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Chair

Mr. David Tilson

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• (1530)

[English]

The Chair (Mr. David Tilson (Dufferin—Caledon, CPC)): This is the Standing Committee on Citizenship and Immigration, meeting number 21, on Tuesday, February 14, 2012.

The orders of the day are pursuant to Standing Order 108(2), a study entitled “Standing On Guard for Thee: Ensuring that Canada's Immigration System is Secure”.

We have two groups of guests today, two of whom we see all the time. From the Department of Citizenship and Immigration, we have Mr. Linklater, who is the assistant deputy minister of strategic and program policy, and Madame Deschênes, who is the assistant deputy minister of operations.

We also have representatives from the Canada Border Services Agency. I don't recall seeing you here before, but welcome. We have Peter Hill, director general of post-border programs, and Pierre Sabourin, vice-president of operations branch.

Madame Deschênes, you will be speaking for up to 10 minutes, and the same for you, Monsieur Sabourin. Am I pronouncing your name correctly?

Mr. Pierre Sabourin (Vice-President, Operations Branch, Canada Border Services Agency): Yes, that's correct.

The Chair: Thank you. Welcome to the committee. This is the start of this study, which is basically security.

Madame Deschênes, you have the floor.

[Translation]

Ms. Claudette Deschênes (Assistant Deputy Minister, Operations, Department of Citizenship and Immigration): Good afternoon, Mr. Chair and members of the committee.

My name is Claudette Deschênes. I am the Assistant Deputy Minister for Operations. Joining me today is Les Linklater, the Assistant Deputy Minister for Strategic and Program Policy.

[English]

We're a tag team.

[Translation]

I want to thank the committee for this opportunity to speak to some of the challenges we face in ensuring the security of our immigration system, as well as the measures we are taking to address them.

[English]

First I would like to touch on some of the measures CIC has already introduced to help increase the security and integrity of our immigration system. A key focus of the department in recent years has been to reduce fraud, since this presents our biggest challenge.

The global case management system has been in place at all of our missions since March 2011 and will be available at all of our in Canada offices by the end of February 2012. Rather than looking for pieces of information in several outdated systems with limited functionality—one that is 20 years old—with GCMS we can view an applicant's information in one location. This has made our processes much more efficient and has greatly improved how CIC shares information with our partners to prevent fraud.

For example, GCMS has been instrumental in some of our investigations into citizenship fraud, since it can identify when an address is repeated more than once in applications. The government is currently investigating 6,500 people for misrepresenting their residence in Canada. To date, CIC has begun the process of revoking the citizenship of up to 2,200 citizens who obtained it fraudulently. This is a lot in a short time, if you consider that the government has only revoked the citizenship of 69 people since 1977.

Legislation to strengthen the regulation of third-party intermediaries came into force in June 2011, and this will make it more difficult for crooked consultants to assist applicants in committing such types of fraud. These efforts were also bolstered by an anti-fraud awareness campaign that I'm sure you've all seen. As well, prospective immigrants and citizens need to understand that fraud concerns us all. They must know that they are the first line of defence and they cannot just rely on the government to protect them.

In addition, CIC launched a suite of videos on our website to provide prospective immigrants with information about the dangers and risks of immigration scams, including unscrupulous immigration representatives.

[Translation]

Moving forward, CIC intends to bring into force regulatory changes this year that would deter marriage fraud and strengthen the ability of the Canada Border Services Agency to remove individuals who engage in this type of fraud. While we have bolstered our efforts to reduce fraud in recent years, we remain concerned about the growing prevalence and sophistication in identity fraud and identity theft globally.

In the immigration context, identities are most often stolen or concealed in order to help an applicant overcome their inadmissibility—to disguise their criminal past, for example—or to help them gain entry into Canada when they would be denied for other reasons.

● (1535)

[English]

To protect the health and safety of Canadians, it's critical that we stay on top of new technologies and the new methods used by fraudsters to manipulate our immigration system. Biometrics is an important step to stay ahead of the game and reduce fraud and identity theft.

Beginning in 2013, certain foreign nationals who require a visa to visit, study, or work temporarily in Canada will be required to provide fingerprints and have their photographs taken as part of their application.

With the introduction of biometrics, it will therefore become much more difficult to forge, steal, or use someone else's identity to gain access to Canada. Biometrics will also make it easier to prevent known criminals and previous deportees from entering Canada, and it will prevent failed refugee claimants from re-entering Canada by using false identity documents.

On the other side of the coin, biometrics will also help us to facilitate legitimate travel. A key challenge we face is in accurately identifying applicants each time they apply to come to Canada. An applicant may have changed their name since their last entry, for example. Linking an individual's biometric data with their biographic data will help us to identify applicants more quickly and ensure that the person coming to Canada is in fact the same person to whom we issued a visa.

Building on this, I'd also like to address our role in the Canada-United States action plan for perimeter security and economic competitiveness—a mouthful. Under this plan, the two countries will establish a common approach to record and share the entry and exit information of travellers crossing our shared land borders. While the Canada Border Services Agency will be the Government of Canada lead on establishing the entry and exit system, CIC will develop the legislative and regulatory policy changes to introduce the new entry requirements.

Currently, many travellers entering Canada at a land border may confirm their identity and status by oral declaration or by presenting documents of inferior reliabilities, ones that can easily be altered. Our new policy will simply require all travellers to present a prescribed document when entering Canada. The current patchwork of entry requirements has led to confusion at the border for travellers and commercial carriers. A more secure border will facilitate the flow of legitimate migration across North America while enhancing our security.

In addition to the new entry requirements, we plan to introduce a common approach with the U.S. for screening travellers before they begin travel and reach our shores. To achieve this, we will require that visa-exempt foreign nationals, except U.S. citizens, apply for an electronic travel authorization before flying to Canada. This means that anyone who wants to travel to Canada would first need to complete an Internet-based form to provide us with basic informa-

tion. CIC would then issue an electronic document to passengers who pass the screening.

In the majority of cases we anticipate that applicants would receive confirmation of their travel authorizations within minutes. The U.S. has already successfully implemented a similar system whereby over 98% of applicants are automatically approved for travel, and we anticipate the ETA system will be in place in Canada no later than 2016.

[Translation]

Finally, we plan to share information with the U.S. in order to help establish and verify the identities of travellers. That will help us better detect fraud and enhance public safety through improved detection of persons who have a criminal history or who pose other risks to the public.

In addition to helping us address threats to North America, this approach will help us reduce the costs and resources involved in processing inadmissible persons in Canada.

By using a perimeter approach to screening, Canada will be able to identify and deny entry to inadmissible persons overseas, instead of dealing with them once they have reached a port of entry.

● (1540)

[English]

Immigration officers in both countries will also have better information on travellers to enforce and administer their own immigration laws.

For example, we will be able to expedite the departure of persons who have no right to stay. Conversely, information sharing will also help us to facilitate the flow of legitimate travellers by giving immigration officers greater confidence in the identity and immigration history presented by the applicant.

I would like to note at this time that rigorous privacy safeguards will be in place to ensure information is shared in a way that is consistent with Canadian laws.

In closing, I would like to note that CIC is first and foremost committed to protecting the health, safety, and security of Canada and Canadians while facilitating the travel of legitimate visitors, and we continue to explore ways in which we can better address the security challenges we face in our immigration system.

Thank you.

The Chair: Perfectly timed. Thank you.

Please go ahead, Mr. Sabourin.

Mr. Pierre Sabourin: Thank you, Mr. Chair.

Thank you to the committee for the opportunity to be here today.

My name is Pierre Sabourin, and I am the vice-president of the operations branch at the Canada Border Services Agency. I am joined by Peter Hill, director general for our post-border programs directorate, programs branch.

As the CBSA has not yet appeared before this particular group of members, I would like to take a few moments to talk about the agency's mandate and its roles and responsibilities in Canada's immigration process.

The CBSA was created in 2003, established in the wake of the September 11 events, to bring together elements of customs, immigration, and the Canadian Food Inspection Agency. The agency's mandate is to provide integrated border services that support national security and safety priorities while facilitating the free flow of legitimate persons and goods. The CBSA has approximately 14,000 employees, including 7,300 uniformed staff across Canada. Our border services officers are designated peace officers, primarily enforcing customs and immigration-related legislation, in particular the Customs Act and the Immigration and Refugee Protection Act, as well as over 90 other acts of Parliament.

Each year, the agency processes approximately 93 million travellers, including 25 million air passengers. These travellers arrive at our borders as returning residents, visitors, refugees, settlers to this country, and of course those who should not be admitted. As the committee can appreciate, delivery of service on this scale is an immense undertaking.

With respect to this committee's study, the role the agency plays in the security of the immigration system is fundamental. Having assumed the port of entry and inland enforcement mandates and oversight of the overseas liaison officer program formerly held by Citizenship and Immigration Canada in 2003, the CBSA is responsible under IRPA for admitting individuals into Canada who meet the requirements under the law and for refusing entry to those who do not; for preventing people who are inadmissible or improperly documented from travelling to Canada; for referring refugee claims made at ports of entry to the Immigration and Refugee Board of Canada; for detaining individuals who pose a security risk or a danger to the public; and for removing inadmissible persons who have an enforceable removal order in effect.

In carrying out these responsibilities, the CBSA processed approximately 10,000 out of a total 25,000 refugee claims made in 2011. We detained almost 9,000 individuals who were deemed dangerous, flight risks, or who were unable to prove their identity. The agency refused entry to 54,000 inadmissible persons at the ports of entry and removed some 15,000 inadmissible persons from Canada, 1,800 of whom were removed on the basis of criminality or other security issues.

To meet the challenge of finding the right balance between border enforcement and facilitation in a shifting and dynamic global environment, the CBSA employs a layered approach to the variety of intelligence and enforcement activities it carries out. This approach is focused on risk mitigation and on leveraging resources with key partners such as CIC, the Royal Canadian Mounted Police, the Canadian Security Intelligence Service, and U.S. Customs and Border Protection.

In assessing risk before individuals depart for Canada, the CBSA undertakes intelligence and security screening activities to identify and intercept threats and inadmissible persons at the earliest opportunity.

The CBSA maintains a network of liaison officers to support its work abroad. Currently, the agency has 63 liaison officers in 49 key locations around the globe. The CBSA's liaison officers work closely with other government departments, foreign mission representatives, airlines, and host country officials. Some of their activities include interdiction, airline liaison and training, anti-fraud, intelligence gathering, and removals assistance.

The liaison officer program is successful from both a risk mitigation and service perspective. On an annual basis, liaison officers interdict over 4,000 improperly documented individuals, while facilitating approximately 2,000 legitimate travellers, the majority of whom are Canadians returning home after extended stays in a foreign country.

The CBSA undertakes the security screening of immigration applications at CIC's request. When CIC feels that an application may be of interest or concern based on security indicators, it is referred to the agency for a more detailed review. Once reviewed, the CBSA works with its security and intelligence partners to make a recommendation to CIC, with whom the decision to accept or refuse a case rests.

• (1545)

[Translation]

When travellers arrive at a port of entry, CBSA border service officers verify their travel documents and determine if all Canadian entry requirements have been met. Should someone be found inadmissible at that time, the appropriate enforcement action will be taken. In cases where individuals submit a claim for refugee protection, officers will conduct a preliminary interview and determine the eligibility of the claim. Eligible claims are then referred to the Immigration and Refugee Board of Canada for consideration.

To deal with individuals already in Canada who have been deemed inadmissible, the agency currently employs 409 inland enforcement officers. They carry out a broad range of activities, which include investigations, arrests, detentions and removals of individuals from the country. Individuals often go underground to avoid removal. The CBSA shares its information with its law enforcement partners in order to locate these individuals and enforce the removal order. In July 2011, our agency launched its "most wanted" pilot, in which we asked the public for assistance in locating certain individuals. That initiative has been quite successful, resulting in over 245 tip calls, 20 apprehensions and 13 removals to date in cases where our traditional investigative efforts had not produced results.

With the coming into force of the Balanced Refugee Reform Act, the CBSA will play a key role in enhancing the integrity and efficiency of Canada's reformed refugee protection system. The CBSA will launch an assistant voluntary returns pilot program to increase the level of voluntary departures of failed refugee claimants. The program will also help make changes to tools, policies, regulations and procedures to support expedited processing of failed refugee claimants. That will also mean increased resources for criminal investigations in our liaison officer network to improve overseas interdictions and facilitate removals of persons seeking to defraud the refugee process.

However, despite all this good work, there are challenges we face in ensuring the security of our immigration system. To address those challenges, the CBSA has been pursuing opportunities to push the borders out through advance information gathering and risk assessment. These efforts also support our agency's priorities of facilitating and expediting legitimate travel for low-risk passengers. Among our priorities going forward is to increase access to biometric data in order to improve immigration and border determinations, establish and verify travellers' identities, and conduct security screenings at the earliest possible opportunity.

From a security perspective, biometrics is an important identification technology. The CBSA recognizes its importance and already uses it in its NEXUS program. As my colleague Ms. Deschênes remarked, the electronic travel authorization initiative will allow Canada to screen each applicant against a number of databases. That procedure will make it possible to conduct a risk assessment prior to a ticket to Canada even being purchased. Approval under both CIC and CBSA assessment processes will be required before an electronic travel authorization is granted.

Our agency also has an interactive advance passenger information initiative under way that will require air carriers to provide data to the CBSA prior to flight departure. Not only will this initiative allow the CBSA to verify the electronic travel authority status for third country nationals, it will enable us to conduct an initial risk assessment on all passengers, including a check against lost and stolen passport databases. We will also be able to deny boarding in advance of flight departure for reasons of admissibility status, health, safety and security.

Ms. Deschênes also noted that the CBSA is the Government of Canada lead on establishing an entry and exit system between Canada and the U.S., whereby entry into one country would establish exit from the other, essentially enabling us to close the loop on a visitor's travel history.

Once implemented, the system will assist us in identifying travellers who have willingly left the country, and in closing warrants accordingly. We will also be able to identify individuals who have stayed longer than authorized. Finally, the system will help us avoid issuing warrants for individuals who have overstayed or are subject to removal orders.

Following the implementation of these initiatives, the CBSA expects to see significant improvements in the way that we screen individuals before they even reach our borders.

• (1550)

With full implementation of the electronic travel authorization and the integrated advance passenger information initiatives, Canada will be able to greatly reduce the number of inadmissible people arriving at our ports of entry each year.

In addition, a fully operational entry-exit program will enable us to identify overstays and breaches of residency conditions and requirements.

Taken together, these future programs will ensure that Canada employs a modern, efficient and effective border management approach that protects the safety of Canadians and facilitates legitimate travel while safeguarding the integrity of our immigration processes.

[English]

Thank you for the opportunity to speak to you today. My colleague and I look forward to answering your questions.

The Chair: Thank you both for your presentations to the committee. That's a good start to get us working.

We go in rounds here: the government has the first round, and the opposition follow. They are seven-minute rounds for questions and answers.

Monsieur Linklater and Ms. Deschênes know all about that.

Ms. James, you are first.

Ms. Roxanne James (Scarborough Centre, CPC): Thank you, Mr. Chair, and welcome back to our two officials from Citizenship and Immigration and welcome to our new guests today.

I think there might be some sort of misconception in Canada that we're able to track every single individual who comes in and out of Canada or across our borders. Is that a true statement? Or is it in fact that we're able to track every single individual who comes into Canada?

Mr. Pierre Sabourin: We don't have a system right now to track everybody who comes in or exits the country. Canada has no exit controls, currently. One of the objectives with the Beyond the Border initiative is to put in place an entry/exit system whereby, with regard to the U.S., the entry into the U.S. would form the exit from Canada. It would be based on an information exchange by which we would be able to track people moving in and out of the country.

Ms. Roxanne James: So at this moment there's no possible way we can track every single person who comes into Canada and when they're leaving. Is that a true statement?

Mr. Pierre Sabourin: That's a correct statement, yes.

Ms. Roxanne James: Okay, thank you.

From my experience so far—I was just elected on May 2, but I've had lots of opportunities to speak with my constituents—I know that people who come fraudulently into Canada constitute a big concern right across Canada. I have had calls to my office regarding it. We've heard lots of cases, and my constituents are very concerned about people who are maybe deported from Canada, obtain a different identification, switch the names around, and then try to re-enter Canada.

With the system we have currently, I know you're saying that we don't track individuals in and out of Canada every time, but I'm wondering how, with our current system, we are able to identify these individuals who are changing their names and fraudulently coming back into Canada. Is it possible to identify all of them, or do we have a serious problem here?

Mr. Les Linklater (Assistant Deputy Minister, Strategic and Program Policy, Department of Citizenship and Immigration): It's an interesting question, Mr. Chair. In some limited circumstances we are able to identify individuals who switch identities, if in fact they make a claim for refugee status in Canada. We have been collecting for a number of years the biometrics of refugee claimants who make claims. If someone makes a claim, is found not to warrant protection and is deported from Canada, and then comes back with a new identity, we're able to track that, once we take the biometric the second time.

• (1555)

Ms. Roxanne James: Thank you very much. I was going to ask about how the biometrics work. You touched on it, Ms. Deschênes, in your speech. I'm curious to know, if you can elaborate on the biometrics system, how it actually works. Canada is not the first to forge ahead with this type of system to help protect its citizens. Are you able to provide a list to this committee and to the public of the other countries that are currently using biometrics and the success they've had?

Ms. Claudette Deschênes: We will provide you with a list of countries that are presently using biometrics.

As I indicated in my opening remarks, Mr. Chair, we will be rolling out biometrics to a certain number of nationalities next year, 2013, which will mean that people who are coming as visitors or students or temporary workers will be asked to provide a biometric before we finalize the processing of their case.

Ms. Roxanne James: With regard to biometrics, is it just the fingerprint? We're not talking about iris scans or anything like that, are we?

Ms. Claudette Deschênes: It will be the fingerprint plus a live photograph taken at the application centre likely.

Ms. Roxanne James: Thank you very much.

I'm pretty sure I know the answer to this, but I just want to clarify it. We have problems with our current system, tracking people in and out of Canada and being able to deter or prevent people who are fraudulently coming here.

In your opinion, once we move to biometrics, is it going to improve the ability for Canada to stop people from coming to Canada before they actually get here?

Ms. Claudette Deschênes: For us, biometrics will permit us to lock in the identity of someone with a lot more assurance than we presently have, which is now based on the name, date of birth, and citizenship. Once you provide a fingerprint that we can check against, then of course we think we will have enhanced security in our border work.

Ms. Roxanne James: I just have one more question.

Mr. Chair, how much time do I have left?

The Chair: Three minutes.

Ms. Roxanne James: Thank you very much.

I listened intently to CBSA and your speech as well. To tell you the truth, I had no idea that we actually refused 54,000 persons per year. I was looking at these numbers—15,000 inadmissible persons are removed from Canada. That must be a huge cost to taxpayers, having to manage that particular system, 1,800 of whom were removed on the basis of criminal or other security issues.

My father was a police officer. Obviously we all have certain reasons for wanting safety and security, but at the end of the day, the main priority of any government is the safety and security of its citizens. When I see these incredible numbers and the cost that must be associated with it, I would think that first and foremost, security, moving to biometrics and so forth, but also the cost to taxpayers right now....

Could you elaborate? Do you have any idea of how much that costs? You said 409 inland enforcement officers are required to investigate, arrest, and remove. Any idea on the cost associated with that?

Mr. Pierre Sabourin: I can give you costs that are related to cost of removals, which we have. The average cost of a removal to CBSA is about \$1,500. However, a lot of the removals that are done just at a land border would be about \$100. If we have an escorted removal where we need to have CBSA officers and sometimes medical attention, that can go up to \$15,000. That gives you an idea of how the cost of removals varies.

Ms. Roxanne James: In your opinion, if we moved to an improved system, obviously with biometrics and so forth, some of that is going to be prevented, because in fact the people we're trying to remove will not actually set foot on Canadian soil to begin with.

Mr. Pierre Sabourin: That's right.

Ms. Roxanne James: Is that a correct statement?

Mr. Pierre Sabourin: That's a correct statement. With the electronic travel approval, we will actually have the ability to decide if a citizen can proceed with purchasing a ticket. Then after, if the visitor were to board the plane, we'll have another system whereby we'll inform the airline to board or not board that individual. That will obviously allow us to prevent people from coming to Canada who normally right now can come to Canada, and thus we end up being into the removal process if all the steps are followed that way.

• (1600)

The Chair: Thank you, Ms. James.

Mr. Davies.

Mr. Don Davies (Vancouver Kingsway, NDP): Thank you, Mr. Chairman.

If I could pick up just on that last concept, the proposal to develop an electronic travel system, if I understand that, would allow you to prevent a person from purchasing a ticket and actually arriving in Canada, where they would currently and right now come to a port of entry. Is that right?

Are you saying that currently, at the port of entry where we have CBSA officials, those people are slipping through now?

Mr. Les Linklater: What we see now is that there are two broad approaches to managing access. The first is the visa, which CIC administers for a number of countries around the world. That is our first contact with the visitor who plans to come to Canada. As Mr. Sabourin was saying, the vast majority of visitors to Canada come from countries that are visa exempt, so the first contact a Government of Canada official has with them is with the border services officer at the port of entry.

What the electronic travel authority will do—and this is a system that Australia has used for a number of years, and the United States has also successfully put in place—is that when a traveller goes to buy a ticket, the information on that traveller is sent to the government, and the government would then run checks against databases they have to determine whether or not—

Mr. Don Davies: Mr. Linklater, if I may, my point is this. Isn't that same check and that same information given at the port of entry now? Why is that check not being done now when they land at the CBSA officer's desk at the airport?

Mr. Les Linklater: The idea with the ETA is to do that offshore, so that before the individuals actually get to a port of entry and then have access to Canada to make a refugee claim, all of this checking would be done as they buy their ticket. As Mr. Sabourin says, if okay, they are allowed to proceed to the airport.

Mr. Don Davies: I understand, Mr. Linklater, exactly what you are proposing. It's a question of your doing the check before the individuals come here. I want to just clarify that you're not worried that the individuals, when they come to our airport, are actually slipping through the CBSA officer's watch. Is the real concern to make sure they don't make a refugee claim, or is the concern that you want to do it offshore because you fear that if the individuals come to the CBSA officer's wicket at an airport, they are actually going to get through that? That's not the concern?

Mr. Les Linklater: No.

Mr. Don Davies: The real concern, then, is to prevent a refugee claim. Is that right?

The Chair: Mr. Sabourin.

Mr. Pierre Sabourin: Just to add another layer of risk management here, when the planes leave foreign countries and are on their way to Canada, we currently have a system, which is called advanced passenger information, whereby we know who is on the plane. That is checked, for security reasons, into a number of databases. Then, by knowing if there are people who we want to interview more closely, the officer at the primary booth will know that, and the person will be referred to secondary, where an interview occurs.

I just want to clarify; that exists right now.

Mr. Don Davies: Thank you. So what is the advantage of the electronic travel authority doing that before they ever get on the plane? What is the benefit we get from that?

Mr. Pierre Sabourin: Right now, we get the information “wheels up”, as we say, which means they are already on the plane on their way to Canada. With the ETA system, we will have the ability to inform the airline, before the flight has left, to not board that passenger.

Mr. Don Davies: What is the advantage to Canada?

Mr. Pierre Sabourin: There are security advantages: people who would be deemed inadmissible would not be coming to the country. There are also advantages from a refugee perspective, which is that we will get fewer refugee claims.

Mr. Don Davies: You talked about the entrance/exit system. I think you clarified, Mr. Sabourin, that the exit controls you are talking about are really to the United States. By sharing information with the United States, when a person in Canada exits to go to the United States, because the U.S. will share that information with us, we will know the person has left Canada. Is that correct?

Mr. Pierre Sabourin: That's correct.

Mr. Don Davies: What about people in our country who are exiting Canada to countries other than the United States? Will we know they have left Canada?

Mr. Pierre Sabourin: No.

Mr. Don Davies: In terms of—

A witness: Yes.

Mr. Les Linklater: Maybe I can just clarify that point. As we look at the broader, longer-term approach for entry and exit information systems—

Mr. Don Davies: Is there a difference of opinion here? I heard you say yes—

Mr. Les Linklater: No. Our first priority is, as Mr. Sabourin says, to share information with the United States at the land border. But the way we are developing the system is to allow for the eventual expansion to the air mode, which would then cover the scenario you described over time as resources become available and as the system is tested.

•(1605)

Mr. Don Davies: That's the long-term view. Right now, regarding the people who are leaving at an airport to go to a country other than the United States, we presently don't know they've left Canada.

Mr. Les Linklater: That will be the case for a period of time as we look at the longer-term vision implementation.

Mr. Don Davies: I know CBSA operates three detention centres right now in Vancouver, Montreal, and the greater Toronto area, I believe. A detention centre was specifically built in Kingston for individuals suspected of terrorist activities and detained under security certificates. Is that right?

How many cells are in the detention centre in Kingston? How many detainees are in it right now?

Mr. Peter Hill (Director General, Post-Border Programs, Canada Border Services Agency): That detention centre is being closed, subject to a Government of Canada strategic review decision. It had capacity for five cells, but it's at a stage where it's virtually not being used at all. It will be officially closed very soon, if it hasn't already been closed.

Mr. Don Davies: There is nobody in it right now, I take it.

Mr. Peter Hill: It hasn't been used for quite some time.

Mr. Don Davies: Do you know the cost of building and operating that detention centre?

Mr. Peter Hill: I don't have those figures. I could get those for you.

Mr. Don Davies: Could we have those provided?

Mr. Peter Hill: Sure.

The Chair: You can send those to the clerk, Mr. Hill, please.

Mr. Don Davies: We know the Immigration and Refugee Protection Act indicates that, as a matter of principle, children should only be detained as a last resort. I don't think anybody in this room ever wants to see children detained. I'd like to know how many children were in detention in the last year that we kept records. I don't know if that's 2010 or 2011. Does anybody know?

Mr. Peter Hill: Yes, I have some statistics.

Mr. Pierre Sabourin: For fiscal year 2010-11, we had 227 minors who were detained, of whom 196 were accompanied and 31 were unaccompanied, and the average detention was six days.

I want to make it clear that we always consider the interests of the children. We do as much as possible to keep the families together. In the detention centre, men and women are separated and the children are kept with their mothers.

The Chair: Thank you.

Mr. Lamoureux.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): In regard to the tracking issue, in countries where there's a visa required to come to Canada, it's fair to say that there is no tracking once they depart Canada, nothing to indicate that they've actually left Canada. That is, there is no country today for which we issue a visa on a person's departure from Canada, nothing that says they've actually departed. Can you confirm that?

Ms. Claudette Deschênes: Yes, I will confirm that in Canada at the present time there's nothing confirming someone has left the country. However, I would add that sometimes when we issue a visa overseas, we will ask for the person to come back and tell us that he or she has returned, because we've made a risk management decision and we want to confirm that this risk management decision was a good one.

Mr. Kevin Lamoureux: But that would be something completely at random. There is no directive coming from the ministry. Correct?

Ms. Claudette Deschênes: That's correct.

Mr. Kevin Lamoureux: Citizenship is something that we all value greatly. We've revoked somewhere close to over 2,000 citizenships. Have all of those citizenships that have been revoked in the last year or so been revoked for not having the required number of days of residence in Canada in a set period of time?

Ms. Claudette Deschênes: We're actively working on revocation, but not all of the ones I mentioned have been revoked. There are a few that have actually gone through the process. I would not say that all of them are based simply on not having met the number of days.

Mr. Kevin Lamoureux: What percentage would that be, roughly?

Ms. Claudette Deschênes: I don't know that. I'd have to check.

Mr. Kevin Lamoureux: What would be other reasons for revoking a citizenship?

Ms. Claudette Deschênes: They could have lied on their application form to say that they had no criminal charges against them or had never been convicted of a criminal charge. That would be a reason for going back and going after their citizenship.

Mr. Kevin Lamoureux: Are there any cases of misrepresentation where, for example, an applicant claimed to have no children but four or five years later we found out that there was a child. Would you revoke citizenship for that?

• (1610)

Ms. Claudette Deschênes: I don't know; I doubt it. I'd have to check and come back to the committee.

Mr. Kevin Lamoureux: I'd appreciate it if you would look into that specific one.

Another example would be a situation where someone comes to Canada as a single person. The person comes to Canada and finds out years later that he was technically living common law. So technically that person would have misrepresented himself. Has any citizenship been taken away in a situation like that? Would you know the answer to that offhand?

Ms. Claudette Deschênes: We will have to check that. Certainly from an immigration perspective, if a person was simply a permanent resident, we might look at that, but I will get back to the clerk on the citizenship.

Mr. Kevin Lamoureux: In another report, you say there were 54,000 inadmissible persons at ports of entry. Is that 95% from the U.S.? Were they people coming to the Canada-U.S. border? Where are those 54,000 inadmissibles coming from?

Mr. Pierre Sabourin: I'd have to get back to you on the country distribution. These are people who showed up at the ports of entry and were deemed inadmissible.

Mr. Kevin Lamoureux: I think there would be a huge difference if out of 54,000, 90% were coming from the U.S., if you follow what I mean. So I think it would be beneficial to get a breakdown of where these people are coming from, these people who are inadmissible.

Then you say you've removed 1,800?

Mr. Pierre Sabourin: It is 15,000.

Mr. Kevin Lamoureux: It is 15,000 people. Typically, when you're removing, is it in part from deportation orders that are sent? On what grounds would you be searching to remove?

Mr. Pierre Sabourin: Close to 90% are failed refugee claimants.

Mr. Kevin Lamoureux: They've gone through the process. They're told that they have to leave the country. And now you're in search of those individuals. You find them and then you deport them.

Mr. Pierre Sabourin: Yes, that's correct. Most of them are compliant.

Mr. Kevin Lamoureux: On average, how long would someone of that nature have been in Canada before being asked to leave? Is there such thing as an average?

Mr. Les Linklater: We do know, given the availability of appeals and backlogs at the IRB, etc., that some failed refugee claimants can be in the country for as long as four to five years.

The Chair: Thank you.

We'll go to Mr. Leung.

Mr. Chungsen Leung (Willowdale, CPC): Thank you, Mr. Chair.

My questions deal with the application of biometrics.

How do we share this information with other countries, and how do we protect or comply with the Privacy Act?

If we don't share this information about our country, or other countries don't share with us, then really, it's not an effective tool for determining who is admissible and who is not admissible. But if we do share it, then we are in a situation whereby there may be privacy issues with respect to some of the countries that may not have the best privacy protection or human rights records.

Mr. Les Linklater: As we look at developing projects like the biometrics project, we work very closely with the Privacy Commissioner. Most of these types of initiatives require that a privacy impact analysis be done by the department. It is then assessed by the Office of the Privacy Commissioner. As we develop the policy frameworks, Mr. Chair, we are conscious of being compliant with our obligations under Canadian privacy legislation.

In terms of sharing information with other countries, we have a very good relationship with what we call our five-country conference, which includes the United States, the United Kingdom, Australia, and now New Zealand. We have developed some protocols that allow us to share biometric information through a shared server that Australia hosts. It is mostly tombstone biographic information, shared and pooled, against which individual countries can verify individual cases.

If there is any adverse information, beyond the tombstone, that would help us with matching in our decision-making, then on a case-by-case basis, and in conformity with our privacy legislation, we are given access to it.

•(1615)

Mr. Chungsen Leung: At the risk of profiling, there will be some countries that may have a higher incidence of potential criminal elements or people we would find inadmissible. How will we use this as a tool to effectively control that?

The five countries you mentioned are essentially Commonwealth, English, western democracies. How do we move beyond that and look at, say, some other countries that may have criminal elements we have to deal with?

Ms. Claudette Deschênes: As we launch the biometrics project, the fingerprints we take will be stored and kept by the RCMP, who will have access to criminal information from other countries, according to their legislation, such as Interpol and that type of thing.

We anticipate being able to get a lot of that information from that sharing.

Mr. Chungsen Leung: I'm thinking perhaps of a country like China.

We have experience with white collar crime by a gentleman it took us 10 years to remove. The case is well documented. How do we have a better tool to prevent these inadmissible persons from coming into Canada?

Ms. Claudette Deschênes: I don't think biometrics is going to be the solution to every problem. I don't think we can do that.

Part of our work is to, first of all, lock in the identity of people early and then know who we're dealing with. Then, of course, there's all the work we do from a risk-profiling perspective in terms of identifying issues. For example, where do people get their money, and what are the issues around that?

In the case of white collar crime, obviously, if nothing has been publicized about an individual.... We are likely, with an advanced passenger information interactive, to be able to maybe have more information. But it's not foolproof. I think that would be too much to ask.

Mr. Chungsen Leung: At least to the best of my knowledge, it's the following biometrics that we can do: fingerprint, digital image of a facial feature, and the last one is the DNA.

Will we be using all three of these? Or are we just limiting ourselves to fingerprinting? With a fingerprint it is easy to cosmetically, or with a good dermatologist, remove the fingerprint.

Ms. Claudette Deschênes: Our plan is to use fingerprints and a live photograph that we will have, which will permit the officers at the port of entry to also compare. We are not planning to do anything else at this moment. But like anything else, we will also be looking at what other countries are developing.

For us, fingerprinting is one that historically has demonstrated its usefulness, so that's where we will be focused.

Mr. Chungsen Leung: With the amount of information that is being stored with biometrics, what do you estimate is the cost of this, per individual, to store this information for his lifetime? Arbitrarily, if we know when he was born, let's say, what would be the cost of storing this information for 99 years?

Ms. Claudette Deschênes: I don't know how much that would cost because that's not the plan. We're not going to keep it for 99 years.

Do you know how much money...?

Mr. Les Linklater: No, I don't. We have to verify that.

Ms. Claudette Deschênes: We could get back in terms of how much it is going to cost to do this first rollout.

Mr. Chungsen Leung: The reason I'm asking is we're probably entering an era where the database will be so tremendously large. It's something that has to do with privacy issues, it has something to do with archives, and it has something to do with the cost of securing our borders. I just want to have a handle on that. That's the reason for my question.

Ms. Claudette Deschênes: Right.

Mr. Chungsen Leung: How much time do I have, Mr. Chair?

The Chair: I think you've had it.

Mr. Chungsen Leung: Thank you.

The Chair: But I'm going to ask a question. My question is on the percentage of applications that are denied for security reasons.

Mr. Pierre Sabourin: I believe we get about 1.7 million visa applications. I'll let CIC answer that.

In CBSA we receive, from an admissibility perspective, roughly 76,000 security screening requests from visa officers abroad. Last year we gave approximately 650 recommendations in terms of security screening, of not letting these people into the country. So it's a very small number of individuals, versus the total number of people who get visas, and it's an even smaller number versus the 93 million who come into the country.

•(1620)

The Chair: Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP): Thank you.

Madame Deschênes, I think you mentioned earlier in a response that by 2013 we'll be introducing biometric requirements to certain nationalities. Can you expand a little bit as to which nationalities are going to have biometric requirements before the others? And how do you identify those nationalities?

Ms. Claudette Deschênes: I can't give you too much precision on that yet. We're still in the planning stage for the biometrics project.

But we know that to roll out a project like this—and I would call it a big bang to try to do everybody at the same time—it doesn't necessarily work very well. We have experience with the global case management, where we tried to do too much and it took a little longer.

From an operational perspective, we're hoping to target a few places, test the model, and then go from there.

Ms. Rathika Sitsabaiesan: Okay.

I'm going to switch gears a little bit. I'm a new member of Parliament. Since becoming an MP, many of my constituents come into my office looking for help with visitor visa applications. In my riding, particularly, I have constituents who are applying to the Colombo visa office. We know that the Colombo visa office has an extremely high rate of refusal. People are confused about their rejection because they have a good job, they have family back home, in many cases they've travelled to Canada before, and yet they're denied. And the refusal letter they actually get is very vague and unclear as to why they're denied.

Can you explain why this might be happening? What can I tell my constituents?

Ms. Claudette Deschênes: Having served in Colombo, I can say that I didn't see too many cases fitting that profile that actually were refused, but I'll take your point that this is happening.

Ms. Rathika Sitsabaiesan: Times have changed.

Ms. Claudette Deschênes: That's right. At the end of the day, people are refused visitor visas because we are concerned about the bona fides of the application. It could be for security or criminality, or it could simply be that we're concerned that if they come to Canada, they will not leave Canada. For that reason, they are refused. That's the major reason.

Ms. Rathika Sitsabaiesan: I guess proving that they have family or a job and property back home and that they've successfully come to Canada, the U.S., or the U.K. and returned is not good enough any more.

Ms. Claudette Deschênes: If you have cases like that—

Ms. Rathika Sitsabaiesan: I've had many cases like that.

Ms. Claudette Deschênes: —I'd be glad to hear about them.

Ms. Rathika Sitsabaiesan: I have many cases like that. We'll talk about that later, I guess.

I note that the final decision for visas rests with the visa officers abroad. If we have visas granted by the visa officers for people who are inadmissible and visas not being granted for people like the many examples I talked about right now, then what are we doing about the accountability of our visa officers abroad?

We do know that some of them are contracted and are not Canadians.

Ms. Claudette Deschênes: Yes. We have locally engaged decision-makers, and I think we look very closely at the quality of the work they do.

Certainly one of the mechanisms we always look at is the issue of cases that go to court where the decision is overturned, which I would say is the minority of cases. Certainly with global case management, we believe we would be more able to integrate our view of the performance and look at the decisions that are taken.

Ms. Rathika Sitsabaiesan: When the decisions are made by the visa officers, who reviews the decisions that are made by a specific officer or visa centre?

Ms. Claudette Deschênes: Nobody specifically reviews every case. Certainly quality assurance work is done, which is looking.... We're strengthening our model to ensure that we can look at cases that are accepted and refused and make sure that we're comfortable. We won't do all of them, but we'll do them in a systematic and a statistically valuable way.

• (1625)

Ms. Rathika Sitsabaiesan: Sure.

Ms. Claudette Deschênes: Certainly we have a case management branch at headquarters that deals with the exception or making sure that cases that have gone off the rails are dealt with. We have mechanisms to look at that.

Ms. Rathika Sitsabaiesan: Sure. I guess for—

The Chair: Thank you.

Mr. Menegakis.

Mr. Costas Menegakis (Richmond Hill, CPC): Thank you, Mr. Chair, and thank you again for joining us today, Mr. Linklater and Madame Deschênes.

Thank you to our new guests for being here with us and for your presentations. I found them very informative.

What is the difference between fingerprinting and biometrics, since we're going to be fingerprinting and doing biometrics? Is there a different way we fingerprint when it's biometric and when it's not biometric?

Ms. Claudette Deschênes: No.

Right now, when we do fingerprints, the system is very much paper-based. This new system will permit us to exchange these things electronically with the RCMP very quickly.

Mr. Costas Menegakis: I see. Right now, which foreign nationals do you fingerprint?

Ms. Claudette Deschênes: We fingerprint all refugee claimants in Canada.

Mr. Costas Menegakis: With biometrics, we're adding a picture and we're going to fingerprint using the biometric method.

How will we know from the fingerprint who is inadmissible to Canada?

Ms. Claudette Deschênes: In part, it will be with the support of the RCMP, who will be able to check what they have through their databases.

It will also permit us to identify not only criminals but people who may have another name that they have used in the past. We're going to start being able to identify where people have used different aliases to get into Canada.

Mr. Costas Menegakis: I see. You mentioned sharing information with the U.S. at some point.

That's one country. How about sharing information with other countries? Is there something in the works for that?

Ms. Claudette Deschênes: As Mr. Linklater said, we are already sharing with four or five like-minded countries.

Mr. Les Linklater: I think the key is that in terms of getting any adverse information on our client base, it's really the work that the RCMP does with their databases linked to a number of countries. They will be able to provide us with additional information for decision-making that we don't necessarily get now.

Mr. Costas Menegakis: Last year we had 43 million hits on the website from people who wanted to come to Canada, and we allowed in 265,000 people. It's not just four or five countries that they're coming from. Which four or five countries do we do that with now?

Mr. Les Linklater: I'm sorry, I didn't understand the question.

Mr. Costas Menegakis: Maybe Madam Deschênes can answer.

Ms. Claudette Deschênes: We exchange presently, on a pilot basis, with the United States, Australia, the U.K., and New Zealand. But the issue is that the fingerprints we take are sent to the RCMP. The RCMP has many other countries they exchange criminal information with, so we already have more of a base of information available to us.

Mr. Costas Menegakis: I represent one of the most diverse ridings in the country. People from the countries you mentioned are a very small minority of the diverse community in Richmond Hill, Ontario.

The concern about some of the countries where we get a lot of immigrants is that I don't know if they have the kind of sophistication to be able to share information with us. Perhaps there's a security risk there.

Would you care to elaborate on that?

Ms. Claudette Deschênes: One of the other things that's happening around the world is the use of e-passports. Some countries also have biometrics in them. We're starting small and going to build on it, so that will permit us....

On the comment about people in your riding, and so on, some of the information we share with Australia, the U.S., and the U.K. is exactly about nationals from these other countries who have been either refugee claimants in other countries or have committed crimes in other countries. For us it's about criminals, security, and double or triple identities. It's all of those things that we're trying to do with biometrics, so I think it's going to be incremental work.

Mr. Costas Menegakis: On information that is available today, what criteria are used to question somebody when they want to come back to Canada? For example, I have one community within my riding that seems to have a very high percentage of Canadians who go abroad and come back, and there's a detention time at the airport. It takes them a few hours to get through, whereas their co-citizens come right through.

• (1630)

Ms. Claudette Deschênes: I think Monsieur Sabourin talked about the liaison officers who do interdiction, but also facilitate Canadian citizens coming back.

Mr. Pierre Sabourin: Our officers abroad are in 49 countries, and they're involved with a number of activities. Some of it is facilitation. For example, Canadians may be in countries from which we have to return a lot of Canadians; or Canadians have lost their passports and we facilitate their return to Canada. An example is North Africa, and last year we had to return a large number of Canadians back home.

They're also involved on an operational basis, very often at the airports. They interdict people who are improperly documented so they can't come to Canada. So that role gives an additional layer of security for the country.

The Chair: Mr. Weston, you have four minutes. He took your minute.

Mr. Costas Menegakis: I stopped.

[*Translation*]

Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC): Thank you, Mr. Chair.

I want to thank our guests. This is very interesting, since the values we are talking about today are security, freedom and equality. Those are the values we, as Canadians, are interested in now.

Today, we are hearing from the Canada Border Services Agency and, of course, Immigration Canada. Which relevant agencies in charge of security are not here today?

Mr. Pierre Sabourin: In terms of security, our key partner agencies in Canada are the RCMP and CSIS. I think they will be here on Thursday. You will be able to talk to them then. Those are our two key partners in terms of security. We have agreements and work very closely with them.

Mr. John Weston: Much has been said about the benefits of working with partner countries such as New Zealand and the United States, but there has been no mention of Mexico, which is also a North American country. Is there an exclusion for Mexico? What is our relationship with that country?

[*English*]

Mr. Les Linklater: When we look at our interaction with partner countries, we have a traditional association alliance with like-minded countries like the United States, the U.K., Australia, and New Zealand that truly are trusted partners. We have a lot of cooperation and collaboration with them overseas.

[*Translation*]

Regarding Mexico, the visa requirement in place ensures information sharing with our Mexican colleagues. That being said, we do have a working group, which was created after the visa was

imposed and which I co-chair with a Mexican counterpart. The work group deals with visa-related issues between the two countries. We discuss ways to improve relationships and visa services on the ground, in Mexico—for instance, by opening VACs—in order to also improve client services. In addition to that, we are trying to come up with ways to improve the Canada-Mexico partnership in terms of visas.

Mr. John Weston: Thank you.

I thought my colleague Ms. Sitsabaiesan's question was very interesting. She talked about what we do daily in our constituency offices. In your opinion, what is the most useful work we do as parliamentarians, and what work is the most problematic? In other words, what work doesn't contribute to the protection of our safety? Is my question clear?

• (1635)

Ms. Claudette Deschênes: No.

Mr. Pierre Sabourin: Could you repeat it?

[*English*]

Mr. John Weston: We're very involved in immigration as MPs, so where do you find that helpful, and where do you find that very unhelpful in promoting security interests for Canada?

Ms. Claudette Deschênes: Do you want to try that one?

Mr. Les Linklater: As Madam Deschênes was saying earlier, as parliamentarians you see particular types of cases or trends that you find questionable or require clarification. You can identify them and bring them to senior management's attention here in Ottawa to help us deal with the quality assurance issues you perceive.

As we move to more simplified processes and more of an e-environment with forms that are available online, that will help with client service as well. It should take some of the work out of your offices to allow you to focus on other important constituency work.

The initiatives we're discussing today, like biometrics and ETA, will help us secure identity and make faster decisions that will be much more helpful to the public than a paper-based system. They will understand more clearly what they need to do.

The Chair: Thank you.

Madam Groguhé.

[*Translation*]

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Thank you, Mr. Chair.

Welcome, everyone.

My question is about detention problems. A number of articles were published on the detention conditions of refugee claimants in Laval. I would like you to provide me with some clarification. There are some statistics and procedures according to which detention should last about two weeks. How do you explain abnormalities such as cases where individuals spend three months in detention while their identity is being verified? Why is the detention period extended? How do you explain that?

Mr. Pierre Sabourin: The average length of detention was 25 days for the 8,800—almost 9,000—people who were detained last year. I believe that over a third of them were detained for less than 48 hours.

Mrs. Sadia Groguhé: Did you say over one third?

Mr. Pierre Sabourin: Yes. I could confirm the exact figure, but it's about one third. So detention periods are very short in many cases.

Most people being detained are waiting to be removed. On any given day, about 500 people are being detained in the three detention centres mentioned earlier, in Laval, Toronto and Vancouver. We also have about 200 spaces in provincial prisons because those individuals must be incarcerated, since they endanger the safety of Canadians, other detainees or our officers.

For instance, if someone must be removed from the country, the legislation stipulates that the removal should be done as quickly as possible. However, there may be many obstacles to the removal. For example, we may have difficulty obtaining documents from someone. The country to which the person is being removed also may not cooperate.

Forty-eight hours after someone is detained, the Immigration and Refugee Board of Canada decides whether that person should remain in detention or not. So there is a quasi-judicial process, if I may call it that, whereby the Immigration and Refugee Board of Canada determines whether detention should continue. If so, it is extended by 7 days, and then by 30 days at a time.

Therefore, all the cases you mention in which people were detained for longer periods involved a process where the board decided they should be kept in detention.

Mrs. Sadia Groguhé: Okay. That would explain the extension of detention periods.

Mr. Pierre Sabourin: Yes.

[*English*]

Mr. Peter Hill: I could add some comments to what my colleague said.

Under the IRPA, the CBSA is permitted to detain individuals for three reasons. These are where there's a question of identity, where there's concern about a danger to the public, and where there may be a concern about flight risk—that the individual will fail to show for a hearing.

I can also tell you that the agency has a strong quality assurance program that involves access by the Canadian Council for Refugees and representatives in Canada from the United Nations High Commissioner for Refugees, who come into our detention centres

to monitor, to ensure that Canada is complying with international norms, and also respecting our domestic legislation.

These are some of the factors that help the agency manage the detention population on an ongoing basis.

• (1640)

[*Translation*]

Mrs. Sadia Groguhé: I have another question. I have been told about certain individuals detained in Laval who are suffering from very substantial and problematic psychological distress.

I want to know whether you have any statistics or figures you could share with the committee regarding the mental health of people detained in those centres. Are any measures being taken to remedy the situation? If so, what kinds of measures?

[*English*]

Mr. Peter Hill: Yes, we can provide you with some data that reflect the issues that you have raised.

I can tell you that in partnership with Citizenship and Immigration Canada, under arrangements, there are health services provided to ensure that detainees have proper medical attention, which includes physicians and psychological assistance.

We do, for sure, have challenging detainees, so we monitor this quite closely. In cases where our detainees are held in a provincial facility, we also rely on their expertise to provide the kind of mental support and health services that are appropriate to the cases.

The Chair: Thank you.

Mr. Gill.

Mr. Parm Gill (Brampton—Springdale, CPC): Thank you, Mr. Chair. I want to thank the witnesses for being here and for the presentation.

We talked a fair bit about fingerprinting and biometrics and stuff. My question is related to fingerprinting.

We hear about cases all the time in the media where an individual has been deported, the refugee claimant or whoever, and then they're able to re-enter the country using whatever means. How is this possible? Can you explain a bit about that.

Mr. Pierre Sabourin: People can misrepresent their identity. People can “fraud” their identity. People can enter the country between ports illegally. There are a number of means by which people can come back, either by giving fraudulent documents, changing their identity, or entering without us knowing about it.

Mr. Parm Gill: Once the department becomes aware of the cases of an individual who has been clearly deported in the past and has managed to get back in the country, what sorts of steps are taken to remove them from the country again?

Mr. Pierre Sabourin: If we identify them, the removal process follows a standard removal process that we have for every person. They would be arrested, and they would be put in detention if they were a flight risk or a danger to the public. We would need travel documents, so we would need to contact the country to obtain travel authority. They would have a 48-hour detention review, then a 7-day detention review, and then a 30-day detention review. They are allowed a pre-removal risk assessment done by my colleagues at CIC that determines if there's a risk to their life or if there's a risk of torture if they return to their country. Only after all those steps are taken, including possible appeals, could we then remove them to the country where they're from.

Mr. Parm Gill: Are you saying that they would go through all of those steps again, for the second time? Would you not have gone through those steps when we removed them from the country the first time?

• (1645)

Ms. Claudette Deschênes: Technically, once they come back, they would still be able to go through all of those steps. That's correct.

Of course, we're very good at removing people who want to be removed. If anybody gets caught and says, "Yes, we're going", they're going to be removed really quickly, I can promise you that. Most of them will seek to avail themselves of every opportunity to remain.

Mr. Parm Gill: That's great.

Mr. Pierre Sabourin: There are instances of people who have come back to the country many times and have gone through this process a number of times.

Mr. Parm Gill: Would you also be able to tell us, for each of the last five years, how many people have been found inadmissible to Canada before or at their entry to the country? Would you have those numbers?

Mr. Pierre Sabourin: The 54,000 I gave you earlier is the total number of people who presented themselves at the border, have been deemed inadmissible, and have been returned.

Mr. Parm Gill: What sort of time period does that 54,000 involve?

Mr. Pierre Sabourin: It's last year.

Mr. Parm Gill: Just one year.

Mr. Pierre Sabourin: I can get you numbers for previous years if you want. That number is for last year.

Ms. Claudette Deschênes: There's another percentage that have been found inadmissible to get a visa or for immigration to Canada from overseas. That would be the total population that was refused, but in the case of our refusals overseas, it would not necessarily be tied to being a criminal or to security. It could be for other reasons. We could probably work to make sure the clerk gets a breakdown.

Mr. Parm Gill: Sure.

Would you be able to give us an idea of how much this 54,000 number varies from year to year?

Mr. Pierre Sabourin: I don't have that number.

Mr. Parm Gill: Okay.

The Chair: You have about 10 seconds.

Mr. Parm Gill: I'm done.

The Chair: Okay.

Go ahead, Mr. Dykstra.

Mr. Rick Dykstra (St. Catharines, CPC): Thank you.

I wanted to ask you a question, Peter. You mentioned the issue surrounding the inspections and the reviews that take place in our detention facilities.

Could you expand on that a little bit in terms of who the groups or individuals actually are who go in to do the viewings, or at least who observe, and what kind of reports you've had over the last while in terms of the work you are doing?

Mr. Peter Hill: Thank you for that.

There are two groups, the Canadian Council for Refugees and the United Nations High Commissioner for Refugees.

With respect to the Canadian Council for Refugees, under a memorandum of understanding, they perform a monitoring function in the immigration holding centres that CBSA administers. They do a series of checks, and they give us annual reports. I can tell you that on balance their reports are favourable, and their recommendations that we receive to make improvements are seriously considered. They form part of discussions with the CCR on a regular basis, and we integrate the recommendations wherever we can into our overall program strategy for improvements.

With respect to the United Nations High Commissioner for Refugees, we have regular meetings with the senior representative in Canada, and likewise with our partners at Foreign Affairs and CIC and CIDA. They, too, have access to persons in detention and are able to report to us their observations, which are always insightful and very helpful for the CBSA in maintaining adherence to international detention standards and upholding our domestic laws.

The relationship with both groups is very valuable, healthy, and continues to be a priority for the agency.

Mr. Rick Dykstra: How is the determination made to use those two organizations as the filter, if you will, or the partners that you use to engage in this process?

Mr. Peter Hill: I can say that with respect to the UN High Commissioner for Refugees, that is their mandate. Canada is a signatory to conventions that facilitate and permit their access to our facilities. I have to admit that with the CCR, the arrangement goes back many years, so I'm not entirely sure of the origins, other than that they do offer their services as an independent group to government. This is an area where they have some expertise, so that's been leveraged over the years.

• (1650)

Mr. Rick Dykstra: I wouldn't mind exploring that a little bit more—not right now, I don't have a lot of time, but I would love to get some further information on how that relationship was determined to be implemented and how it came to fruition.

Secondly, I don't know how we would be able to do this, but I think it would be very helpful to this committee if we were able to get two or three of those recent reports that either one of those organizations has done for you. If we need to do that in camera, in confidence, we have no problem with that, but I think it would be extremely helpful for those on this committee to have a clear understanding of what the responsibilities are of those two groups with respect to the relationship and the work they do.

Mr. Peter Hill: I'd be happy to.

Mr. Chair, I would just like to correct something. I inadvertently referred to the Canadian Council for Refugees. I was thinking the Canadian Red Cross. We have a relationship with the Canadian Council for Refugees, but it's the Canadian Red Cross that provides the monitoring function in our IHCs, and I'll be happy to provide you with further information.

The Chair: They're both "R" words.

Voices: Oh, oh!

Mr. Peter Hill: My apologies for misspeaking.

Mr. Rick Dykstra: Clearly, the point still stands, but I appreciate the clarification.

You mentioned a relationship with the CCR. What would that be?

Mr. Peter Hill: The CCR is an advocacy group on behalf of refugees, so they bring to our attention a range of matters, including cases that they feel deserve a review. They also engage us in a dialogue on the overall system, so we attend their annual conferences. They're a partner in many of our discussions on how to improve the immigration system.

Mr. Rick Dykstra: When you have conversations with them, what kind of detail do they provide you in terms of advice? Is it focused on the assistance for refugees, or is it focused on the overall model or principle that you operate under?

Mr. Peter Hill: I would say it's both. They do bring cases to our attention, but they also provide advice and commentary and observations based on the overall immigration and refugee system, our practices, and how we discharge our mandate. That's the full range.

The Chair: Thank you.

You're next.

[Translation]

Ms. Paulina Ayala (Honoré-Mercier, NDP): Good afternoon, everyone.

I have a slight doubt. You say that the idea is to avoid refugee claims. That is why people must take the biometric test. You also say that U.S. citizens are not required to take the test. Therefore, Americans can come into the country with a false passport. But that is not a crime and there is no problem because they are Americans. That means that certain countries are being targeted. That worries me in terms of security.

In addition, what is the accuracy rate for biometric measures such as facial recognition and fingerprints?

Finally, what is the percentage of individuals arriving in Canada each year whose declared identity is not their true identity? Do you have any statistics on that?

Ms. Claudette Deschênes: I don't know whether we have any percentages or data on that. I will take down your three questions and try to obtain that information for you.

A lot of work has been done in order to understand why that is done. So there is probably some data available, but I don't have it with me.

Ms. Paulina Ayala: Something else worries me.

Mr. Pierre Sabourin: I may have information that could be somewhat useful to you.

Out of the approximately 93 million people who return to or enter Canada, 75 million have their identity verified at the border. We have a system that allows us to take their passport and check their identity, but that is done at ports of entry. There are still several million people whose identity we cannot confirm because we do not have the required system. Therefore, out of the 93 million people entering Canada, 75 million must submit to the first level of identity verification.

Ms. Paulina Ayala: Unless I am mistaken, that system will only apply to certain countries. It won't be used for everyone. So there is already some discrimination involved.

In addition, you say that people must take those tests before entering Canada. However, what happens if people come from a country in political turmoil or something similar and they do not even have the technology needed to take all those tests? Who will ensure they can take the biometric tests? People must take those tests before they arrive in Canada, right?

If the country of origin doesn't have the required system, who will install the machines? Will the private sector take care of that? There is a risk involved in information gathering.

• (1655)

Ms. Claudette Deschênes: The project was developed so that the Canadian government would have machines installed in the countries to collect clients' biometric data.

Ms. Paulina Ayala: Will the machines be set up in embassies?

Ms. Claudette Deschênes: Visa application centres will be the first option. Embassies will also be equipped with machines. However, we would prefer that biometric tests be conducted in embassies to a lesser extent.

Ms. Paulina Ayala: Visa centres?

Ms. Claudette Deschênes: Yes.

Ms. Paulina Ayala: Are you talking about government organizations or private companies working for an embassy?

I went to Venezuela, to a bilateral meeting, and the ambassador explained to me that private organizations working for the embassy were in charge of reviewing visa applicant files in that country. I think that's dangerous because information is being gathered about citizens.

Ms. Claudette Deschênes: Private organizations will be in contact with us. In addition, we will have a system in place for...

Ms. Paulina Ayala: What right do we have here, in Canada, to allow foreign private organizations to collect information about the private lives of people from other countries?

As a Canadian, I would not like that to happen to me or my children.

Ms. Claudette Deschênes: We developed this project in close cooperation with the Office of the Privacy Commissioner of Canada. Private companies will not have access to clients' biometric data. A system will be used to send that data directly to Canada. However, the company will be there to gather the information.

Ms. Paulina Ayala: Identity theft is a global reality. I think that's extremely dangerous.

Ms. Claudette Deschênes: Some countries have already used this system. Great Britain, Australia and France have used it. Therefore, we will not be the first to make use of it.

Ms. Paulina Ayala: The issue is not whether we are the first, the second or the third to use this system. The issue is that information about the private lives of others is being gathered and shared. Information theft can even happen in the police. It can happen and it is dangerous.

[English]

The Chair: We have to move on.

[Translation]

Ms. Paulina Ayala: Is my time up?

[English]

The Chair: Madam Stoddart will be coming on Thursday. If you're here, some of those privacy questions could be asked of her.

[Translation]

Ms. Paulina Ayala: Okay.

[English]

The Chair: We have finished the first page, so we're going to start all over again.

I'm going to ask one question first. I'd like you to tell me the difference between the security screening for temporary applications and that for permanent residency applications, if any.

Mr. Pierre Sabourin: The security screening for temporary residents is for people who are coming here temporarily. The security screening for people who are permanent residents is for people who are coming in here permanently. We now have service standards for the temporary resident side. They're very different from those on the permanent side. I can elaborate more on those, if you wish.

The security screening is to make an admissibility decision based on specific areas of the act, IRPA. We're looking at whether there are reasonable grounds to believe, whether the individual who is applying is permanent or temporary, that the person might pose a risk to national security, such as espionage, terrorism, war criminality, or organized crime. In one case the process is much longer. It takes about eight months right now.

The Chair: Which one?

Mr. Pierre Sabourin: For permanent, it takes about eight months. On the temporary side, just over the last few months we finalized the

service standards. For a VIP or urgent request, it's 48 hours; for China, it's five days; for what we call tier 1 countries, which includes Saudi Arabia, India, Haiti, Pakistan—there's another one missing—it's 10 days; and for the other countries, for tier 2, it's 20 days.

The Chair: Thank you.

We have Mr. Gill and Ms. James. I don't know who's going first.

Ms. James, go ahead for seven minutes.

● (1700)

Ms. Roxanne James: Thank you, Mr. Chair.

I'm going to ask some general questions about security threats and organizations or groups that may be deemed to be a security threat to Canada. I'm just wondering how many groups actually in Canada are listed as a security threat. I don't know how many there are. Are there 5, 50, 500? How many groups or organizations are actually on that list?

Mr. Pierre Sabourin: I don't know how many there are. I'd have to get back to you on that.

Ms. Roxanne James: Okay. Any rough idea?

Mr. Pierre Sabourin: No.

Ms. Roxanne James: My generalities of 5, 50...?

Mr. Pierre Sabourin: No.

Ms. Roxanne James: Okay.

Ms. Claudette Deschênes: What I would make sure that people understand is that under the Immigration Act, it's not about organizations having been listed as being inadmissible to Canada. We always look at it case by case. We look at what the person has done. We always look at the situation. We do not have a listing process for inadmissible organizations from an immigration perspective.

Mr. Pierre Sabourin: Maybe if I could just add to that....

Ms. Roxanne James: Sure.

Mr. Pierre Sabourin: There are regimes, though, at a specific point in time in a given country for which that list does exist.

Ms. Roxanne James: Okay.

You're going to get back to us on the number of groups where membership in a particular group might be deemed a security threat. Is that information actually available to the public? Is it something that I can look up personally? Is it something that can be presented to this committee? Or is there an issue with public security to even disclose that list?

Mr. Pierre Sabourin: I don't have the list of regimes and at which point in time with me, but that is public information and something that I believe we can give you.

Ms. Claudette Deschênes: That's under the war crimes provision of inadmissibility. Of course, we take most of our advice about the security of organizations from CSIS, and I would say that is a little bit more security.

Ms. Roxanne James: Thank you.

I'm just wondering about these particular groups or organizations. What is the exact process for determining whether someone is a member of those groups? Is every person who is affiliated with a group or organization, or a member or past member of a group, automatically deemed inadmissible to Canada, or is there some sort of criteria or scrutiny, a checklist perhaps? If there is such a thing, is it something available to us as a committee? Can you disclose that information?

Mr. Pierre Sabourin: Every case that is referred to us by visa officers abroad is really taken on a case-by-case basis. Of the 76,000 we received last year, I believe about 70,000 were referred to CSIS. Then they give us their assessment, and that's for national security reasons. So the vast majority are referred to CSIS, and then CSIS has their processes whereby they give us an answer.

Ms. Roxanne James: Do you know if the particular criteria that CSIS uses to determine someone's inadmissibility to Canada are available to us to examine? Can you provide that criteria?

Mr. Pierre Sabourin: It would be better to ask that of CSIS.

Ms. Roxanne James: Good answer.

Thank you.

Ms. Claudette Deschênes: I would just say, just to be very clear, that CBSA and CSIS give advice to CIC in terms of a final decision. So when we make a decision about inadmissibility, it's weighing possibly the security or criminality aspects with other aspects of the legislation. The legislation has a provision where a person could be inadmissible but we could overcome it with the tools and the process.

Ms. Roxanne James: I just want to summarize and make sure I have a definitive answer. If you have a membership in an organization or a group deemed to be inadmissible as a whole, is it true that all members, whether affiliated with it or a past member or linked to it in some way—is it possible that some of those people will not be deemed inadmissible? Or is it a given that everyone associated with that particular group would be deemed inadmissible?

Mr. Peter Hill: I would point you to section 34 of IRPA in particular, which relates to inadmissibility concerning security. Sections 34, 35, 36, and 37 relate to security, criminality, war crimes, and organized crime.

That sets out the definition we all are guided by in terms of determining admissibility or inadmissibility to Canada. I can say that the courts' interpretation of the term "membership" has been fairly broad.

• (1705)

The Chair: Mr. Hill has two minutes.

Ms. Roxanne James: I'm sorry, could I ask one more question?

The Chair: Sure, it's up to you two.

Ms. Roxanne James: I want to go back to the issue of deportation. I think I heard you say that 90% of the people who are removed from Canada are actually failed refugee claimants.

In that conversation, I heard someone say—I'm not sure who answered that question—that it can take up to four to five years to have someone physically removed from Canada after they have

failed the refugee status...or their claim. Yet I also heard from someone else on this panel that deportation is done as quickly as possible.

I'm trying to understand whether "as quickly as possible" means four to five years and why it takes that long.

Mr. Peter Hill: I'll be happy to—

Mr. Pierre Sabourin: If I could start, I'm looking at my numbers again—I'm the one who quoted 90%—and it was actually 73% last year, so I would correct that number. I was looking at another number. I apologize.

IRPA is very clear. It says it's as practically feasible as possible that we need to remove someone. There are many possible impediments in terms of removal. There are appeals processes. Because the system is based on natural justice, there has to be an appeal process, and there can be many appeal processes.

We need to have a country that is collaborative. In many cases, we don't have any passports. We don't have any travel documents. We need to obtain travel documents. The person also needs to collaborate. We need to arrange with the airline to make sure of the safety and security of the people on the airplane.

There are a number of appeals. There are a number of steps. If that all lines up very well, it can all go very quickly, or it can take very long if it doesn't.

Ms. Roxanne James: Thank you.

The Chair: Thank you.

Mr. Davies has up to seven minutes.

Mr. Don Davies: Thank you, Mr. Chairman.

Ms. Deschênes, I'm not sure I heard an answer to the question from my colleague. You said you have determined certain nationalities that you're going to roll out the biometrics plan for first.

Which nationalities are those?

Ms. Claudette Deschênes: I'm not in a position to give you that yet because I don't think we've completely finalized that.

Mr. Don Davies: Which ones are you considering? Is there a reason you don't want to tell the committee what nationalities you're considering for the biometrics, if you're going to roll them out on a nationality basis?

Ms. Claudette Deschênes: We are looking at criteria, which is what we're trying to do with biometrics, that would be involved with security, criminality, over-stayers, that type of thing, but we haven't yet finalized that list.

Mr. Don Davies: You did testify that you're going to roll this biometrics program out on certain nationalities first.

Do you remember that testimony?

Ms. Claudette Deschênes: Yes. We're not going to do all at once. We're not going to do a big bang because that's not normally a very successful way to operate.

Mr. Don Davies: I understand. You've already given that testimony.

You won't tell us what nationalities there are, but there are certain criteria. What criteria are you applying to determine which nationalities you will apply the biometric program to first?

Ms. Claudette Deschênes: We're looking at operational feasibility. We're looking at criminality, security, over-stays, that type of thing, from a risk perspective.

Mr. Don Davies: Okay. Can you tell this committee when you get that information which nationalities the biometrics will be applied to first?

Ms. Claudette Deschênes: I'm sure we will be telling the committee as soon as we can.

Mr. Don Davies: Thank you.

The Chair: I think that's fairly important. When can you tell us?

Mr. Les Linklater: Mr. Chair, the process will probably take us until early fall.

The Chair: Thank you.

Mr. Davies.

Mr. Don Davies: Thank you, Mr. Chairman.

In terms of illegal entries, it seems like we're tightening up our security. Is it a fair comment to say that we're tightening up entry to Canada? Is that a fair characterization of the sum total of your testimony?

Mr. Pierre Sabourin: In the future, with the introduction of biometrics, ETA, and interactive advance passenger information, we are going to have a lot more information in order to know who could pose a security threat to the country. If that's what you mean by "tightening", the answer is yes.

Mr. Don Davies: We're going to bring in a system whereby we get people's fingerprints. We're bringing in a system of electronic travel authority that, if I understand correctly, will apply to countries from which even presently we don't require a visa, and that may prohibit people from even getting on a plane to come here.

• (1710)

Mr. Les Linklater: I think, if I—

Mr. Don Davies: Is that not tightening up security?

Mr. Les Linklater: I think what the suite of initiatives we're looking at will do, Mr. Chair, is on the one hand provide a broader range of tools to help us with our security work. But at the same time, there's also the facilitation side. With an ETA, for example, once we've tagged someone's identity and have done the screening overseas, the experience at the port of entry is going to be much different for that individual, because they'll have been pre-cleared before they even got on the airplane, much like pre-clearance now for us when going to the United States. We could see a time in the future, with an ETA, in which individuals arriving at a port of entry might simply walk out and pick up their bags at the baggage cart.

Mr. Don Davies: So is the purpose of this to facilitate quicker entry into Canada for people visiting Canada?

Mr. Les Linklater: In large part it is, but at the same time we're looking at the broader suite of tools to address a population that right now we're only able to identify at the port of entry.

Mr. Don Davies: Just give us some general idea on the committee. Has the problem of illegal entries gotten worse over the last 10 years or been the same? Do you have any numbers on this? Are there more illegal entrants coming now to Canada than there were 10 years ago?

Mr. Les Linklater: Using as a proxy the number of refugee claims, the numbers are certainly lower now than they have been in the last couple of years.

Mr. Don Davies: Lower refugee claims?

Mr. Les Linklater: In terms of refugee claims, the numbers have gone down from previous years.

Mr. Don Davies: That suggests that the problem of illegal entries is getting better, by that measure.

Mr. Les Linklater: By that measure, yes, but that's not the only measure.

Mr. Don Davies: Mr. Sabourin, you corrected yourself. The Canadian Red Cross, you said, does monitoring of people in detention. Are they paid to do that work? Do they get money from the federal government?

Or maybe it was Mr. Hill; I'm not sure.

Mr. Peter Hill: No, they're not paid to do that. They don't get payment by the CBSA to do that work.

Mr. Don Davies: So the people doing the monitoring of people in detention don't receive any assistance from the federal government to do that work. Is that right?

Mr. Peter Hill: That's correct.

Mr. Don Davies: And how often does the UNHCR inspect detention facilities in Canada? Is it on an annual basis?

Mr. Peter Hill: I would say it's frequently. It's systematic, in the sense that this is their mandate, and we cooperate with them to allow them to access detention centres as they wish.

Mr. Don Davies: Can you give me a general idea—I'm not going to hold you to it, but a ballpark: are representatives of the UNHCR going into detention facilities once a month in Canada, once a year, once a week? Do you have any idea?

Mr. Peter Hill: I have an idea: it's more like once a month, or more frequently than that.

Mr. Don Davies: I want to switch to something else, and that's what I consider to be an epidemic problem of visa rejections in many places in this country. I have a sheet here that has a list of the rejection rates, and there are at least 10 centres in this world that have rejection rates of about 50% for people who want to come here to visit Canada or visit their families.

Again, Ms. Deschênes, from my experience as an MP in Vancouver—and I have a very diverse riding as well—I can tell you for a fact that the problem of people getting turned down for visas when they own property, when they have family in India, when there is no risk factor for them to return, is epidemic. I'm just wondering whether you have any comment on that. That would be the thesis I put to you.

I've talked to other MPs. There seem to be problems this way. In fact, I would tell you, if you are a single Indian under the age of 30, male or female, and you don't own property, you're not getting a visa to come to Canada, because they profile you by saying that you're not married and you don't own property, and therefore they make a stereotypical assumption that you won't return to India. I get stories like that in my office weekly.

Is there any comment on that?

Ms. Claudette Deschênes: I guess I would comment that it's difficult from the standpoint of the bona fides. We're measuring intent. Unfortunately, officers have to look at past practices when they consider intent. Unfortunately, if a large number of people who fit that sort of characteristic have come and gotten visas and then stayed illegally, that makes it harder for people who are in the line. It's not easy for officers. We monitor that.

The Chair: Time is up. Thank you.

Mr. Lamoureux.

Mr. Kevin Lamoureux: I'll continue on that theme, because we don't monitor whether or not they are returning. I want to reinforce this because it is a huge issue, whether it's India, the Philippines, or China.

I had someone just over the weekend, a very good friend, someone I've known for a long time, who is married to someone of Chinese heritage. She's been trying to get her best friend to be able to come. Her best friend has money. She has a job. She just wants to come and experience Canada and see where her girlfriend is living. She's been rejected not once but twice.

The kickback we're getting from embassies is phenomenal. It's not acceptable, the number of family rejections. People want to come for marriages, deaths in the families, birthdays, and so forth. I think if you were to canvass any member of Parliament's office where there's a high number of first-generation immigrants, you will find that this is the case.

Anyway, I'm not going to ask about that. I want to get clarification: you make the statement that there will be regulatory changes this year that will deter marriage fraud. Can you tell us exactly what you mean by that?

• (1715)

Mr. Les Linklater: Late last spring, the department pre-published a notice of intent. It flagged our intention to move forward with regulatory proposals to put in place conditional permanent residence status for new spousal applicants. This was meant to ensure that those who are entering into relationships of convenience would be deterred from doing so. Conditional permanent residence status would mean that they could live and work in Canada if they were deemed after a certain period, say, two or three years, to be still in a

legitimate relationship, with appropriate exemptions for cases of domestic violence.

Mr. Kevin Lamoureux: Are we saying that this is a policy now? If you're from India and your wife comes down, she is expected to maintain that residency and stay married? Otherwise, after a short period of time, if she leaves and he calls Immigration, she could be deported.

Mr. Les Linklater: No, we would be looking to determine whether or not the relationship was legitimate, as we do now at the outset before a visa is issued. The idea would be, with conditional permanent residence, which is something Australia and—

Mr. Kevin Lamoureux: That's right, but once she lands...

Mr. Les Linklater: Yes.

Mr. Kevin Lamoureux: Okay, so she's married. She's been processed. She lands in Canada. Can she be deported if she chooses not to live or reside with the individual she married?

Mr. Les Linklater: Theoretically, yes.

Mr. Kevin Lamoureux: And when did that take effect?

Mr. Les Linklater: We would be doing verifications after the period of temporary residence, and if it was found that the individuals were no longer in that relationship, we could conceivably take enforcement action.

Mr. Kevin Lamoureux: When did that take effect?

Mr. Les Linklater: It's not in effect yet. The government has flagged an intention to move in that direction. There will be a regulatory package that would lay out the specifics of how it would work.

Mr. Kevin Lamoureux: So after living with the gentleman for two months she's put into a compromised position. She had better stay in that relationship or she could get deported.

Mr. Les Linklater: No. We'll be looking at a policy framework that will provide exemptions in cases of domestic abuse.

Mr. Kevin Lamoureux: Do you have that framework available so that we could actually see it?

Mr. Les Linklater: Beyond the notice of intent, we can provide that to the committee through the clerk.

Mr. Kevin Lamoureux: I'm very much interested in that file. I heard about the intent last year and I was quite surprised. I think you're potentially compromising a lot of people when you force them to stay in a relationship. This applies to many countries, not just one country, especially in the way in which relationships are entered into nowadays through the Internet. I'd flag that as a problem area.

Finally, visiting visas typically expire today. To what degree do we get deportations where a visiting visa has expired, where you're asked to go and locate that visiting visa and deport the person?

Ms. Claudette Deschênes: I don't know that we know that, but I would say it's probably very close to zero. That's not where the energies of the CBSA enforcement officers are being placed.

Mr. Kevin Lamoureux: Typically, I tell people whose visas are close to expiring to go and apply for an extension. As long as they have their little receipt saying they've applied for an extension, they're okay. They can stay.

Ms. Claudette Deschênes: That's absolutely correct. We want them to apply for an extension, but they have—

Mr. Kevin Lamoureux: Okay. So then what happens—

The Chair: No, no, that's it, I'm afraid, because I want to ask a question too.

Mr. Kevin Lamoureux: Okay.

The Chair: I've had a number of cases where someone's had a visa a number of years ago, they apply again, months later, years later, and they don't get one. Is that a security issue? Or is that too complicated a question to ask?

• (1720)

Ms. Claudette Deschênes: It's a complicated question to ask, because if someone has had a visa and has come to Canada and gone back and they still have a good job and own land and so on, they would normally get a visa.

The Chair: I've just had a number where they haven't—

Ms. Claudette Deschênes: Yes.

The Chair: —but I expect it is complicated.

Mr. Menegakis.

Mr. Costas Menegakis: Thank you, Mr. Chair.

I have a few questions for you folks from CBSA here.

Specifically to the Auditor General's report, the Auditor General made several recommendations to the department to improve security and health screening. Could you tell us what some of those recommendations were?

Mr. Pierre Sabourin: Sure.

First of all, we agree with all the recommendations of the Auditor General. I want to make that clear. The Auditor General made recommendations in four areas. The first one is around helping visa officers abroad make admissibility decisions: giving them the right tools, making sure the information we give them, such as risk indicators about those specific countries, are up to date.

The second was in the area of the security screening process, where we work very, very closely with our partners in CSIS and the RCMP. The Auditor General had a number of recommendations whereby we should ensure that all the information that is available in those three organizations be mapped out, so we're sure we're using the universe of information that's available in order to make proper decisions.

The third area was around process, and this is around training of our officers, quality control, and service standards. So there were some recommendations around there.

And the fourth area was around governance and performance measurement, whereby the Auditor General wanted to make sure our agreements, our memoranda of understanding with the various organizations, were up to date, that we were governing the process properly, and that we had proper performance measurements in

place. In other words, we were getting proper feedback from visa officers that the system was working for them, that they had the right information, that they were able to make proper admissibility decisions, and finally, that between our two organizations—CIC and CBSA—particularly, that we measured the performance of the overall system in terms of knowing we're meeting service standards and this sort of thing.

We've agreed with all the recommendations. Most of the recommendations will be addressed this year. I could go into the details in terms of what we're doing.

Mr. Costas Menegakis: Yes, he found that many of the recommendations have not been implemented. Can you tell us why it's taken so long?

Mr. Pierre Sabourin: The recommendations that were made to us in the last report...we've started working on them right away. It'll take about year before most of them are implemented.

Mr. Costas Menegakis: Can you elaborate a little bit, update us at least on what actions you've taken?

Mr. Pierre Sabourin: Sure.

I'll give you an example: service standards. I gave you the example of service standards that didn't exist before and now exist, around the VIP and urgent, China five days, and then tier 1 and tier 2. We've made substantial progress also in terms of risk indicators around this and helping visa officers abroad make admissibility decisions. We're updating the risk indicators that help visa officers determine if a case should be referred to CBSA or not.

So those are in the process of being updated. For example, for a country where we get many referrals, such as Saudi Arabia, that work is now completed.

I can give you a last example. In terms of the two organizations working together, we've now elaborated what we call a performance dashboard. In that performance dashboard, which covers all of the joint activities we do with CIC, in fact, there's now something specific to security screening.

Mr. Costas Menegakis: So we can expect to see all of these implemented within the year?

Mr. Pierre Sabourin: Yes. Some are actually already implemented. The review of risk indicators should be done by the summer. Regarding some of the reviews, for example, the MOUs with the security agencies, particularly the RCMP, go to early 2013. But all the other deliverables are for 2012.

Mr. Costas Menegakis: How much time do I have, Mr. Chair?

The Chair: You have about three minutes.

Mr. Costas Menegakis: Oh, good.

You spoke about the large number of people who were invisible for security reasons. Can we get from you a breakdown for the last five years by country, perhaps through the clerk and the chair? It would be very useful.

• (1725)

Mr. Pierre Sabourin: Yes, I'll look into obtaining that.

Again, I just want to contrast in terms of visa applicants coming from abroad. The number of refusals last year was 652, so it's very low. If you look at the 76,000 cases that were referred—

Mr. Costas Menegakis: I'm now talking about the breakdown for security reasons, by country, for the last five years.

Ms. Claudette Deschênes: I would just note, though, that our systems before global case management didn't really track the reasons for refusal, so we can probably look at advice we might have received. I think the Auditor General said that less than 1% of cases are refused for security reasons. I'm not sure that we're going to be able to go very far. I think in the future we will be much better able to give you that data, but we'll look at what we have.

Mr. Costas Menegakis: But not everybody who was flagged is refused.

Ms. Claudette Deschênes: That's correct.

Mr. Costas Menegakis: So is there that data? Could we have that for the last five years as well by country? How many people are flagged by country and how many are refused by country?

Mr. Pierre Sabourin: For the 652, those are the ones—

Mr. Costas Menegakis: Whatever the numbers are, you would know.

Mr. Pierre Sabourin: We have the breakdown by country for the 652 we recommended that CIC make a decision on, somebody who gives us reasonable grounds to believe they're not admissible based on security. I can tell you the number one country we give negative recommendations on is Russia. That's different from the total number of people who showed up at the border that we deemed are non-admissible. That doesn't need to be for security reasons.

Mr. Costas Menegakis: I'm just asking how many people were flagged and how many people were refused in the last five years by country. If you have that information, that would be very helpful.

Mr. Pierre Sabourin: I'll see if we can get it.

Mr. Costas Menegakis: Am I running out of time?

The Chair: You have 30 seconds.

Mr. Costas Menegakis: Thirty seconds.

Thank you very much.

The Chair: Very good.

Madame Groguhé, I think you have the final word.

[Translation]

Mrs. Sadia Groguhé: In 2008, the Office of the Auditor General of Canada noted a lack of consistency in decisions made regarding detention measures. That was a real problem. I would like to know whether that lack of consistency has been remedied.

[English]

Mr. Peter Hill: Thank you for the question.

The Auditor General's report made a number of recommendations, and action plans have been developed for all those recommendations. The agency agreed with all the recommendations the Auditor General made, and measures have been taken to address the concerns

with respect to detention as well as removals. The agency has made significant progress tracking and establishing targets for the removals program. So yes, the answer is we have taken steps to address....

[Translation]

Mrs. Sadia Groguhé: So, in the wake of those recommendations, consistency has been improved. Have you been able to measure that improvement?

[English]

Mr. Peter Hill: In terms of coherence, the Auditor General is making some observations about the national consistency of the detention program. We've taken measures to address national consistency through updates to our policy manuals, to our procedures, but I also have to acknowledge that there are differences in our detention capacity across the country, and in some provinces we are reliant on the provinces to detain our population. So as a result of these limitations there are variations, but I can assure you that national program consistency is a priority and many steps have been taken to strengthen national consistency and coherence.

[Translation]

Mrs. Sadia Groguhé: I would just like to confirm something. You were saying that, in one third of the cases, the detention period was 48 hours. Could you provide the committee with the statistical breakdown for each centre?

[English]

Mr. Peter Hill: Yes. My colleague was referring to the existing detention review cycle that falls under the mandate of the Immigration and Refugee Board. So detention decisions are made at 48 hours, 7 days, 30 days, and every 30 days thereafter.

If you're looking for statistics on detention decisions and decisions to release by the IRB on those timelines, I think we'll be able to put some information together for the committee.

• (1730)

The Chair: For each detention centre? That was the question.

Mr. Peter Hill: For each detention centre.

The Chair: Okay. I think we've concluded.

Sorry, sir. Mr. Hill.

Mr. Peter Hill: I will certainly do what we can within the limitations of our existing information systems.

The Chair: Okay. He says he's going to try, I think.

Is that what you mean? We'd love to have that information. That's important information, and you've kind of qualified it.

Mr. Peter Hill: Yes, we will provide the information that our systems will allow us to generate, and we should be able to give you a breakdown that gives you a sense of detention release decisions across the various timelines.

The Chair: Okay. You're going to give us information for each detention centre. That's all I want to know.

Mr. Peter Hill: Yes, we have to do that, Chair.

The Chair: Perfect. Thank you very much.

Our time has expired. I'd like to thank our permanent representatives from the department for visiting with us once again.

Mr. Hill, Monsieur Sabourin, from the Canada Border Services Agency, I thank you. Your presentations have been well received. Thank you kindly.

This meeting is adjourned.

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