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**Chair**

**Mr. Borys Wrzesnewskyj**



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•(1115)

[English]

**The Chair (Mr. Borys Wrzesnewskij (Etobicoke Centre, Lib.)):** Good morning.

Pursuant to the order of reference received by the committee on March 21, 2016, the committee will now proceed to the consideration of Bill C-6, an act to amend the Citizenship Act and to make consequential amendments to another act.

The minister should be with us shortly. However, senior department officials are here to discuss the implications of Bill C-6, and I invite Ms. Tapley to proceed with any opening comments she may have.

**Ms. Catrina Tapley (Assistant Deputy Minister, Strategic and Program Policy, Department of Citizenship and Immigration):** Thank you, Mr. Chair.

Sometimes in a meeting I would joke on a legal question that I'm not a lawyer and I don't even play one on TV. I think I'll start by saying that I am not the minister and I am not going to play him on TV.

I do have a few opening remarks. These aren't his. Perhaps it would be helpful for the committee if I give a quick overview of what's in Bill C-6 and highlight some of the key elements of Bill C-6, the changes to the Citizenship Act.

The first is repealing the national interest grounds for citizenship revocation. These are legislative changes that came into effect in May 2015, which created new grounds for citizenship revocation that allowed citizenship to be taken away from dual citizens for certain acts against the national interest of Canada. This bill repeals those provisions.

This bill also repeals the "intent to reside" provision. Since June 2015, adult applicants must declare on their citizenship applications that they intend to continue to reside in Canada. Bill C-6 repeals that provision.

Other things in Bill C-6 include reducing the length of time someone must be physically present in Canada to qualify for citizenship. To use the vernacular, we've gone from four of six years to three of five years. To be more precise, the time required to be spent in Canada for citizenship for adults goes to three years, or 1,095 days, from the former or current 1,460 days.

I will stop now, Mr. Chair.

**The Chair:** Thank you, Ms. Tapley.

Welcome, Minister.

**Hon. John McCallum (Minister of Immigration, Refugees and Citizenship):** I really do apologize. I was held up for unavoidable reasons.

In light of that, I thought I could forego my opening statement and start right in with questions, because I am almost 20 minutes late, unless you have a strong desire to hear my opening statement.

**The Chair:** I believe that everyone has received your opening remarks in written form, so in the consideration of the time, perhaps we can start with the first round.

I would ask Mr.—

**Hon. Michelle Rempel (Calgary Nose Hill, CPC):** On a point of order, I would actually like to hear the minister's comments, Mr. Chair.

**The Chair:** Okay.

Minister, a point of order has been raised, and Ms. Rempel would actually like to hear your opening remarks.

**Hon. John McCallum:** I'll give you an abbreviated form of my opening remarks.

Basically there are three elements of this bill that are important to me.

One is the issue of revocation of citizenship, and we say that no longer will a government be able to revoke citizenship for terrorists convicted of crimes, because we believe there should be just one class of Canadian. A second series of issues is about reducing some of the barriers to citizenship that were erected by the previous bill. The third is about program integrity, to do things that enable the department to maintain integrity, for example by making it easier for officials to seize documents thought to be fraudulent.

In a nutshell, those are the three main rationales for this bill. I would be very happy to receive your questions.

•(1120)

**The Chair:** Thank you, Minister.

Mr. Chen, go ahead.

**Mr. Shaun Chen (Scarborough North, Lib.):** Thank you, Mr. Chair, and thank you to the minister for being here with our committee today.

I know that in Bill C-6 there is a change in terms of the language requirements and the ages to which they apply. I can share that in my riding of Scarborough North there are many new immigrant communities. I've heard the concerns from families that elders and grandparents find it difficult. Under the new rules, the age requirement would see that those between 14 and 17, and between 55 and 64, no longer need to fulfill the requirements that were set by the previous government.

Can the minister explain the rationale for this decision in light of the context that new Canadians are expected to master one of the official languages?

**Hon. John McCallum:** I think it's a question of balance. I accept totally the evidence suggesting that mastery of one of the two official languages is a good thing, that it promotes and enhances an individual's ability to do well in Canada, to get good jobs, to integrate. On the one hand, we do favour language requirements. On the other hand, I think for older newcomers it's less important.

I think one has to take into account cultural issues. I think for many years, for decades if not forever, people have come here from countries where the first language isn't English. Many upon arrival have not mastered the language properly, but almost always their children do, and certainly their grandchildren do. I don't think that has been a negative factor for Canada over the years. That is why we are returning the age range to where it was, so that older Canadians....

I don't regard 55 to 64 as super-old, but those above the average age will not necessarily be required to do this, even though as a general principle we believe that the mastery of English or French is important for the success of newcomers.

**Mr. Shaun Chen:** For individuals who do apply for citizenship, they are required to achieve Canadian benchmark level 4, using third-party assessment results. What does that benchmark level require of the candidate?

**Hon. John McCallum:** It requires a pretty basic level of English.

Perhaps Catrina Tapley can answer that more specifically.

**Ms. Catrina Tapley:** As the minister said, it's a pretty basic level of English or French. It would include things like how to give or follow directions, how to call 911, and a very basic level of conversation. Those would be the hallmarks of Canadian language benchmark 4.

**Mr. Shaun Chen:** In addition to the basic ability to speak French or English, there are the responsibilities of having knowledge of Canada and holding Canadian citizenship. How do those pieces factor into the measure of benchmark level 4?

**Hon. John McCallum:** Well, there is this book put out describing Canada. People are expected to read that book. I think the questions largely derive from the contents of that book, which purport to describe some of the essential features of our country.

As I've indicated before, we will be making some revisions to that book. I think it should be a politically neutral statement of the essence of our country, something that we would expect new citizens to be able to master. On that, they would be required to take this test.

**Mr. Shaun Chen:** With respect to the written component of the testing that's required, some prospective Canadians might still fail

that written test. Is there a possibility for individuals who do not pass the written test to meet with a citizenship judge to complete the test orally? Is that a possibility for those who might fail the written test?

• (1125)

**Hon. John McCallum:** Yes. They can write a test a second time. If that still doesn't work, they're entitled to have a meeting with a citizenship judge.

**Mr. Shaun Chen:** Okay.

Bill C-6 also allows time spent in Canada as a temporary resident to count towards the residency requirement for citizenship. Periods of temporary residence had been eligible prior to Bill C-24 as well. Before the provisions excluding time as a temporary resident came into force, approximately what percentage of citizenship applicants included periods of temporary residence in their application?

**Hon. John McCallum:** About 13%, I am told. This, by the way, is a provision we are super-keen to add. We want to court international students in particular, and we think it is absolutely right that they be granted 50% credit for time spent in Canada, because that has enabled them to better understand the country.

**The Chair:** Mr. Chen, do you have one last question and answer?

**Mr. Shaun Chen:** Yes.

What specifically was the rationale for the 50% time credit? Was there a consideration that more than 50% credit would be given for those applicants?

**Hon. John McCallum:** That is arguable. We could certainly have done that. I think to restore the 50% credit was certainly a movement in the right direction. One could argue for more, but I think 50% is quite fair.

**The Chair:** Thank you.

Ms. Rempel, you have seven minutes.

**Hon. Michelle Rempel:** Minister, you started your remarks by talking about how language mastery is important for the success of newcomers. I think we both agree on that.

I'm curious as to why the rationale was to lower the age requirement rather than look at other policy options, such as increased programming or different types of programming to assist newcomers with language training.

**Hon. John McCallum:** Already a very high proportion of our hundreds of millions of dollars of settlement assistance goes for language training. As I said, it's always a balance in these things. On the one hand, as you and I agree, language mastery is important, but on the other hand, I think one can have exceptions made for older people under various circumstances that can be defended. So that is what we are proposing.

**Hon. Michelle Rempel:** That doesn't quite answer my question. I think if you feel the programming isn't working, perhaps that's a better option than simply lowering the language barrier.

The next question follows on that. We know that individuals in the workforce between ages 55 and 64, which is the cohort that would be affected by this change, form an important component of the economy. I'm wondering if you could tell us the research you've done on the impact of newcomers to Canada, how many are in that cohort, and the potential impact to the Canadian economy by potential exclusion by lowering the language requirements for this cohort.

**Hon. John McCallum:** I did not say the program wasn't working. I'm not sure which program you mean, but I said a good chunk of the money we invest in immigrants does go for language training.

My sense is that the number of 55- to 64-year-olds exempt from language is not large. Historically people in that age cohort have done well, even though in some cases their mastery of the English language or the French language is limited, so I do not foresee there being any significant negative economic effect.

**Hon. Michelle Rempel:** Could you quantify what "not large" means in the context of that cohort?

• (1130)

**Hon. John McCallum:** It's 8%.

**Hon. Michelle Rempel:** Total number, approximately?

**Hon. John McCallum:** That age category would make up 8% of the total.

**Hon. Michelle Rempel:** What would the total be?

**Hon. John McCallum:** It depends what total you're talking about. If it's 100, 8% is eight. If it's 1,000, it's 80.

**Hon. Michelle Rempel:** Okay. I was just trying to get a sense of quantity. We know that the government has changed the formula on economic immigration versus humanitarian immigration, and I think that particular percentage is important in the context of the change of this language requirement.

Again I'll ask, was any consultation done that quantifiably shows that reducing the language age is a better policy option than looking at increased or more effective programming on language training services in terms of economic impact?

**Hon. John McCallum:** We are investing tens of millions of dollars in language training, so we did not ask the question of whether we should invest even more as an alternative to this. We thought it was appropriate to go back to what had been the previous situation and give some deference, if you will, some exemption from the language requirement, to those Canadians of a certain age. That had been the case in the past, and we thought it was right to go back to that rule.

**Hon. Michelle Rempel:** Given that there hasn't been consultation or any sort of quantification on looking at different programming options or expanded programming options versus simply changing the age requirement, would the government be amenable to amending the bill, or perhaps delaying this change until that research has been done? By your own admission, this is a very important public policy option, granting that language is a unifier, that has not been done in the context of the bill. It sounds like a political decision rather than a quantifiable decision.

**Hon. John McCallum:** We did not have consultations specifically on the economic implications of returning to the 55 to 64, but

I'm told neither did the previous government on the impact going the other way. So we are reverting to the status quo ante and our predecessors didn't consult our moving away from it. We thought it was appropriate given the language situation of many new Canadians to give them an exemption, those beyond decision age.

**Hon. Michelle Rempel:** I don't always look at tu quoque as a particularly good policy response. With the government's desired change in tone perhaps the better solution here is to look at how we can equip newcomers to Canada with language skills so they can fully participate in the economy and our economy continues to grow. Given this and given by your own admission that this research hasn't been done, would the government consider taking out this particular portion of the bill until this research has been done, especially, Minister, in light of the significant changes that you've made to the economic immigration levels in your immigration levels report.

**Hon. John McCallum:** The answer is no, and I don't think this is an either/or proposition. Language training is still available with or without this change for those in the 55 to 64 age range who want it.

**Hon. Michelle Rempel:** Would you say that the language training services are sufficient to meet the needs of the newcomers to Canada especially under the Syrian refugee initiative, given that we're hearing across Canada that newcomers to Canada through this initiative are having a lot of difficulty accessing language training programs. Again in the context of this bill, the government has decided to lower the age limit requirement as well as up it on the bottom end rather than focus on providing language training services for newcomers. I'm arguing that this isn't a partisan issue, Minister, this is something that needs to happen.

**Hon. John McCallum:** As I've said, it's not either/or. We can have the change in the age group rule and availability of language training, which is the case.

**The Chair:** Thank you. Your time is up, Ms. Rempel.

Ms. Kwan, you have seven minutes.

**Ms. Jenny Kwan (Vancouver East, NDP):** Thank you very much, Mr. Chair, and thank you to the minister and his officials.

On the language issue, as the minister knows, Bill C-6 maintains the requirement for citizenship applicants to pass a knowledge test about Canada and one of the two official languages. For anyone who has taken the standardized test, even in their first language, these tests can often be confusing because the wording or the questions could sometimes be tricky for people. For many new Canadians, this could reasonably be considered as double-testing because they have to go through the testing twice and not necessarily a true representation of the individual's ability to function or succeed in Canada. I can name many examples where people have succeeded and may not be able to pass this test.

I'm wondering whether or not the minister would be amenable to amending Bill C-6 with changes around the language proficiency requirements so that the issue of double-testing could be eliminated.

•(1135)

**Hon. John McCallum:** Maybe it's an indicator we have it about right when I'm told to make the language stricter and less strict.

First of all if you fail the test, you can have a second chance. If you fail it again, you can get a meeting with the citizenship judge. But one thing in your question with which I agree is that the language in the book is somewhat more complex than it need be. One of the things we want to do is to make the language in the book more comprehensible to more people than it currently is, and I think that would also impact the tests. If we can make the language simpler and more direct and easy to understand, I think that would be an improvement.

**Ms. Jenny Kwan:** Prior to Bill C-24, what was the language proficiency level?

**Hon. John McCallum:** I'll ask one of my officials to answer that.

**Ms. Mary-Ann Hubers (Director, Citizenship Program Delivery, Department of Citizenship and Immigration):** The language level was the same. It's the CLB 4, which means applicants need to understand basic sentences and be able to convey basic information.

**Ms. Jenny Kwan:** Was the double-testing a new concept under Bill C-24?

**Hon. John McCallum:** I don't know what you mean by double-testing, but I'm told the answer is no. What do you mean by double-testing?

**Ms. Jenny Kwan:** What I mean by double-testing is that people have to pass the proficiency test and then have an additional testing in terms of information about Canada. That's double-testing.

**Hon. John McCallum:** I'm told that change came before Bill C-24.

**Ms. Jenny Kwan:** With the Conservative administration...?

**Hon. John McCallum:** To make this perfectly clear, perhaps Ms. Tapley can answer.

**Ms. Catrina Tapley:** The changes to requirements to provide upfront evidence of language at the Canadian language benchmark 4 level were a change that was made prior to Bill C-24.

I believe, Mary-Ann, that it was about a year before Bill C-24?

**Ms. Mary-Ann Hubers:** Yes, in November 2012.

**Ms. Jenny Kwan:** Thank you.

I would advocate for a change. Even though it's not part of Bill C-24, it's still part of the set of legislation that we're dealing with in respect of Bill C-6.

With that, I want to move on to another area, which is the fees issue. Under changes to regulations that were made by the previous government, fees were increased to such a degree that a family of four could expect to spend nearly \$1,500 on citizenship processing fees. On top of that, there's a \$100 right of citizenship fee as well. For many families, this is equivalent to greater than a month's rent. It's significant.

I wonder whether or not the government has any plans to examine the high fee structure. Is there any action that the minister might be undertaking to correct that?

**Hon. John McCallum:** I understand, as you've just pointed out, that for certain households the fee issue can be important. However, I would say that in the way we have presented Bill C-6 we have responded to every item that we committed to do in our platform and in my mandate letter, and neither the platform nor the mandate letter referred to fees. This is something that over time we will examine, but we have not made any commitment to change those fees and there was no fee change in the bill.

**Ms. Jenny Kwan:** I see. Is the minister saying that if it wasn't committed to in the election campaign or the platform these are things that this government would not consider, even if they're brought to his attention and even though he may actually support those kinds of changes?

**Hon. John McCallum:** No, that is not what I am saying. I think that anything that is in my mandate letter is something we are committed to do, but we may well do things beyond that. There's no reason why we cannot.

I'm saying that fees are something we could consider in the future. It's not a part of the mandate letter, and that does not preclude us from considering changes in the future, but that's not a part of this new Bill C-6.

•(1140)

**Ms. Jenny Kwan:** I would urge the minister to look into this issue. Hopefully, action will be forthcoming.

Let me move onto another issue. Bill C-24 eliminates the right to a judicial hearing for anyone who could have their citizenship revoked. Those involved with the civil liberties movement are calling on the government to make changes in this regard. Bill C-6 leaves this provision untouched.

Would the minister agree with the Canadian Bar Association that someone who is about to lose their citizenship should always have the right to a hearing before an independent and impartial decision-maker?

**Hon. John McCallum:** As I said in my speech in the House on Bill C-6, a general point is that we are always open to amendments if those amendments improve the bill. We're not sitting here saying that it's perfect and that we will not contemplate any amendments.

More specifically, what I said, that point having being drawn to my attention, was that I would also be open to considering amendments that provided a greater right to appeal for those whose citizenship is revoked on grounds of false information provided. I won't go further than that, because I think this committee will hear from the CBA and from other witnesses who might themselves have ideas on how to proceed in this area, but certainly I've said that I'm open to amendment in that area.

**The Chair:** Thank you, Minister.

Ms. Zahid.

**Mrs. Salma Zahid (Scarborough Centre, Lib.):** Thank you, Mr. Chair.

Thank you, Minister, for joining us today as we examine this important legislation, Bill C-6.

This is a very important issue for me and for my constituents in the riding of Scarborough Centre. After the Conservatives passed Bill C-24, effectively creating two tiers of Canadian citizenship, as a mother I had to explain to my two sons why they were second-class citizens in the country they have grown up in. They love their country.

This was wrong, and it went against the fundamental values of the country that has shaped them into the fine young men they have become. As a mother, a parliamentarian, and a Canadian, I am proud to see the integrity of Canadian citizenship restored. Could you please explain why it is so important to defend the integrity of Canadian citizenship, which is a beacon for people around the world?

**Hon. John McCallum:** Thank you.

I appreciate that question. I certainly agree with the sentiment expressed.

As you know, in the election campaign that was one of the major issues we argued. The Prime Minister argued, I argued, and many of us argued that a Canadian is a Canadian is a Canadian. We do not believe there should be two tiers of citizenship. We believe all citizens are equal. That is the reason we repeal this provision whereby somebody's citizenship could be removed, but only if he or she was a dual citizen. We believe there should be only one class of citizen. That is why this is actually the first item on this bill, which I mentioned in my abbreviated opening remarks.

**Mrs. Salma Zahid:** Thank you.

I've heard from a number of permanent residents in my riding, as I meet them every day in my constituency office, who are ready to apply for Canadian citizenship but have had to wait longer because of the previous government's lengthened waiting period. These are people who have worked hard, pay their taxes, and are making a valuable contribution to the economy of our society. Now they want to join our Canadian family.

Could you please discuss how Bill C-6 will help these people join our Canadian family sooner?

**Hon. John McCallum:** Thank you.

I am not hesitant to change things the previous government did with which we disagree, but neither am I wishing to change everything. I would also be fine with giving credit where credit is due. I do think one of the areas where we have improved is the processing time for citizenship. Partly as a result of changes made by the previous government, the processing time for citizenship is now 12 months for those who apply today. For those legacy cases that are from the past, it has been longer, but I am told that those legacy cases will be fully resolved by the end of this year.

I think we will then have an across-the-board standard for processing time for citizenship of 12 months. Six months would be better, but 12 months is better than 31 months, which is what it used to be. I think some progress has been made.

The other thing we are doing that will speed up the process is that the length of time that one has to be in the country is one year less. Under this bill, an individual can become a citizen one year earlier than before. After the individual applies to be a citizen, the processing time is one year.

There has been some improvement. I think the reduced barriers I mentioned will also make it easier for individuals to become citizens.

● (1145)

**Mrs. Salma Zahid:** I represent a riding that has a very heavy Filipino and Gujarati population. I know several of the Filipino and Gujarati families who have brought their parents to Canada to help them look after their children. These grandparents are providing valuable child care by looking after their grandkids, allowing both parents to work and contribute to Canada's economy.

Could you please explain how the changes in the language proficiency requirements and the age range in Bill C-6 will impact these families?

**Hon. John McCallum:** If you are talking about parents and grandparents being brought into the country as permanent residents, our move to raise the number of applicants from 5,000 per year to 10,000 per year will help on that front. In terms of language requirements, should they want to become citizens, then, if they are in the age range of 55 to 64, the provisions in our bill will provide some help to that group.

**Mrs. Salma Zahid:** What is the profile of the 55 to 64 age group?

**Hon. John McCallum:** What do you mean by "the profile"?

**Mrs. Salma Zahid:** Do we have any statistics about the people who apply? How many are in that age range of 55 to 64?

**Hon. John McCallum:** Do you mean, to become citizens?

**Mrs. Salma Zahid:** Yes.

**Hon. John McCallum:** Of those who apply to become citizens, 8% are in the age range of 55 to 64.

**Mrs. Salma Zahid:** What about the youth in the age range of 14 to 18?

**Hon. John McCallum:** It's also 8%.

That's just a coincidence, I guess. The younger group, 14 to 18, is 8%. The older group, 55 to 64 is also 8%.

**Mrs. Salma Zahid:** Do we have any figures in terms of how many additional people will be eligible to apply for Canadian citizenship by reducing by one year the time a permanent resident must be physically present before qualifying for citizenship?

**Hon. John McCallum:** Certainly more would be eligible. I don't have a number. We could try to get back to you on that. We don't have a precise number, but obviously if you reduce the number of years you have to be in the country before you can apply, then there will be some people who will become eligible earlier than before. We don't know that number, but we could get back to you with it.

**Mrs. Salma Zahid:** Thank you, Minister.

**The Chair:** Thank you.

Mr. Tilson, you have five minutes.

**Mr. David Tilson (Dufferin—Caledon, CPC):** Thank you, Mr. Chairman.

I have a couple of questions that continue on from the questions that Ms. Rempel asked of the minister, but these questions I would like to direct to Ms. Tapley or one of the other members of the department. The first one is this. Has the department done an economic analysis of the impact on the labour market of the narrowing of the age range required for language proficiency?

**Ms. Catrina Tapley:** Mr. Chair, to continue on with the previous questions, a full economic analysis of changes on language is not something the department has undertaken, but we have looked at other issues around language.

One of the things that we look at, of course, is where our comparator countries are on requirements for the citizenship test that they provide. If we look to the United States, applicants 18 and older must provide a language proficiency test or take a language proficiency test, which determines the applicant's ability to read, write, speak, and understand English; however, they're exempt from that if they're over the age of 50 and have spent 20 years in the U.S. or over the age of 55 and have spent 15 years in the U.S. In Australia, the age range is 18 to 59.

• (1150)

**Mr. David Tilson:** Mr. Chairman, I guess the answer is no. It gives me some concern, because really, this is all about making sure that these new people will have jobs. If they don't fit into the labour market, there is a problem.

For my second question, Ms. Tapley, what is the general participation rate of the permanent residents in the labour force?

**Ms. Catrina Tapley:** I'm doing this off the top of my head, Mr. Chair, but I think the general participation rate of permanent residents in the labour force is close to 80%, somewhere between 75% and 80%.

**Mr. David Tilson:** Do you have statistics by age range, including those for teens and for those over 55? The minister gave some answer to that, but perhaps you could elaborate whether you have statistics by age range.

**Ms. Catrina Tapley:** Of the composition of permanent residents in the labour force by age range? I don't have them with me, Mr. Chair. I'm sorry.

**The Chair:** Would you be able to provide that to the committee?

**Ms. Catrina Tapley:** I'd be happy to provide that to the committee, Mr. Chair.

**The Chair:** Thank you.

**Mr. David Tilson:** Mr. Minister, do you not agree that the language proficiency requirements for minors would also be of benefit to teenagers in their education? In other words, if they're going to go to school, they have to be able to understand what's going on in school, either in French or in English.

**Hon. John McCallum:** I think my concerns about 16-year-olds are limited. I'm sure that a 16-year-old new Canadian will have ample opportunity to learn English or French, and will do so. We have seen this throughout our country for many years, if not forever.

**Mr. David Tilson:** How are you going to do that?

**Hon. John McCallum:** I think it's in the economic interest of the person to do that. I think they learn it in school. I think they learn it through their friends. There's myriad reasons why the average 16-year-old will find it advantageous to learn English or French.

**Mr. David Tilson:** What I'm interested in, Minister, is the age being increased from 14 to 16, and young children come to this country and they can't speak English, yet they're going to be going to school. You're raising it to 16, so I'm interested in what programs you will have for those under 16 to learn English or French.

**The Chair:** You have 20 seconds.

**Hon. John McCallum:** I'll use my 20 seconds just to correct the number: it's 18, not 16.

**Mr. David Tilson:** I apologize, it is 18. That's even a better example. Maybe you could—

**Hon. John McCallum:** I'm out of time.

**Mr. David Tilson:** Mr. Minister, shame on you.

Thank you.

**The Chair:** Mr. Tabbara, you have five minutes.

**Mr. Marwan Tabbara (Kitchener South—Hespeler, Lib.):** Thank you, Mr. Chair, and thank you, Minister, for being here.

Minister, you appeared in the committee on February 23, and I congratulated you for restoring the interim federal health program for refugees. I just want to thank you once again for restoring that.

Then I asked you when you would reintroduce the legislation to repeal Bill C-24, and you responded, "In the coming days, and not very many". Then two days later, you introduced Bill C-6, so again I want to congratulate you for that.

**Hon. John McCallum:** Thank you very much. It was my pleasure.

**Mr. Marwan Tabbara:** I have a couple of concerns.



There are a number of things about the act that we might want to look into. Some are within the scope of this legislation and some are better not in it and could be subject to amendments. The concern I want to raise is whether your department talked about second-generation Canadians born abroad and how maybe they can have a pathway to citizenship.

**Hon. John McCallum:** There is nothing in this bill that talks about that. There is reference to lost Canadians. Perhaps you could elaborate on your point.

• (1155)

**Mr. Marwan Tabbara:** I think it was under Bill...maybe I have the wrong one. I'll just go on to my second question, then.

My second question is that there is a constituent who came.... Again this will be out of the scope here I think.

My third question.... Here, I'll ask this one. I got an email from an engineer in my riding who became a permanent resident in 2013, and then went back to the U.K. for a few months to finish his university degree, and moved to Canada permanently in 2014. He is so eager to apply for citizenship as soon as possible after Bill C-6 becomes law. As mentioned earlier, my office has received a number of emails.

Minister, can you have an estimate of the length of time that it might take to bring Bill C-6, to introduce the implementation once it's enacted?

**Hon. John McCallum:** We obviously would like to get Bill C-6 through as quickly as possible, subject to the will of Parliament. The first step involves your committee and you will have witnesses. I don't know exactly when you will get it back to the House of Commons, but I'm hoping that won't take too long. Then it goes to the Senate and the Senate is a little bit more difficult to predict, given that we don't have a majority in the Senate but we do in the House. We will then have to speak to senators and hope that they will pass the bill, and that's the next stage. Then after that, it will receive royal assent and different aspects of the bill will be implemented at different speeds.

I think in terms of the issue of time spent in the country, there will be some delay in implementing the bill in order to prevent the buildup in backlogs resulting from this change.

Is that correct? Yes.

**Mr. Marwan Tabbara:** I have another question, and I think it's in the scope. I think it relates to this bill and just correct me if I'm wrong.

I had another constituent come in. He's an individual who works overseas and his family is all Canadian here. His wife and his children are Canadian. He's travelling quite often overseas and he's unable to stay within Canada for the time frame to become a citizen. Is there any way that we can look at individuals maybe so that if they're working for a Canadian organization or an academic institution they can still have a pathway to citizenship?

**Hon. John McCallum:** We do require physical presence in Canada. We've reduced that requirement in terms of the number of years, but we are concerned that people who become citizens be true citizens and not citizens of convenience. We have retained that, although I know in some cases it does cause hardship. This is

something that we have retained, while at the same time shortening the number of years.

**The Chair:** Thank you, Minister.

Mr. Saroya, you have five minutes, please.

**Mr. Bob Saroya (Markham—Unionville, CPC):** Thank you, Mr. Chair.

Thank you, Minister and the panel.

Mr. Minister, the question from David was about the teen who lives in the country; he's 18 years old, or 17 years old, or 16 years old. Before he applies for citizenship, obviously he's lived here three-plus years, or four years. What do you think of the person who does go to school and doesn't have the knowledge of either one of the languages? Something is wrong with this situation.

**Hon. John McCallum:** Look, I'm not concerned about the 16-year-old. I think most 16-year-olds can speak English or French. I think if they don't, they will learn it at school. They will learn it from their friends. They will take lessons sometimes provided by the government for language.

I think the number of 16-year-olds who don't learn to speak good English or French is limited. The case at the older end of the age spectrum may be more serious. It would be very unusual for a young person not to learn English or French, I would say.

**Mr. Bob Saroya:** Why would we change, if this is the case?

• (1200)

**Hon. John McCallum:** I think we often have rules applied to the age of majority. We thought it was just fine the way it had been, so we were changing it back to the way it was. The cut-off age of 18 is often the case, because that's the age at which a person is judged to be an adult.

I don't think it is terribly important one way or the other, because I do believe that if you're a 16-year-old or a 15-year-old, one thing you're going to do is learn English or French, if you don't know it already.

**Mr. Bob Saroya:** My next question, Mr. Minister, is in regard to the revoking of citizenship.

Through Bill C-24, convicted terrorist Zakaria Amara lost his Canadian citizenship. Is that correct, Bill C-24?

**Hon. John McCallum:** What's the question?

**Mr. Bob Saroya:** Through Bill C-24, convicted terrorist Zakaria Amara lost his Canadian citizenship. Is that correct?

**Hon. John McCallum:** Through the previous bill.

**Mr. Bob Saroya:** Yes.

**Hon. John McCallum:** Yes.

**Mr. Bob Saroya:** And through Bill C-6, Zakaria Amara stands to regain his Canadian citizenship. Is that also correct?

**Hon. John McCallum:** Yes.

**Mr. Bob Saroya:** Is he going to apply for citizenship?

**Hon. John McCallum:** He is not required to.

**Mr. Bob Saroya:** So he automatically gets citizenship sitting in the jail?

**Hon. John McCallum:** He automatically has his citizenship reinstated. This is for purposes of consistency. If we don't think it's right for his citizenship to be revoked for those reasons, that principle should be applied generally.

**Mr. Bob Saroya:** Mr. Minister, as you said, a Canadian is a Canadian is a Canadian. The same thing should apply that a terrorist is a terrorist is a terrorist. Even his own people don't want to let that kind of person into their own backyard.

Next, another one of the convicted Toronto 18 terrorists, Gaya, who pleaded guilty to terrorist charges in relation to the Toronto 18 terror plot and was serving a 12-year sentence, was guaranteed day parole in January of this year. Although subject to certain conditions, he is now able to walk freely on Canadian streets. In contrast, the previous Conservative government was taking the legal steps necessary to strip him of his Canadian citizenship.

How is allowing a convicted terrorist to walk freely on Canadian streets not a security threat?

**Hon. John McCallum:** I have confidence in our legal authorities and their ability to monitor people who may be security threats.

**Mr. Bob Saroya:** Given the fact that this government believes in consulting the public on all these things, on all these changes, and this is a huge change, did we consult the public on this issue?

**Hon. John McCallum:** We consulted a very broad public, which is called the population of Canada, in the last election. They voted for us.

**The Chair:** Thank you.

Ms. Kwan, you have three minutes.

**Ms. Jenny Kwan:** Thank you very much.

The minister—

**The Chair:** Sorry, that's my mistake. It's Mr. Ehsassi for five minutes.

**Mr. Ali Ehsassi (Willowdale, Lib.):** Thank you.

Minister, I want to join my other colleagues on this committee to once again thank you for taking time out of your busy schedule to be here with your officials.

**Hon. John McCallum:** Even though I was late.... My apologies, again.

**Mr. Ali Ehsassi:** Also, I want to thank you for the energy you've brought to the task and for the important and timely changes you are making to the Citizenship Act. This was a very lively issue in my riding of Willowdale, so it's very nice to see that some of the excesses of Bill C-24 have been addressed in Bill C-6.

Now if I could, I will focus my question on the credit that is being provided to those who are temporary residents in this country and who intend to apply for citizenship. I find that to be a very useful change, and I have every confidence that it will have a discernible impact on attracting some of the best and brightest from around the world to apply for Canadian citizenship. One could think of international students, or of course, people who are experienced workers.

I had an opportunity to look at the changes being contemplated and to compare them to provisions that are also available in the American and Australian citizenship system. My colleague had a chance to ask you whether there was some consideration of providing more than 50% credit for that period.

My question is whether there was any consideration of having a cap that would not be for 365 days, but actually for a two-year period. Is that something that was contemplated?

• (1205)

**Hon. John McCallum:** You only have to have three years for citizenship, so that would be two out of three. Again, these things are all debatable, but we thought that where we went was sufficient.

You mentioned international students, and I might add that we've moved to reinstate the 50% credit for citizenship, but more important is access to permanent residence. Here's an example of something that's not in my mandate and not in my platform, but I still wanted to do it, which is to increase the points under express entry for international students to give them greater access to permanent residence.

My aim is to help international students, not just through reinstatement of the 50% credit for citizenship but also by improving their access to permanent residence through the express entry system. I don't think there's any more positive group of people for what good Canadians they will become than international students. They're educated. They know French or English, and they know something about the country. This is a double-courting of them, if you will; one way is through Bill C-6 to reinstate the 50% credit, and also through something that hasn't happened yet but hopefully will soon to make it easier for them to become permanent residents.

**Mr. Ali Ehsassi:** Thank you.

The second question I have is on how the physical presence period would be determined for refugee claims. I'm not clear on that particular issue.

**Hon. John McCallum:** I believe it would be the same way.

Is that correct, or is there a difference?

**Ms. Catrina Tapley:** Mr. Chair, if I may, with respect to counting time before you're a permanent resident for asylum claimants who are within Canada, once there's been a positive determination, then it would be possible to count that time here as a protected person up to and including a permanent resident. That time could apply for citizenship. However, the time that they're here until they have a positive determination on that status would not count.

**Mr. Ali Ehsassi:** Thank you.

That concludes my questions.

**The Chair:** Thank you.

Ms. Kwan, you have three minutes.

**Ms. Jenny Kwan:** Thank you very much, Mr. Chair.

The minister mentioned a two-tier citizenship, and a citizen is a citizen is a citizen.

Now the issue of lost Canadians I think has been brought to the minister's attention, and there are great concerns around this issue. Essentially the current legislation denies Canadians born abroad from the ability to pass on citizenship to their children, even in the event that there is significant contribution to Canada and to Canadians.

I wonder whether the minister would be willing to entertain amendments to this effect, if not to Bill C-6, then in a separate amendment. My former colleague, Olivia Chow, had tabled a private member's bill in this regard. Would the government be interested in entertaining such a move?

**Hon. John McCallum:** Before I answer that question, I think it might be good for Ms. Hubers to explain the context and a bit of detail.

**Ms. Mary-Ann Hubers:** There's nothing in Bill C-6 that talks about the first-generation limit, but there is in the law a first-generation limit that applies to children born abroad to a Canadian citizen. There were a number of reforms done that gave citizenship back to lost Canadians. The first one was in Bill C-37 in 2009. Then there were additional changes in Bill C-24 that gave citizenship back or gave it for the first time to a number of other lost Canadians. There were a number of individuals who were fixed by those provisions.

For those who are impacted now in terms of being themselves first generation born abroad, and they have a child abroad who's therefore not eligible for citizenship by descent, there are some avenues available to them. For example, they can sponsor that child for a permanent residence to Canada. If the child is stateless because they don't have access to any other citizenship, there's a grant in the Citizenship Act for stateless children of Canadians.

●(1210)

**Ms. Jenny Kwan:** I guess I won't spend time talking about that. I was looking to see what the minister's point of view was with respect to that because for a number of Canadians that is still deficient, and there's a number of people who are still caught in this "lost Canadians" category. I only have 30 seconds so I'm going to move on to another issue.

I want to touch very quickly on the language issue. The LINC program has been cut in terms of the funding. VCC, in my riding, particularly has faced an 8.5% cut. We've talked about languages and the importance of that. Will the minister reinstate the funding cuts for LINC programs across the country?

**Hon. John McCallum:** There's very little in terms of welcoming newcomers that is more important than language. I don't know what percentage of our settlement funding....

**Ms. Catrina Tapley:** It's one-third.

**Hon. John McCallum:** One-third goes to language. As a consequence of the refugee initiative, the total funding for language training has gone up not down. It's possible it's gone down in your riding, I don't deny that. It varies somewhat across the country but, overall, language funding nationally has gone up. We want to continue to make that language funding very high because we understand the importance of language.

**The Chair:** Thank you.

Minister, under previous Liberal governments residents without legal temporary residency were allowed to include the time spent in Canada prior to obtaining permanent residence toward their residency requirement. This would include refugee claimants, persons whose sponsorship application had been approved, and those whose applications for permanent residence on humanitarian considerations had been approved.

I'm concerned that Bill C-6, as worded in proposed paragraph (5) (1.001)(a), does not consider this time as residency. I assume that you would be amenable to a friendly amendment that would clarify this issue in cases of refugee claimants, sponsorship, and humanitarian and compassionate cases.

**Hon. John McCallum:** I would perhaps consider that, but first of all I would want to have a clear understanding of it. This is a fairly technical issue, and I would ask Ms. Hubers to comment.

**Ms. Mary-Ann Hubers:** You're right. The act as it was before did allow for anyone who was in Canada prior to becoming a permanent resident to count that time. It didn't stipulate whether it had to be lawful residence or not.

The change here does reinstate the ability to have non-permanent residence time, but it does stipulate that it's time as a temporary resident or as a protected person.

As was explained earlier, an individual who is an asylum claimant and is then successful becomes a protected person, and they can then count that time towards their citizenship credit once they become a permanent resident and apply for citizenship. They still do benefit.

**Hon. John McCallum:** I guess my answer to your question is that I'd be willing to think about it more. My first reaction is as a matter of principle, I don't think we want to give credit for time if the person is here illegally. I don't think we want to give credit for illegal time. I see at least some members nodding their heads on that issue.

I'm not sure that the bill currently does more than just rule out credit for time spent if you're here illegally. Is that right?

**Ms. Mary-Ann Hubers:** Yes. Anyone who's here as a temporary resident, whether as a visitor, worker, student, could count that time. Likewise, for someone who's here as a protected person, once they get that status, they can count that time as well.

**The Chair:** Thank you.

I have a final question. Minister, the previous Conservative government gave your predecessor the unfettered discretion to grant citizenship. Bill C-6 does not reinstate the necessity of the Governor in Council's approval for ministerial granting of citizenship. Bill C-6, as written, doesn't provide the scope to make such an amendment.

Under what circumstances, other than the humanitarian or compassionate discretion you already have, would you override or short-circuit the arms-length citizenship process, with its prerequisite qualifications and checks? Fundamentally, do you believe that a politician in the executive branch of government should have the unchecked power of granting citizenship?

• (1215)

**Hon. John McCallum:** First of all, I have, with great enthusiasm, limited my power to take away citizenship, because one of the essential thrusts of the bill is that the Minister of Immigration will no longer have the power to revoke citizenship for people convicted of certain crimes. As for the ability to award citizenship—

**Ms. Mary-Ann Hubers:** There are the two criteria under which the minister can grant citizenship to an individual. One is for exceptional service to Canada. The other is to alleviate cases of special and unusual hardship.

**The Chair:** Previously, it required Governor-in-Council approval. That's no longer the case. Is there a thought that perhaps we should move back to the previous system, which at least provided some sort of check?

**Hon. John McCallum:** I'm not in pursuit of unfettered powers. I was not aware of that. I think that there could be a case for that, but the main thing that this bill does is remove the power of the minister to revoke citizenship in the case of people convicted of certain crimes. On that issue, I'm very content. That was the intent from the beginning.

On the other issue, in terms of limitations on the minister's power to name citizens, I'll certainly look into that.

I think that the main issue here was to limit my ability to revoke citizenship and that is clearly accomplished in this bill.

**The Chair:** Thank you, Minister. Thank you for appearing before our committee.

We'll suspend while the minister departs, and the meeting will pick up where we left off in approximately two to three minutes.

Thank you.

• (1215)

\_\_\_\_\_ (Pause) \_\_\_\_\_

• (1225)

**The Chair:** The meeting will resume.

Mr. Sarai, you have seven minutes.

**Mr. Randeep Sarai (Surrey Centre, Lib.):** Many of my constituents have concerns about terrorists and those participating in or previously convicted of terrorism coming into Canada or getting citizenship.

I'd like to confirm that we can still revoke the citizenship of someone who lies in the process of getting citizenship, i.e., a terrorist who would have his or her citizenship revoked if he had lied or had hidden connections to illegal groups. Is that correct?

**Ms. Catrina Tapley:** That's correct, Mr. Chair.

**Mr. Randeep Sarai:** So those involved in terrorism who lied during their application will have their citizenship revoked. That ability still remains.

**Ms. Catrina Tapley:** Bill C-6 doesn't change any of the provisions related to revocation for reasons of fraud or for those who lied on initial applications. Nothing in this bill would change that.

**Mr. Randeep Sarai:** That's good.

My next question goes to the test for citizenship. Will the changes to the test for citizenship be more reflective of the key component of the test being the Charter of Rights? I just want to make sure. Is that one of the ideas of the new book or the new test? Will the Charter of Rights be a key component?

**Ms. Catrina Tapley:** Mr. Chair, the test for citizenship is based on a series of prescribed factors, which are on regulations including knowledge of certainly the Charter of Rights, but also Canadian history, Canadian society, and the rights and responsibilities of citizenship. I think what the minister has indicated is that he's looking at updating "Discover Canada", which is the guide to citizenship, and making sure that it's current and reflective of those factors.

**Mr. Randeep Sarai:** Here's my concern. Obviously we all value our rights when they reflect our own rights or rights that we subscribe to, but it would be very important, and I think very significant, where new citizens are shown and taught, to show that protecting, cherishing, and allowing others to have those rights is very important even if those practices are not compliant with your own values or faith.

I would emphasize that the department look at that and consider that in the new test results. That is a key component. Not only is having the right to practice your own faith and have your own rights important, but it's also very important to cherish others' rights to practice, even if they are different or not in concurrence with your own. I'm just hoping that you will look into that when creating your new book.

**Ms. Catrina Tapley:** Mr. Chair, we think this is a very important point, and many of those elements are in "Discover Canada" now. The test, which has 20 questions, is based on the content in "Discover Canada", and that would certainly be something that we would look to retain.

**Mr. Randeep Sarai:** Next, has the minister considered reducing the time to getting citizenship to the actual three years? I'm a little confused, and perhaps I should have read the bill a bit better, but right now it's going to five, three of the five. Can the person, once they've done their three years and have continuously stayed here for three years, go right away and immediately apply, or do they have to wait for the five-year process?

**Ms. Catrina Tapley:** They can apply as soon as they've met that three-year requirement.

**Mr. Randeep Sarai:** My next question, which I know has been asked before, is on the actual demographics of those who are aged 55 to 64 and the 8% who usually apply. How many more would be eligible for citizenship? Have we been able to study that to see how many would have perhaps failed the test or who hesitated at taking the test because of language proficiency, particularly between the ages of 55 and 64 and the younger ages of 14 to 18?

How many more permanent residents would be eligible for citizenship with this change?

**Ms. Catrina Tapley:** Mr. Chair, we monitor our pass rates on the citizenship test pretty closely, so I can say that there's an 87% pass rate on the citizenship test of people taking it for the first time. As the minister indicated, individuals can take the test a second time if they're not successful the first time. When that happens, we bring the pass rate over to over 90%.

Indeed, there is a third safeguard in the system, in that you can have a hearing to ascertain knowledge if you're not successful on either the first or the second try.

• (1230)

**Mr. Randeep Sarai:** My question is more of a survey, because I have some constituents who won't take the test out of fear that they will not be able to pass, whether it's the language proficiency or the knowledge-based test. They've been asking when the changes are coming in.

I wanted to know if the department has undertaken any survey or poll to see the actual amount of people who would apply in addition to what they would expect otherwise. So somebody, if they already on their own think they will not pass a level 4 English requirement, may not even go do the test. Therefore, you won't know their pass or failure rate.

How many more people do you believe would apply for citizenship with this new measure? Is there any poll or study conducted by the department?

**Ms. Catrina Tapley:** It's pretty difficult to isolate certain factors. I appreciate the question, but I can say in general we have a very high naturalization rate. It's about 85%. So of those 15% who don't seek citizenship over a fairly long period of time, there are a number of reasons for that. Some of that has to do with dual citizens or the host country, people's own desires. There are a lot of factors.

But in terms of being able to analyze those who are afraid to take the test, I'm afraid I don't have much on that.

**Mr. Randeep Sarai:** The last one is just for students. Is there a possibility that students who are here can get more of a credit than 50%? When a student is here they're probably the most integrated of residents at the time. They're participating in school, they're learning a language, learning the culture from the grassroots, and they're staying in premises.

Is there an ability or a thought to increasing that time for students, particularly, to greater than 50%, more towards 75% or 100%?

**Ms. Catrina Tapley:** I think what the minister had said when he was here was that he felt that this struck an appropriate balance and given the requirements in terms of physical presence in Canada had changed to three to five years, he felt having 50% to accumulate to a maximum of a year was a very good balance with respect to the old system.

**The Chair:** Thank you, Ms. Tapley.

Mr. Tilson, you have seven minutes.

**Mr. David Tilson:** Yes, Mr. Chairman, I'll be sharing my time with Ms. Rempel.

I have some questions on sections 11 and 12 of the bill, which have to do with the seizure of documents. My first question is what sorts of documents are envisioned with respect to the seizure of these documents?

**Ms. Mary-Ann Hubers:** This could be passports, for example. Every applicant is interviewed when they come in to take the test and at that point we look at their passports to verify their absences from Canada against their declared absences to see if they've been physically present. If there's some evidence that there may have been some tampering with those passports, this would give the authority to a citizenship officer to seize that document.

**Mr. David Tilson:** How much discretion will be given to the officials in relation to this new power?

**Ms. Mary-Ann Hubers:** There is an authority to create regulations in the bill, so there would be regulations that would describe the prescribed factors that would cause the document to—

**Mr. David Tilson:** Is there any hint as to what the regulations are going to be? You're going to be writing them.

**Ms. Mary-Ann Hubers:** The bill hasn't passed yet.

**Mr. David Tilson:** All right, that's a good answer.

What recourse will there be to the individual if his or her documents are seized?

**Ms. Mary-Ann Hubers:** Again, those would be details that would be worked out in the regulations.

**Mr. David Tilson:** What would trigger a seizure?

**Ms. Mary-Ann Hubers:** There have to be reasonable grounds to believe that the document is fraudulent.

**Mr. David Tilson:** Will all this be in the regulations?

**Ms. Mary-Ann Hubers:** In the act it says that there have to be reasonable grounds to believe that the document is fraudulent and then the regulations would prescribe the factors that could go into that, and then dealing with the detained document.

**Ms. Catrina Tapley:** If I may, just on that question, these are very similar to powers that are in the Immigration and Refugee Protection Act. They already exist in that act, so we would look to those regulations to inform what we'll be doing on these regulations as well.

• (1235)

**Hon. Michelle Rempel:** Mr. Tilson stole a majority of my questions and your remark was satisfactory, so....

My question relates to processes to support the changes in this bill. This bill will create changes to some of the processes by which newcomers to Canada can obtain citizenship. Oftentimes, across party lines, one of the things that happens in our offices is that we get constituents coming in and asking questions about their applications. Most of the time they are pretty straightforward inquiries, and we'll tell them that they are within the normal processing times, etc.

But every once in a while there's a situation where we'll have a constituent come in who can verify and say that they know that the visa officer didn't review a piece of information or that they have a complicated case with an overseas embassy. What will happen in that situation is that we will call the dedicated 1-844 number for members of Parliament. The response that we'll get is that we need to talk to another contact in Ottawa, which usually means somebody in the minister's office.

My understanding is that there's a department called the ministerial inquiries division. I know this for a fact. As MPs, we also have access to a non-partisan service for MPs to phone in and ask for clarification on these types of cases. There's been some confusion as to whether MPs will have access to the ministerial inquiries division. My understanding is that there will only be one number to call now.

Will staff from the ministerial inquiries division be available through this new number so that, in effect, we're not losing direct access to the ministerial inquiries division?

**Ms. Catrina Tapley:** I'm sorry, I don't know. I'd be happy to get back to you on that point but I don't have that information.

**Hon. Michelle Rempel:** I would love to have that information presented to committee because there's been a lot of lack of clarity from your department on this. I think this is an issue that's going to come up in all of our caucus meetings. Certainly, as a best practice, I and I think everyone around this table firmly believes that we should let visa officers do their jobs and that MPs shouldn't be interfering in that sort of thing. But when we do have to make legitimate inquiries, we shouldn't be adding an extra layer of red tape.

What's been expressed to us right now is that all of our inquiries will be going through this one particular line, and it sounds like they would be calling and asking the ministerial inquiries division on our behalf rather than having staff there available. This will gum up the system. We don't have a lot of resources in our office to do these sorts of things. My advice to you would be to really consider the impact on that to members of Parliament's being able to service their constituents. It sounds a little short-sighted if that's the case. I think everyone around this table would like to have some clarity on that as well.

**Ms. Catrina Tapley:** Mr. Chair, we're happy to come back to the committee on that.

**The Chair:** Thank you.

**Hon. Michelle Rempel:** Do I still have some time?

**The Chair:** Yes, you do.

**Hon. Michelle Rempel:** Excellent.

I just want to go back to the language training component.

**Mr. David Tilson:** Excuse me.

I'm sorry, Ms. Rempel, but this issue is so important. I think we should ask the staff when they've been briefed on this to come back before our deliberations on this bill ends. It does affect the bill and it affects the whole immigration process.

I would ask that you don't dismiss these witnesses and that you ask them to come back and brief us further on this issue.

**The Chair:** That was not part of what was decided by the subcommittee, but if you'd like to make a motion, go ahead.

**Mr. David Tilson:** I won't do it now.

**The Chair:** Thank you.

Ms. Rempel, sorry about the interruption—

**Hon. Michelle Rempel:** Yes, Mr. Tilson.

**The Chair:** —but since it was your colleague, we allowed him the leeway.

**Hon. Michelle Rempel:** With the remainder of my time, and I would hope in a very non-partisan spirit, and to my colleagues who may be new, I'm just starting the process of dealing with case work. I want to re-emphasize how important it is for us to have access. What happens is, when we phone this 1-844 number, oftentimes the response that we'll get is that they can't help us because the central processing unit would essentially allow them to overturn somebody's decision. That's not what we want. Every once in a while there's a new piece of evidence. A constituent has come in, and there have legitimately been times when evidence has been lost in the mail and we need to have a reconsideration on a ruling, and they're not in a position to be able to do that.

For instance, I can give an example of something where we would intervene. I had a constituent whose husband was the sponsor on her citizenship application and her daughter's. They were about to take the oath and he committed suicide. The ruling was that they could not be granted citizenship. That's where we worked through that department to overcome that issue because the visa officer couldn't overturn the ruling.

These are the sorts of cases that we are involved in. From the bottom of my heart, and to my colleagues across the aisle, I strongly recommend against removing our access into that division. It's going to make your life a lot more difficult and it's going to gum up the system for your officers as well as for us. If anything, I would recommend better training for new MPs on how to use those services and in what situation.

● (1240)

**The Chair:** Thank you, Ms. Rempel.

**Hon. Michelle Rempel:** That would be helpful.

**Mr. David Tilson:** Mr. Chairman, I would move that the staff of the department be invited to return before the end of the deliberations of Bill C-6 to further brief the committee on the topic that's just been raised by Ms. Rempel. If it requires further time on the bill, that would be added to the time.

**The Chair:** Ms. Zahid.

**Mrs. Salma Zahid:** This was not in our schedule. I think maybe we can discuss it within the subcommittee.

**Mr. David Tilson:** Mr. Chairman, I've made a motion. I expect we're going to have a vote on it, or a debate.

**The Chair:** I believe we are into debate.

Ms. Zahid.

**Mrs. Salma Zahid:** This was not in our schedule. I think we have to finish with the officials here, and maybe this can be taken to the subcommittee.

**Mr. David Tilson:** Are you suggesting the department come back to a subcommittee? No, the department would come back to this committee. This is a most important issue. I don't know whether you've had calls, Ms. Zahid, to your office—

**Mrs. Salma Zahid:** The officials will provide the response on that.

**The Chair:** Through the chair, please.

**Mrs. Salma Zahid:** They will provide a written submission on that.

**Hon. Michelle Rempel:** I think this is pretty simple. It's not partisan.

**The Chair:** Ms. Kwan. You are next on the list.

**Ms. Jenny Kwan:** Thank you very much, Mr. Chair.

I would support this motion, and I think we can dispense with it fairly quickly. I think it is important for us to get clarity on what the changes are. We have heard news about this and have been hearing about rumours around this change. I have written an open letter to the minister making inquiries around that to see what the changes are. If there are changes, constituency offices are anxious, and rightfully so, to see what it means in terms of them being able to help their constituents address cases.

In that regard it would be useful as well to get information with respect to the changes around embassy offices, because those changes include the constituency office not being able to contact the local embassy offices for information about cases.

I would welcome this opportunity, but I don't want to get into a full debate about this at this juncture. Hopefully we can vote on this, and then I can get on with my other questions to the officials related to Bill C-6.

**The Chair:** Ms. Rempel.

**Hon. Michelle Rempel:** Briefly, Mr. Chair, to my colleagues across the aisle, this is not meant to be partisan. We're simply asking for a briefing on clarity. Your staff are shaking their heads at me, which I find extremely unprofessional. This is simply to get a briefing on how this process will work. I would assume this would come up in your caucus meeting, as well. We've had different messages from the minister's office and from the department on what's happening, and we would like some clarity on this process. If you overturn this, I ask, what there is to hide? This is simply a briefing on the process change, and that's all.

**The Chair:** Ms. Zahid.

**Mrs. Salma Zahid:** I would add there was an email that was sent out on April 5 to all the members, and it says:

Access to IRCC continues uninterrupted; Members of Parliament have direct access to the dedicated line to the department of Immigration, Refugees and Citizenship Canada. All MP case enquiries are handled directly by the dedicated division, which is separate from the general public line. By the end of the year we will implement an enquiry system under one central number to manage all enquiries related to IRCC, which will remain solely available to Members of Parliament. This system will further ensure that Members of Parliament receive the most expedient and informative service possible to assist them in helping their constituents and managing their cases.

This came on April 5.

**The Chair:** Thank you for that information.

Mr. Ehsassi.

**Mr. Ali Ehsassi:** I wanted to remind my colleagues here, and in particular Ms. Rempel, that the purpose of today's hearing in having the officials here was to discuss Bill C-6. Further to that the officials have kindly agreed and undertaken to provide us with the information that you have requested. I don't quite understand why you think it would be necessary for these officials to once again appear before this committee.

•(1245)

**The Chair:** Thank you.

Ms. Rempel.

**Hon. Michelle Rempel:** On that point, the email that Ms. Zahid read out talks about the centralization of access for members of Parliament into one number. What's not clear from that is whether or not staff from the ministerial inquiries division have the authority to look at things like reconsiderations of rulings on citizenship decisions, as well as, for example, dealing with overseas embassies. These are scopes of responsibility that the staff that man the current central line at the central processing unit do not have.

What's not clear in that email is whether or not as members of Parliament we will still have access to the level of service and the scope of responsibility of the staff that the ministerial inquiries division provides.

The way I read that email and many of my colleagues did, your caucus included, it looks as if we would have to phone a number and have a staff member act as a middleman. That's not the best process in my opinion.

I would like more information on why this decision was made. That's simple. Also, as my comments to the officials were, my recommendation would be rather than going to a middleman that we have better training for new caucus members, so perhaps if the ministerial inquiries division is getting a bunch of requests that are out of scope or something like that, that some training is provided.

Your question about why this is happening now, the changes to Bill C-6 will impact your offices. You are going to have a lot of questions from constituents on how these new rulings might apply retroactively or if they apply to cases already in there. We're going to have a lot of requests.

I do think that again this is not a gotcha situation. Just to have the officials sit here, and whoever the officials may deem to find appropriate to do that, to answer questions, I think a lot of our colleagues across party lines would be very interested in that.

**The Chair:** Thank you.

Mr. Tilson.

**Mr. David Tilson:** Mr. Chairman, a response to a question that was asked from the government as to why we would want the officials to come back. The answer is because we will have questions. They may provide a written response, but we will have questions.

For example, my constituency offices have called embassies on specific questions from our constituents, and the embassies have told us to call this general number. This is something new. We've always had assistance from the embassies. We've never had the embassies... and to be fair to the embassies not all are saying that. Perhaps they haven't heard of this ruling yet, but some embassies are saying they will not speak to us. We will have to call this general number.

Members of Parliament are asked a lot to assist constituents on immigration and other issues. This just makes our job much more difficult and it certainly fits into questions that will arise as a result of Bill C-6.

The reason the motion has been made, we may, and I expect we will, have questions of the staff on whatever responses they're giving to this ruling.

**The Chair:** Mrs. Zahid.

**Mrs. Salma Zahid:** I think that's a matter of process. Right now we are discussing Bill C-6 and we should go ahead with it. That is a matter of discussing a process and the officials will provide a response to that. Maybe we should go to a vote on this motion.

**The Chair:** Mr. Ehsassi.

**Mr. Ali Ehsassi:** First of all, I wanted to re-emphasize what Mrs. Zahid said.

Secondly, I certainly sympathize fully that there are certain aspects of this that may very well be unclear for Ms. Rempel. However, I wanted to emphasize once again that the officials have kindly agreed to be responsive to the questions that you have put to them and to provide us with that further information.

That having been said, perhaps it would be a whole lot more proper if we awaited the response that the officials will provide us and then revisit this issue at that particular time.

**The Chair:** Ms. Rempel.

**Hon. Michelle Rempel:** I acknowledge my colleague's comments. However, my sense is that this decision has been made without any consultation across party lines.

Mr. Chair, given my colleague's government's commitment to greater consultation, I would say that the opportunity to ask officials how the process works will provide clarity for our colleagues. Again, the email that came out last week I think provided even less clarity and having them here prior to the end of reading this bill on how these changes will impact the significant changes that are being made to the Citizenship Act I think would be highly beneficial.

• (1250)

**The Chair:** Ms. Kwan.

**Ms. Jenny Kwan:** I guess we'll go to a vote on this and in anticipation of what the outcome might be and should the motion be defeated, I would suggest this: that perhaps, Mr. Chair, you on behalf of this committee can extend a request to the minister that a briefing be held by the officials for all MPs and their offices to engage in a discussion to see what changes are being proposed, so that we can all have this information and ask the questions accordingly. This will not necessarily come out of the time of the committee. I understand there are concerns with respect to that.

**The Chair:** Thank you.

I'd like to call the vote.

I'll just read through the motion to make sure that we have the wording correct, Mr. Tilson. It's that staff be invited to return before the end of consideration on Bill C-6 to provide a briefing on the process for accessing the ministerial inquiries division.

**An hon. member:** I'd like a recorded vote.

(Motion negatived: nays 5; yeas 4)

**The Chair:** Thank you. The motion is defeated.

Ms. Kwan, you have seven minutes.

**Ms. Jenny Kwan:** Thank you very much, Mr. Chair.

I would like to first ask the officials this question. How many people failed the language proficiency test and had to go to the second round and then to the third round before the citizenship court judge?

**Ms. Catrina Tapley:** There are two parts.

The process that I described was the process around the test for knowledge, not the language test itself. On that, 87% of people pass on the first try. When they take the knowledge test—the 20 questions that are there—they're required to pass 15 of those 20 questions, and 87% of the people do that. When you allow for a second chance to take the test, the pass rate moves to slightly above 90%. Then following that, they can have a hearing before the public service decision-maker. I'm not sure of what percentage pass after that.

**Ms. Mary-Ann Hubers:** It's a very low percentage. It's around 2% for language and knowledge—one or the other.

**Ms. Jenny Kwan:** That is to say, 2% of the population fail the test?

**Ms. Mary-Ann Hubers:** Two per cent of applicants are refused on language or knowledge.

**Ms. Jenny Kwan:** Thank you.

Can the officials advise what the time delay is for people to go through the different stages and to ultimately get in front of a citizenship court judge?

**Ms. Mary-Ann Hubers:** It depends on volumes, obviously.

We have a service standard in place for applications received on or after April 1, 2015, that 80% of those will be processed within 12 months. We are achieving that target.

The first step is that it goes to a case processing centre in Sydney. From there, it goes to the local office closest to the individual's home. At that point, the applicant is called to write their test, and they have an interview with them. If they fail the test, then they would go to a second test, and then finally to a hearing with a public servant.



**Ms. Jenny Kwan:** I understand the process, but I'm wondering about the time frame. If a person fails the test and they go to the second one, how long do they have to wait? Is it one month, two months, a year, to ultimately get to the court judge?

**Ms. Mary-Ann Hubers:** It's within a reasonable period of time. I think that between two and four weeks they're rescheduled for another test.

**Ms. Jenny Kwan:** So for each of the stages it's between two to four weeks.

**Ms. Mary-Ann Hubers:** I'm not sure exactly with regard to between the second test and the hearing.

**Ms. Jenny Kwan:** If we could get that information for verification at a later time, that would be great.

How long is the processing time for applicants who receive a residence questionnaire?

**Ms. Mary-Ann Hubers:** The service standard in place for applications received on or after April 1, 2015 is that about 80% of those are processed within 12 months.

If someone receives a residence questionnaire, it becomes a non-routine application that is not then subject to that service standard. It's impossible to say exactly how long that will take. Obviously we do our best to process those as quickly as possible.

Sometimes as a result of the residence questionnaire information, an officer is able to determine that they do meet the residence requirement and the case will proceed. However, there's still a belief that if the applicant doesn't meet the residence requirement after reviewing all of the information provided with the residence questionnaire, then the individual would need to go for a hearing with the citizenship judge.

•(1255)

**Ms. Jenny Kwan:** The waiting time used to be somewhere between 36 and 48 months, which is actually quite significant, so I'm curious to know if we can get an average time. Even if you don't have the information with you at the moment, it would be good to know what the general average wait time is for someone who receives a residence questionnaire and for that process to unfold.

**Ms. Mary-Ann Hubers:** I can say that 80% of the cases will be processed within a year. There are some older cases that have residence questionnaires attached to them that we're dealing with as quickly as possible. For any new cases we try to be more targeted in the information we request. Sometimes we ask for information about

a specific period of time, a specific employment, rather than issue a residence questionnaire. But sometimes it is necessary to do that and that does add some time onto the processing.

**Ms. Jenny Kwan:** I wanted to ask about the LINC program. As the officials know, the LINC program is a language support program for immigrants and refugees across all the sectors, both the NGO sector as well as colleges. One particular community college, which is actually the longest-serving community college in providing this kind of service in the country with about 40 years of experience and is also the largest college that provides the service, just prior to the budget, received documentation to confirm that their funding for the LINC program would be reduced by 8.5%. They already have close to 1,000 people on the waiting list trying to get into the language program.

As the minister has identified that language is essential for Canadians to succeed, and that language is essential for Canadians to actually become citizens, here we are with a huge wait list, with a large influx of refugees coming in, with immigrants already waiting to try to get into the LINC program, yet the funding is being cut. I wonder whether or not the officials can actually look into this to see how we can address this issue effectively, so that people can get the funding to provide the services that are so needed in our communities.

**Ms. Catrina Tapley:** Base funding for settlement services is about \$588 million outside Quebec, and that hasn't changed. It's allocated based on a formula of where immigrants settle. For this fiscal year, for 2016-17, we're fortunate in that we have additional funds to apply to settlement and those are being distributed. There is an additional approximately \$38 million related to Syria, which will help go a long way to alleviating some of what the member has spoken about. In addition to that, there were funds announced in budget 2016 for settlement with respect to increased levels overall and that too may be helpful in this situation.

**The Chair:** Thank you, Ms. Tapley.

I'd like to thank the department officials for appearing before the committee today.

The committee will now be dealing with committee business and we'll be moving in camera. We'll allow a few minutes for everyone to depart.

*[Proceedings continue in camera]*

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