor visa applications, but visitor visa applications are denied many times on arbitrary criteria and compassionate or humanitarian issues are completely ignored. The denied cases then rush to politicians seeking help. Sometimes the minister has to issue a minister's permit.

What is the solution to the problem? Is posting a bond or a guarantee in the cards? I have a private member's bill, which I will be debating at the next available opportunity, but is the minister doing anything to find a solution to the visitor visa process?

Finally, Mr. Chair, I have a question on foreign credentials. In 1998 I had a motion in the House on recognizing foreign academic credentials, which was debated on and rejected by the Liberals particularly. I suggested that there should be a national standard of education from province to province, and variations can be minimized or eliminated. The national standard should be used to recognize foreign academic credentials to minimize brain drain, and on the other hand we should capitalize on brain gain.

The government or Ottawa has pledged about \$50 million in improving language skills, but I don't see any real action. Could the minister highlight what the real action is? Are we really doing something to utilize the human capital that is being wasted in our country?

• (1005)

The Chair: Thank you.

Minister.

Hon. Judy Sgro: Thank you, Mr. Grewal.

Let me tell you that I have absolutely zero tolerance for any kind of criminal activity in any part of this portfolio. It's often raised as well. I'm going to let the department respond in a more thorough way.

You and I have had this conversation. I think we all recognize the value of a visa to come to this country. Many people will do a lot of things to get it. It's extremely important that we stay very vigilant at all of the embassies to make sure that the objectives of fairness are done and it's not an issue of corruption or fraud.

I'm going to ask the department to respond more fully. But I assure you that if there are any allegations or any suggestions of that, if there is anything, I want to know. I've made that very clear. It is intolerable that people would be entering into that kind of activity, and I certainly won't tolerate it. If you have any particular evidence or issue, as I've discussed with you before, I want to make sure you bring it to me.

The other avenue is that no matter how careful you try to be, can you say there's absolutely nothing? You can never say that because no matter how careful you attempt to be, there are always people out there trying to find other ways of defrauding the system, and so on.

I'll let the deputy respond in more specific detail. He has the numbers on that.

Mr. Michel Dorais: Thank you, Minister.

Yes, I was hoping I had the exact number. We can table it with the committee because they are published on our Internet site. We do not classify irregularities as corruptions. They're all lumped into a malfeasance category. This department handles about 1.5 million transactions involving about half a billion dollars in around 85 points of service across the world, and we have a system to monitor very carefully. Our record is very good for that size of operation. If I recall well, and my colleagues may help me on this, the number of allegations last year was around 127, 167—I'm not sure of the number. Those were allegations, and they led to 28 actions only where the allegations were deemed founded.

Now out of the 1.5 million transactions and half a billion dollars circulating, 28 infractions over one year is a very low number. In each of those cases, action was taken, either dismissal of the person, or suspension, or whatever appropriate action needed to be taken. If there were criminal activities that had taken place, the RCMP got involved and people were charged.

So the malfeasance report is published on our Internet site. All the data is in there. We can table it with the committee as well.

The Chair: Thank you. We're one minute over on the time, Mr. Grewal. If the committee wants to make sure their questions get answered, you have to pay some attention to the time. We ran a minute over already.

Let me call on Mr. Anderson.

Hon. David Anderson (Victoria, Lib.): Thank you, Mr. Chair. It's a pleasure to follow Mr. Grewal, who has brought family reunification to a new height by sitting here beside his wife at the table.

I'm speaking very late in the process. Minister, I've had an opportunity to listen to you for quite some time, and I'd like to say how impressed I am by your willingness to consider improvements in the process of both citizenship and immigration, and the IRB as well, and your clear enthusiasm for trying to reduce delay, and the high cost, and the less than optimal economic results from the immigration system to the Canadian economy.

So may I congratulate you on this willingness to consider change and your openness to suggestions.

I have two questions. First, with respect to economic performance and the contribution to the Canadian economy, the OECD made clear in its report in 2003 that during the 1980s and up to the mid-1990s, migrants' performance in the labour market in Canada showed a general and persistent decline. Over that period their participation rate, their unemployment rate, and their initial level of earnings deteriorated. I wonder whether you have any idea of how that can be further turned around and further improved, because the 1980s and early 1990s did not give us very good statistics in terms of performance of new immigrants to Canada in the economy.

The second question is about citizenship, and as I understand it, currently, other than for criminal charges that we're not told of during the application for citizenship, we have no other grounds for revoking or removing citizenship. I wonder whether you have any idea as to whether there might be other grounds for citizenship revocation other than just simply the misrepresentation with respect to criminal charges or criminal convictions.

Thank you.

• (1010)

Hon. Judy Sgro: Thank you, Mr. Anderson.

When you talk about the whole issue of revocation and should there be other grounds other than the inadmissibility due to criminal activity, or old war crimes, or whatever, I think that's one of the reasons why we want to have a discussion on the citizenship legislation.

We have failed three times in trying to get updated citizenship legislation. There are some really important issues in there, and revocation is one of those. I'm hoping the committee, which is now going to deal with that issue, will come up with some new ideas, not necessarily more of the same, because I think the reason it hasn't passed before is because there haven't been any new ideas in the citizenship legislation. It's pretty cold and basic, and if we want to have success, I think it's time we looked at some new ideas.

When you talk about revocation, should there be other avenues in there? I think this is the kind of discussion people need to be having, because the Citizenship Act needs to address those kinds of issues and should be dealt with differently. Certainly, in terms of a revocation process, I want to make sure it's transparent, it's open, and that people understand that it's an open, fair, and just process. And that's part of what our new legislation, frankly, is going to move forward in that direction.

The whole issue of people being successful when they come here is extremely important, because we lose their talent. So it's up to us to help people be better prepared, I believe, before they come to Canada. While they're waiting for the system to get them through the various hoops and hurdles that are always there, it's important that they have access through the Going to Canada portal, that they be able to access the provinces, the engineers' association, as an example, as we move forward.

But we'll be working with the provinces and the cities in trying to say how we make sure people have successful integration. It's a huge loss, and I think it's a disservice to people when we say, "Come to Canada, because you have a talent that we want", and then you get here and you can't use that talent because we're not prepared to open the doors for you.

I think we're finally making some real progress with the provinces. I think some of it is a bit of a question of shaming the provinces into accepting and shaming the associations into assuming some of their responsibilities here. It's not just a question that we open the door. It's a question of what happens then, and it's important that they get the support they need.

All of those are issues where we're moving on foreign credentials with my colleagues at HRSD and Health as we move forward, to make sure we have the doors open, from mentorship to getting that Canadian experience. That will only happen with all of us doing it together. We can't do it by ourselves. We have to get away from this silo mentality, because we open the door and then we don't do anything else with people, other than a bit of integration, because then it's the province's responsibility, or the responsibility of the engineers' association or the doctors' association.

We can't let them get away with that. They have to be partners in this and we have to make sure that they are.

The Chair: Thank you, Minister.

Mr. Siksay.

Mr. Bill Siksay: Thank you, Mr. Chair.

Minister, I have a couple of what I hope will be quick questions and then one more substantive one perhaps.

With regard to international students working off campus, you mentioned that the concentration was on smaller communities. I think the students I met at Simon Fraser would want me to respond and say that they feel they're under particular economic pressures with the cost of living in a major centre, so this opening for them to work off campus is particularly important to them. Given those kinds of considerations, I hope you might reconsider that program.

Does the advanced language training money in the supplementary estimates include language training for technical language skills related to the international credential issue? I'm wondering if that is the case.

I don't think we got an answer to whether the department had costed the implementation of RAD, so I'm wondering if there is a figure around the cost of implementing RAD.

In my final question I'll take the opportunity to question you about policy. You opened that up. There was a story in the *Globe and Mail* this morning about the exotic dancer program, as they called it, in the department. The large increase in the number of applicants under that program seemed quite significant. I'm wondering if that raises any particular questions for you and if there's any particular examination of what's going on in that program or any particular follow-up to what happens to the people who come to Canada under that program. Given that there is such a large number and they seem to be concentrated from one country, does that put up any particular flags for you in that circumstance?

•(1015)

Hon. Judy Sgro: Thank you, Mr. Siksay.

The reason we started out with the pilot projects on the universities had a lot to do with regionalization and trying to help the smaller universities attract people, because that's particularly important. Some of those smaller universities, because of the decrease in their own populations around them, are having a much harder time keeping going in some of the areas. Being able to offer the off-campus employment made them a more attractive sell to foreign students. That was the intent here. I think it's an important part of the regionalization strategy. We will assess it at the end of the 12 months to see whether or not we think it's been helpful.

On the enhanced language training money, it's specific for the higher levels of language training. When we talk about the technical need, we clearly find.... You can use a medical technician as an example, someone who has the abilities to be a medical technician but lacks the technical knowledge. It was the medical technician category that allowed them into the country, but then to be able to get a job requires some technical language skills that they clearly don't have. That's exactly why that money was put in the budget; it will be a superior level of language training that we hope will be very helpful.

On RAD, my understanding was that the start-up cost of that would be approximately \$10 million. My deputy may want to add something different, but that was my understanding when I inquired about it.

On your next question, on the whole issue of the exotic dancers, it is an area of concern to me. I have been working with HRSD on this

specific issue, and will continue to work very closely with them as we move forward on the issue.

The Chair: You have another minute.

Mr. Bill Siksay: With regard to the racism program line that is here, I'm wondering if you could just expand on that. Is it in conjunction with Canadian Heritage and Multiculturalism? What is the target, from Citizenship and Immigration's perspective? What will that money be going towards?

Hon. Judy Sgro: Clearly, we will be working with the Minister of Heritage and the heritage department and other organizations so that we can continue to try to address an issue that's very important to us. Passages to Canada is one particular program; there are a variety of them, and we have a speakers' bureau. I think this kind of money also provides us with the opportunity to address these issues and to showcase immigrants to Canada who have been extremely successful as well.

So often people are there to stand and discriminate against people in a variety of areas, but when you can stand up and say that the Governor General of Canada was a refugee, and you can point to a whole lot of people who have come here under different...whether it's through straight immigration or they were seeking our protection, and who have gone on to having huge successes in their lives and to making huge contributions to Canada, I think those are all opportunities for us to celebrate and promote and use as an education tool for people—to give people a chance.

•(1020)

The Chair: Thank you very much.

I'm going to take this round of questions for the Liberals. Then we have Madame Faillie, Helena, and Colleen. If anyone wants to ask subsequent questions, we should have some time for you to get your bids in.

Madam Minister, this morning when I woke up I was listening to CBC, and the first thing that came on the radio was an item on three women from Iran. They have filled in their refugee claims. If they get sent back to Iran, there was a strong suggestion they would be ill treated. Given the life and death decisions that exist, I really do think it would be appropriate if the government would live up to having our refugee appeal division, because when the government passed the new act, it really was done in the understanding that would exist. With the new moneys we have available because of the budget surplus, I'm wondering if that is not something we as a committee and you should push for. Until we have more confidence in the determination system, I think we're going to have problems. It's not as if the people on the immigration refugee boards are judges; they're not, and they can make mistakes. I do believe the RAD would very much help increase the comfort levels of members of Parliament. That's one issue.

The other issue is that you mentioned we're trying once again to get the Citizenship Act through. There were a lot of problems with the previous bill, not just in Parliament but also in the Senate, which held it up for good reasons, including the lack of due process. My question to you is, in the last citizenship bill, they were proposing to extend the administrative power of the minister under section 18 to allow removal of citizenship in the first five years, essentially by an administrative decision on the part of the minister. I just want to know how you feel about that particular proposal, because obviously it's something that's going to be coming up, and it's going to signal to us what your inclination is in this regard. That's section 18, which is where the minister can, for the first five years, remove citizenship essentially on her own power, a decision that cannot be appealed to any court—except it might have a judicial review attached to it. I just want to know what your thoughts are on that.

Hon. Judy Sgro: Thank you, Mr. Telegdi.

When I said the last time I was here at the committee that I looked forward to the debate—the discussion—that you would have on the Citizenship Act, and that I was coming in an unprecedented way by coming to you with an issue paper first that would outline the particular issues that were outstanding from the last time and that I thought were the most controversial, and that I would welcome your discussion and your recommendations and I would then take that and roll it into a piece of legislation and bring it back, I said that because I value you, as parliamentarians, and your input. I think the more input and the more discussion we have on those issues is important. It's the way I prefer to do it while I'm in this position.

So on the whole issue, should that happen, should the minister have that ability, well, I suppose the reason they had it in there was so that if there was something missed in the first five years, they could do it. You're asking me for a personal view. Frankly, I think once a person becomes a citizen of this country, when you're going to revoke that citizenship, you had better be very clear on what grounds you would be able to do that. I think it's pretty clear now. It has to be clear there was criminal activity or whatever. We need to make sure we do our job right the first time as well, when people apply to be a citizen.

On your other avenues, Mr. Telegdi, that you raised on the implementation of the RAD, currently we have the PRRA. I can't talk about specific cases, but we do have the PRRA part of this, which is pre-removal risk assessment. When people go through that process, if they are being returned to a country where they are clearly going to be at risk, then that's what the PRRA is there for, in order to make sure they are not removed if they are at risk.

We talked about the RAD and what it would do. The intent of the RAD, when we switched to the one person doing the interview, was that with the RAD there would be a top one at the end, if you made that appeal. But we have the humanitarian and compassionate grounds, which frankly look at everything. They don't just look at the narrow.... What the RAD is going to do, and part of why I have concerns if it's going to help us with our own objectives here...under the RAD they would look again at whether this person is a convention refugee. It would be another look with a fresh set of eyes at what they have in front of them—no new information, but the exact same thing the original adjudicator had in front of them.

Under humanitarian and compassionate grounds, it's broad enough that you can look at the whole issue of humanitarian and compassionate grounds in a much broader sense. I think that's a category that we want to make sure is there, clearly, being able to address some of those issues. As we look forward and move forward on the streamlining, it's a question of making sure we're achieving what our objectives are around this table, that is, to protect as many people as we can in a fast, efficient, and predictable way.

● (1025)

The Chair: Madam Faille.

Hon. Judy Sgro: Can we just correct some numbers here?

Mr. Michel Dorais: Mr. Chairman, with your permission, I just got the number on malfeasance. It's 137 allegations that led to 25 funded cases and 28 discipline actions. I just wanted to read that into the record.

Thank you.

The Chair: That's 137.

Mr. Michel Dorais: Yes, 137 allegations that led to 25 founded cases that led to 28 discipline actions. Each case might have more than one person.

The Chair: Okay. Thank you.

Madam Faille.

[*Translation*]

Ms. Meili Faille: Earlier, I asked some questions concerning the fair and equitable treatment of refugee files. I did not in fact receive a satisfactory answer.

I have met with many people and I am dealing with several cases at my office. I'm not here to give you details of each of these situations, but when one has new information on a file and one has reason to believe that this information has not been properly processed by the department, there does not seem to be any means by which to make corrections or justify changes. It seems obvious to me.

When certain refugee files are reviewed in light of humanitarian considerations, the decision is sometimes made to deport the people concerned. I'd like to see some guarantees that the rights of Canadian children are understood and given sufficient weight in making the decision to deport.

During the weekend, I was made aware of situations where there had been no possible recourse, no possibility of appealing the minister's decision, where other members of the family were forced to adopt the children of parents who were going to be deported. I find this unfortunate. I believe that if we really want to emphasize family values and the reunification of families, we must to some extent take all members of a family into consideration. When the deportation of Canadian children is at stake, that must have some bearing on the decision. The fact that there is no appeal division is harmful, as such decisions cannot be challenged. I would like to know what guidelines the department has issued in this regard.

● (1030)

[*English*]

Hon. Judy Sgro: Thank you.

I'm going to ask Daniel to respond, only because I want to make sure you get your answer and I don't want to talk too long. We can discuss it further.

Mr. Daniel Jean (Assistant Deputy Minister, Policy and Program Development, Department of Citizenship and Immigration): On the issue of the best interests of the child, there is jurisprudence in the Baker decision that has forced us to review our processes, policies, and programs. We have to assess the best interests of the child before a decision that can have the kinds of consequences you're describing is made. We are bound by the court. Our policies have been reviewed on this. We are also trying in our discussions with stakeholders and many of the people we meet to see how we can improve it further.

On the issue of risk, as you know, the risk of return to the country of origin is assessed by the refugee board on all consolidated grounds. After that it's assessed again on merit at the pre-removal risk assessment. If people feel their case has not been heard, they can also invoke a risk of return in the humanitarian and compassionate grounds application. In all these instances the merits of the case are looked at.

Hon. Judy Sgro: If I could add one comment, I mentioned it earlier, but I think it's important to be clear on the RAD. The RAD would simply look again at the exact information, and nothing new, that was in the initial application. It would clearly look at if the person is a convention refugee, which is what the first adjudicator would have looked at. At that particular point in the RAD they'd have nothing to do with humanitarian and compassionate grounds. It would be simply and clearly what the first adjudicator had checked as a check and balance system.

The Chair: Ms. Guergis.

Ms. Helena Guergis (Simcoe—Grey, CPC) Thank you, Minister, for appearing before us here again at committee. We appreciate it.

The minister undoubtedly recognizes the important role this committee has in ensuring that the department and the minister are kept accountable for the actions taken. The examination of the estimates allows the opposition and the committee to further examine the resources allocated to the department and policy priorities.

I've been asking you some questions over the last week or so, and I'd like to ask the question again. Clearly, if a member of the minister's staff decides to become involved in a campaign on a full-time basis, they are required to take unpaid leave. Having been a staffer myself for eight and a half years, I can tell you that I have always taken unpaid leave or I have worked on my own time. I can certainly tell you that the expenses that your staff members have claimed...after my eight and a half years, I came nowhere close to even half of that. These are some of the reasons why I have some great concerns.

Yesterday, it was confirmed in the House that a minister is able to have one staff person assigned. Taking a look at information that's on the website, there are three staff people who have claimed a total of \$11,000 during the campaign. Not only is this against the one-staff rule, but I find the amounts to be extremely excessive—an excessive amount for expenses by your staff. For one of them it was close to

\$5,900 for four weeks' work, and that's ridiculous. I am seriously concerned. I feel I deserve an explanation. I want to know if you feel that these expenses are justified.

Can you please tell us right now, did they do any political work on your campaign?

The Chair: Madam Guergis, we're here to talk about the estimates.

Ms. Helena Guergis: With all due respect, Mr. Chair, this meeting and the last meeting we talked about church sanctuary, the plight of lost Canadians, the Citizenship Act, and about items that are not estimates, and you didn't have a problem with that. Why do you have a problem now? I have every right to ask the questions.

The Chair: The reason I have a problem with it now is because we have a quorum. We have a way of dealing with this issue.

Ms. Helena Guergis: The minister has been on the hot seat many times in her career. I'm sure she's pleased to answer the questions.

The Chair: If you will please let me finish, this is not question period in the House. Question period in the House happens in the afternoon. We're talking about fairness and due process, and that's one of the things this committee has been grappling with—we all have. We're not going to get a resolution to your questions in the back and forth. The issue has been referred to the ethics commissioner, an office that we, as parliamentarians, fought to set up.

● (1035)

Ms. Helena Guergis: Maybe the minister can confirm for me, please, that this issue has in fact been sent to the ethics commissioner.

Hon. Judy Sgro: As I said earlier, I'd love to answer your questions and I can answer them very easily.

Let me simply say to you that I mentioned earlier about my own ethics and my own integrity. Clearly I followed exactly Treasury Board guidelines for the one staff member who was with me in Toronto. I am not getting any further into the discussions. We have an ethics commissioner. Part of the frustration for me in referring this is my inability to be able to discuss a lot of this. I'm waiting until the ethics commissioner renders his decision, and then I'll be glad to discuss it.

The Chair: I think there is a departmental policy on this. The minister has said that she has followed the policy. There's a dispute about that. That is in a forum for resolution.

Go ahead.

Ms. Helena Guergis: On November 2, I asked you about departmental spending for research. I asked you to inform the committee about what kind of research is carried on by your department and what efforts are made by the department to avoid duplicating this work with outside think-tanks.

In your response to me, you mentioned three programs, which I appreciate, but they only totalled \$304,000. I'm wondering if you can give me the exact amount the department spends on research and if you can address the issue of redundancy.

Hon. Judy Sgro: Let me assure you that with the limited amount of dollars we have to go into a variety of different things, we very much try to make sure there is no redundancy, that the research dollars go specifically into the areas we need.

A written answer is being prepared and will be followed on to your office so that you will have it for whatever you might need it for in the future.

Ms. Colleen Beaumier: Before I go after you, Minister, I would like to say to the honourable member across the way that I have a staffer in my office who.... During an election time there is very little or nothing for staffers to do on the Hill. Of course, during an election time the workload increases in the riding, and our staff there cannot be expected to handle the increase in workload. If you were to look at my budget, you would see that I have a staffer who came to my constituency during the election to work in the constituency office and worked at night, sometimes on the campaign and sometimes not. I think to accuse the minister of bringing her staff down purely for political purposes.... You could probably say that to two-thirds of the caucus.

And I'm not asking for a response from you.

• (1040)

Ms. Helena Guergis: I don't have a response for you.

Ms. Colleen Beaumier: I'm giving my statement as you have given yours.

One of my problems here, Minister, is that many of the changes we're talking about right now are administrative. They don't really require legislation. You say you're waiting to hear from the committee, and you know I am probably one of the most frustrated people on the committee. This is just going to be a little shot, but when my opinion on a visitor's visa means diddly-squat, I'm really wondering how I can think my opinion on committee is going to mean anything to the department as well.

Among the issues I am concerned with is the PRA, the pre-risk assessment. We haven't really decided what constitutes a risk. There are all sorts of risks in being returned to a country after 10, 11, 12 years of living here that don't have anything to do with actual physical death upon arrival back in your country. There are many other risks, and I don't want to waste my time on that subject.

Humanitarian and compassionate regulation changes back to what they were prior to 1995 would have solved this problem with all these people who are here without status. We as a government allowed those changes to take place without any input from committee, and I think if your department isn't prepared to change them back, those are things that should be thrown in front of the committee, because I think some very bad decisions were being made.

The other thing I would like you to comment on is that we're still waiting for the English tests we asked for as a committee. I was told they were afraid we might give them to people and that's why they didn't want to give them to us. However, they did agree to send us English tests.

I'd like you to comment on those people we are sending back to refugee camps in Lebanon. There is also a contradiction of terms and

of purposes in this. I don't have a problem if it's a security risk, but how can you claim someone who has come from a refugee camp is not a refugee—someone without citizenship, without status anywhere in the world? I know you didn't create this one; it was created before you. But I'd like to know what we're doing on it.

The Chair: I will just inform you concerning the English test that the clerk informs me we have received it, and it will come to your offices. You can all look forward to it and try to take the test. I hope we get the French one too.

Minister, go ahead.

Hon. Judy Sgro: Daniel is going to speak.

Mr. Daniel Jean: On the language test, I want to specify that we sent you an answer, but we cannot provide you the actual test, because it's a standard test that is being administered to people.

Ms. Colleen Beaumier: So we have to take their word on it again?

Mr. Daniel Jean: We are providing you with information on how the process works, how we came to it—it's been done by external experts—and we're prepared to come and brief you on how it's administered. We are even prepared to bring external experts if we have to. It's very similar to when you take a standard test for admission to universities: they will not provide you with the actual test. But we can certainly describe the process.

Ms. Diane Vincent (Associate Deputy Minister, Department of Citizenship and Immigration): *Excusez-moi.* Could I ask for a clarification? Did you receive the answer from the department on this?

The Chair: Bill, what do we have?

The Clerk of the Committee (Mr. William Farrell): We have everything from the prior meetings that the committee asked for. We received them late yesterday afternoon, and they will be circulated to the members of the committee. In the test, I think there were four samples. That's what I heard.

Ms. Diane Vincent: Yes. Let me clarify that we have sent the response to the committee following our discussion when I appeared with Dr. Fry before the committee. We said clearly what the standards are on which the tests are based, and we sent some examples of past tests. The tests are changing. We are not going to send the ones that are used now, but examples of past tests have been sent to the committee.

The Chair: Okay. We'll look at that.

Hon. Judy Sgro: You asked about the PRA. The risks are apparently very detailed and clearly spelled out under the international conventions. I'll be glad to get the department to forward that information.

Concerning the agency, you talked about the regularization and the changes being made there.

Daniel, would you like to comment on Madame Beaumier's concerns about the regularization issue that the department has changed?

Ms. Colleen Beaumier: They were changed in 1995.

Mr. Daniel Jean: I'm really not aware which change you are referring to.

Ms. Colleen Beaumier: Well, for example, if you had lived in Canada, say, for five years and had lived underground and hadn't been a burden on the system and had carved out a little niche for yourself—

Mr. Daniel Jean: What you're referring to is a special administrative program that was introduced in those years. The agency rules and the agency process were changed in the context of IRPA, but they're not a lot different from before. It's a case-by-case assessment of whether or not sending you back home is going to create undue hardship. That's the basic test.

The Chair: Thank you.

Ms. Colleen Beaumier: That's not the information I had. I had someone within the department who handed me a totally different set of regulations.

The Chair: Okay. Now we're going to move on to—

Hon. Judy Sgro: Daniel, could you find that out specifically and pass it on to Ms. Beaumier, please, and copy it to me?

Mr. Daniel Jean: Yes, I'll be happy to do so.

The Chair: Good.

Ms. Grewal.

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Thank you, Mr. Chair.

I would like to thank the minister for appearing before us.

I have specific questions on backlog. CIC staff in foreign missions need better training and to be more culturally sensitive. A lot of spousal cases have been rejected based on arbitrary criteria such as why the marriage ceremony took place at a public venue rather than at a bride's house. Why make a mess in the house when a private place is available? When the photos or media showed 250 people attending the ceremony, the reason for rejection stated "number of people". There should have been more, because...? I don't know. More appalling, the cases have been rejected when the age difference is six years or more. Former Prime Minister Trudeau was 22 years older than his wife.

These cases are rejected by CIC on arbitrary criteria and won in the appeal. Better training can reduce backlogs, of course. What is the minister doing to accomplish this?

My second question is, visitor visas or temporary resident permits are not issued with a letter from the MP, many times, but then with the indulgence of a failed Liberal candidate the visa is issued. Why?

• (1045)

Hon. Judy Sgro: Thank you, Ms. Grewal.

It's always a challenge, I guess, when you're looking at... Remember that the embassy staff have quite a job on their hands, especially in some of our major embassies. They are extensively trained to be culturally sensitive. Are they perfect? Well, they're no more perfect than I am or you are. I think they're all very much working to make the best decisions they possibly can. We continue to do that.

I'm not sure whether the deputy wants to add something.

Mr. Michel Dorais: I'll add two things. The department employs a lot of locally engaged staff, who assist our staff in understanding the cultural elements in some cases. And there are missions around the world where there is a very high level of fraud associated with various applications, which we're trying our best to look into.

Hon. Judy Sgro: Just to close on your last one, on that particular issue, as I have indicated, one of the responsibilities I have is to look at cases on a case-by-case basis on humanitarian and compassionate grounds. I do that at the request of MPs. I do that at the request of Canadian citizens across the country who send it, or their request ends up in the minister's office. Every one of those is carefully examined as to the merit of the agency request.

I can also add that rarely do we discuss the names of individuals on cases. They're almost always referred to as the source of the case, if it was referred to me by an MP, and what the particulars of the case are.

What political party may be asking is never mentioned, has nothing to do with anything. Everything is on a case-by-case basis, judged totally on the merits of the case on humanitarian and compassionate grounds; there are no other issues.

I have a case meeting at least once a week and spend several hours going over requests for intervention from a variety of people across this country. All of those requests are viewed strictly on merit, no other reasons.

My department does not go back and ask the MP's office, do you know these people personally? We don't get into it. It's strictly and cleanly done on the merits of the case, pure and simple. I rarely even know the names of the individuals, because that's not part of the discussion. It's strictly that this is a request for intervention from the following person, these are the merits of the case, and this is my caseworker's recommendation.

Mrs. Nina Grewal: But, Madam Minister, many times what has happened in our ridings is that when we write letters for our constituents, they are denied, and when Liberal candidates intervene in that, those same people do get the visa. That's really not right.

Hon. Judy Sgro: Madam Grewal, I can assure you that this is not the case. They are all done on the merits of the case, regardless of who is presenting it.

If we talk about being Canadians and exercising humanitarian and compassionate grounds, it has nothing to do with anything other than the merit of the case that is in front of me, period. It's as simple as that.

The Chair: We're running out of time.

Mr. Clavet.

•(1050)

[Translation]

Mr. Roger Clavet: I would like to come back to issues relating to the supplementary estimates. The public security initiatives are significant: \$12.5 million out of an additional budget of \$54 million, that is considerable.

Would the minister be pleased to see a transfer of the expenses her department is currently devoting to public security? This is an envelope that could be transferred to the Canada Border Services Agency, or perhaps to another department. This is a significant sum of money that she has to take from her own budget and allocate to security on our shared border with the United States. Considering the imminent visit of President Bush to Canada, would the minister be happy to see this budget envelope transferred elsewhere one day, so that she might devote this money to citizenship and immigration rather than to security?

[English]

Hon. Judy Sgro: There are a lot of things I'd like to do with this money other than transfer it to CBSA for these things.

I'll get Mr. McWhinnie to respond more specifically. The money has already been transferred.

Mr. John McWhinnie: It's gone. Basically it's that simple. It's already transferred to the agency.

Hon. Judy Sgro: But if we could have kept it, believe me, I would have fought to keep it to put into some other things.

The Chair: Mr. Siksay, just a couple of minutes.

Mr. Bill Siksay: Thank you, Mr. Chair.

Minister, I wonder if you could comment. I think Mr. Grewal raised earlier the whole question of people putting up bonds against a visitor visa application. Has the department discussed that, and what have the discussions been like on that issue?

Also, could you comment on the situation of children who are received as refugees in Canada and their inability to sponsor their parents? Is there any plan to change that policy or make it possible for those families to be reunited, given the fact that the children have been given protection here in Canada and that their parents remain outside of the country?

Hon. Judy Sgro: Daniel, do you want to respond to that?

Mr. Daniel Jean: On the first issue of bonds, we have examined this and the countries who have had some experience with bonds. The experience has not been the greatest, I have to say, when you look at other countries who have tested them. As far as Canada is concerned, we don't have that authority overseas, but we have it in Canada at ports of entry and inland. We tried performance bonds during the first boat arrivals when we had Chinese boats in Vancouver, as you probably remember. Most of those people defaulted; they did not report back. The problem with performance bonds is that you have to put them really, really high to make sure there's an actual incentive to report. Otherwise, for many people, it just becomes the price to pay.

The second issue is a difficult one. This is something we're having discussions on with many stakeholders, who probably brought this to your attention. People come here unaccompanied and apply for

refugee status. Suddenly they receive refugee status, but because they're minors they cannot sponsor their parents. So we are examining whether or not we can do anything to reunify them, and how we do it. That is an important issue, and we are having discussions with organizations like the CCR and others to see how we can help this process. But it's not an issue that's easy to resolve.

The Chair: Okay.

Minister, I would like to thank you very much for coming with your officials.

As a committee, we have just one item of business to take care of.

Let me say that as a committee we look forward to making some of the changes to take Citizenship and Immigration into the 21st century. I know I, for one, am very pleased to have a minister who has said that. I have sat through a number of ministers since I've been here in 1993, so we'll be holding you to that as a committee. Thank you very much.

For the committee, we have one vote we need to do on the estimates so I can report them back to the House.

Madame Faillie.

Ms. Meili Faillie: I would like to delay the vote to the next meeting because I think there are things we need to discuss further. I think it is important in our decision to have Mr. Fleury or Madame Claudette Deschênes, or anyone from the IRB here again, as the minister has not answered the questions about the delays, the way the cases...the reform on immigration.

•(1055)

The Chair: I'm in the hands of the committee as to what the committee wants to do.

Ms. Meili Faillie: There was no item on our agenda for a vote on the credit today, so I don't see a reason why it shouldn't be delayed.

The Chair: They're deemed back in the House by December 3.

I'm informed that the next available time we can get witnesses in is December 1, and we have to have this back to the House by December 3.

I'm in the hands of the committee as to what you want to do.

Ms. Colleen Beaumier: I understand where you're coming from and I don't disagree. However, when we do estimates, it's just an exercise, although we take it sincerely. And they will go through; we all know that.

What I would prefer to do is get on with the issues that are important to both of us. If we can get on with making some changes and recommendations, and changes to the legislation and to the regulations and all of the other things that are frustrating us so much, I would prefer to have the vote today.

The Chair: Madame Faillie.

Ms. Meili Faillie: Okay.

I can live with the part about having additional witnesses. I think we can vote on the credit without seeing other witnesses. But I really want the vote to be taken next Thursday. It's not something that will take a lot of time, but I would like to have more thoughts.

Ms. Colleen Beaumier: Yes. What I meant, I guess, is that either they are going to go through or they aren't going to go through, based mostly on our witnesses.

The Chair: Is that okay with the committee, that we do it next Thursday?

Some hon. members: Agreed.

The Chair: The meeting is hereby adjourned.

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