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# Standing Committee on Citizenship and Immigration

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EVIDENCE

**Thursday, October 27, 2016**

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**Chair**

**Mr. Borys Wrzesnewskyj**



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• (1530)

[English]

**The Chair (Mr. Borys Wrzesnewskij (Etobicoke Centre, Lib.)):** I understand that before we begin today's hearing, Mr. Tilson would like to raise an issue.

**Mr. David Tilson (Dufferin—Caledon, CPC):** I would, Mr. Chairman. I'll try to be very brief because we want to hear these witnesses.

As you know, the finance minister is giving an economic update on Tuesday at 4 o'clock. Our meeting starts at 3:30. Many of us would probably want to hear that statement. I would.

I also understand from the clerk that some of the witnesses will be travelling from afar, and it would be costly to cancel or to put that meeting off to another time. I'm just raising the issue as to whether it would be appropriate to put the Tuesday meeting off to another date, because some of us might want to hear what the finance minister has to say.

**The Chair:** I put that to the committee.

How many witnesses are travelling? Four. There could be pretty substantive penalties with having to cancel those travel arrangements. I'd just like to make that point.

**Mr. David Tilson:** I appreciate that. It's also important to hear the plans the finance minister may have.

**The Chair:** Thank you.

Ms. Dzerowicz.

**Ms. Julie Dzerowicz (Davenport, Lib.):** Mr. Chair, I appreciate the comments that Mr. Tilson made. It is very important to hear our finance minister. In today's day and age, I'm assuming that they are videotaping it, and we could watch it afterwards, so my recommendation is that we don't postpone our next meeting.

Thanks very much.

**The Chair:** Thank you.

It seems that there isn't any consensus on this point, Mr. Tilson, so the meeting will proceed as scheduled.

**Mr. David Tilson:** Thank you, Mr. Chairman.

**The Chair:** I'd now like to turn to our witnesses.

Pursuant to Standing Order 108(2), and the motion adopted by the committee on February 25, the committee will resume its study on family reunification. We have a large panel before us this afternoon.

We have representatives from the Metro Toronto Chinese and Southeast Asian Legal Clinic, Ms. Avvy Go, the clinic director, and Mr. Vincent Wong, who is a staff lawyer assisting.

From the Canadian Bar Association, we have Mr. Vance Langford, the chair of the immigration law section. We also have Ms. Tamra Thomson, the director of legislation and law reform.

Once again, we have Ms. Chantal Desloges, a lawyer from the Desloges Law Group. Welcome back.

We'll begin with the Metro Toronto Chinese and Southeast Asian Legal Clinic. Ms. Go, the floor is yours. You have seven minutes.

**Ms. Avvy Go (Clinic Director, Metro Toronto Chinese and Southeast Asian Legal Clinic):** Thank you.

My name is Avvy Go. I'm the clinic director of the Metro Toronto Chinese and Southeast Asian Legal Clinic. With me is Vince Wong, who is the staff lawyer of our clinic.

Thank you very much for the opportunity for us to comment on the family class program.

We have submitted a written brief. I would encourage members to review that. I'll just start with my brief remarks.

Family reunification is one of the core objectives of Canada's immigration law. Historically, family class immigrants comprise a significant portion of the overall immigration population. Since the early 1990s, however, the percentage of family class immigrants has steadily been on the decline, so currently family class immigrants make up just less than 25% of all immigration to Canada.

Immigrants from Asia and other parts of the global south represent the largest percentage of both the sponsor population as well as the sponsored immigrants in the family class program. As a result, any negative changes to the program will disproportionately affect members of racialized groups.

Family class immigrants contribute significantly to the well-being of Canadian families and to the Canadian economy, yet sponsored parents and grandparents are often portrayed as burdens on our society, while sponsored spouses are viewed as fraudsters even though these myths have never been substantiated.

Studies have actually shown that the presence of family networks in Canada, including parents and grandparents, facilitate the settlement and integration process. Research also confirms the central critical role parents and grandparents play in supporting the healthy development of our youth. Families are particularly important in the maintenance of the well-being of racialized communities, members of people with disabilities communities, and women.

Citizenship and Immigration Canada studied the family class program and did an evaluation based on a number of years of the sponsored immigrants coming over. The result of that report shows that the family program actually acts as an incentive for economic immigration because about 48% of the sponsors of parents and grandparents and a high percentage of spousal sponsorship came to Canada as economic immigrants.

The report also confirms the economic benefits of sponsored immigrants to their families and to Canada in addition to fostering social cohesion. Yet despite all these positive benefits, there have been many negative changes to the family class program over the years, particularly for the sponsorship of parents and grandparents. We want this committee to look at ways to strengthen the family class program and to make it easier for Canadians to be reunited with their families.

Our report has a number of recommendations. I'll highlight a few.

First, the quota system imposed on parents and grandparents should be lifted. The Government of Canada should treat all family class members equally, and should provide adequate and equitable resources for the processing of all family class members.

Second, family reunification should not be a privilege reserved only for the rich, so we recommend that the ban on spousal sponsorship for sponsors who are in receipt of social assistance be repealed. We urge the Government of Canada to remove the minimum necessary income requirement for the sponsorship of parents and grandparents. Our brief talks about how historically there was no minimum income requirement for such a program until 1978.

Third, with respect to spousal sponsorship, we recommend anti-racism training for visa officers to combat any inherent bias in their decision-making process. We also recommend periodic systemic review of their decisions.

Finally, we want to acknowledge the extended family model that many Canadians embrace. Therefore, we urge the age of dependent children be increased back to 22 years of age, and that there be changes to allow the admission of assisted family members or assisted relatives through regulatory change.

I'm going to turn it over to Vince to close the submission.

● (1535)

**Mr. Vincent Wong (Staff Lawyer, Metro Toronto Chinese and Southeast Asian Legal Clinic):** Thank you, Avvy.

I'd like to focus my submission on three points.

The first is with respect to conditional permanent residency. As expected, and as we see at the clinic, the mandatory imposition of a two-year permanent residency condition that a sponsored person live

with their spouse has led to an increase in vulnerability, and an increase of situations where we see domestic violence and exploitation, as this condition is being used to further tip power imbalances between spouses. The government, in their mandate letter, has already committed to repealing this, so we want to say that we hope this repeal is done immediately and also is applied retroactively to those spouses who have already been affected by this condition.

The second point refers to the bona fides of spousal relationships, specifically, subsection 4(1) of the Immigration and Refugee Protection Act regulations. In 2010 there was a government amendment saying that spouses and their sponsors needed to prove both a genuine relationship, number one, and, number two, that a relationship was not entered into primarily for immigration purposes. Previously, spouses only needed to prove one or the other.

This has led to situations of absurdity, basically, where an immigration officer or the Immigration and Refugee Board has determined that a spousal relationship is genuine but still rejects it because the primary purpose, they determine, is for immigration purposes. This is a waste of time. This is a waste of taxpayer money to go through these appeals. It only serves to unjustly and unfairly separate families. We believe that this amendment, which is overly harsh and redundant, should be repealed.

The third is with respect to paragraph 117(9)(d) of the regulations.

● (1540)

**The Chair:** You have 20 seconds, Mr. Wong.

**Mr. Vincent Wong:** Thank you.

Basically, this excludes from the family sponsorship anybody who was not examined at the time somebody landed as a permanent resident. We believe this catches many legitimate situations and is also overly broad and harsh, particularly for our clients having to do with a one-child policy or a two-child policy, who are unjustly separated from their children for a lifetime for that reason.

Thank you.

**The Chair:** Thank you, Mr. Wong.

Mr. Langford, please, for seven minutes, or is it Ms. Thomson?

**Ms. Tamra Thomson (Director, Legislation and Law Reform, Canadian Bar Association):** Mr. Chair, I will start, and then Mr. Langford will continue.

Mr. Chair and honourable members, we're very pleased to be here today on behalf of the immigration law section of the Canadian Bar Association. The CBA is a national organization, and the members of the immigration law section, numbering over 1,100, practise in all aspects of immigration and citizenship law in all parts of Canada.

The primary objectives of the Canadian Bar Association include improvement of the law and improvement in the administration of justice. It's in that optic that the letter you have before you has been prepared, with the specifics of the changes that the immigration law section would like to see.

With that, I will hand it to Mr. Langford to deal with the substantive matters in our submission.

**Mr. Vance P. E. Langford (Chair, Immigration Law Section, Canadian Bar Association):** Thank you, Ms. Thomson.

Mr. Chair, honourable members, thank you for hearing us this afternoon, which we appreciate.

Ms. Thomson has mentioned our written submission addressing the seven issues identified for this study. This afternoon I'd like to address those issues, and in particular, our recommendations related to reducing obstacles to immigration for members of the family class, including spouses and partners, children, and parents and grandparents.

Our key recommendations are as follows: number one, reduce obstacles to entry to Canada for spouses and partners of Canadians. The Canadian Bar Association commends the Government of Canada on prioritizing the sponsorship of spouses and partners by increasing levels and reducing backlogs, under the 2016 immigration levels plan. Our members note general improvements in processing times in the past year, and we think that's excellent.

We also note the positive effect of spouses obtaining open work permits after about four months in Canada. We recommend that the current pilot project that expires in December be extended and made permanent.

We further recommend improving processes to achieve efficiency and consistency in decision-making, based on officer training, reasonable assessment criteria, particularly for common-law and conjugal partners, communication between officers and applicants, and detailed reasons in the event of a negative decision.

We recommend improving access to appeals, including for sponsorship applications submitted inside Canada, in reasonable time periods.

We recommend issuing open work permits for spouses and partners upon filing applications for permanent residence, or alternatively, on sponsorship approval, which is currently the practice.

We recommend deferring removal of spouses when an in-Canada sponsorship application is in process. The current policy of deferral for about 60 days in limited circumstances is inadequate, particularly when Immigration, Refugees and Citizenship Canada takes 12 to 24 months to process a spousal application.

We recommend eliminating conditional permanent residence for sponsored spouses and partners, including retroactively, as has been said by other witnesses before this committee, and instead, enforcing prohibitions against misrepresentation under the act.

Number two, reduce obstacles to sponsoring dependent children, adopted children, siblings, and other relatives. We recommend repealing paragraph 117(9)(d) of the immigration regulations, which can result in permanent separation from family members. This provision is overly broad, capturing many situations that occur due to innocent mistakes, such as confusion over terms such as "common law", or lack of knowledge of a living dependant.

The CBA section commends the Government of Canada on reversing the change in age of dependent children. Returning children under age 22 to the family class will avoid hardship for

children of immigrants who remain physically, emotionally, and financially dependent on their parents. We urge the government to make this change effective without further delay, with transitional provisions that include dependent children who would have otherwise been eligible since August 2014.

We recommend making children of successful refugee applicants eligible for inclusion as dependent children, notwithstanding their birth in a country that would otherwise make them ineligible, such as birth in the United States.

We recommend improving processing times for routine applications for sponsorship of adopted children.

With respect to parents and grandparents, our third key area, we wish to recommend that Canada retain and improve the parent and grandparent sponsorship program, taking into account the value of economic, social, and cultural contributions of parents and grandparents. This can be done by facilitating immigration by parents and grandparents based on a holistic view of Canadian families and communities, taking into account the benefits of intergenerational families, including child care and financial support.

We recommend eliminating backlogs and reducing processing times to provide certainty for Canadian families and access to the benefits provided by parents and grandparents.

Those are our key points. I thank you for hearing us this afternoon, and we would welcome any questions you have.

● (1545)

**The Chair:** Thank you, Mr. Langford.

Ms. Desloges, for seven minutes, please.

**Ms. Chantal Desloges (Lawyer, Desloges Law Group, As an Individual):** Good afternoon, Mr. Chair, and honourable committee members. I've met some of you before, but not all.

My name is Chantal Desloges. I'm an immigration and refugee lawyer based in Toronto. I've been working with immigrants and refugees for 22 years, 18 of those as a lawyer. I'm certified by the Law Society of Upper Canada in both immigration and refugee law as a specialist.

I would be remiss if I didn't start by congratulating all of you on the work that you did this summer concerning vulnerable minority refugees and the recent multi-party co-operation that you have reached this week in regard to the Yazidi genocide victims. You have my highest respect for that wonderful co-operation and work. I thank you for your leadership.

Looking at family class sponsorship, a good part of my practice involves family reunification cases. I often teach this subject to aspiring immigration consultants and give lectures to other professionals on the subject. I've dealt with literally thousands of family-based cases. I looked at the scope of the study before the committee, and I saw identified such subjects as the quota system, super visas, challenges to spousal sponsorship, etc. I've also read the deputations made by the CBA and by CAPIC. Rather than touching on topics that either have been discussed or will be discussed, I'd like to spend my couple of minutes today proposing a couple of different ideas.

First of all, with regard to parental sponsorship, in the course of my practice I've dealt with people from virtually every country in the world. In a very high proportion of countries, living in a joint family system is in fact the norm, meaning multiple generations of families living together in the same home as one family unit. Many of the committee members may originate from such communities and will doubtless be familiar with that kind of truth. Our current system of family reunification for parents causes a huge number of pain points for newcomers to Canada, such as the following.

One, there's post-arrival depression and feelings of isolation for those people who are used to living in large multi-generational households.

Two, there's the prospect of being separated from parents for a long period of time. Currently it's a minimum of three years, but realistically, it's more like at least five years before a newcomer would be able to meet minimum necessary income requirements to sponsor parents.

Three, there are feelings of guilt, especially for immigrants who bear the cultural expectations of caring for their parents in their old age.

Four, there's the separation of grandchildren from grandparents, who are often the primary caregivers in the home country.

Five, there are negative income effects due to not having in-family child care so that both parents can go out and work full time.

Six, there's attrition of immigrants back to the home country due to family responsibilities such as ill or aging parents. This is a huge problem that I've observed in my practice. We have permanent residents who aren't able to stay here, and they end up losing their own residency because of family obligations.

Finally, there are problems in maintaining PR status, which in turn, in my view, incentivizes residency fraud. I would say at least 30% of the new consultations I see on a weekly basis are from people who have problems maintaining residency. At least half of those are because of responsibilities to ill or aging parents in the home country.

The concept of the nuclear family being just two parents with children is largely a western European construct. It is not the norm in most of the world and particularly not in areas of the world from which most of our newcomers in Canada originate. However, it's exactly on that construct that we've built our definition of family in the immigration and refugee protection regulations. Maybe it's time to rethink that.

When a person applies to immigrate to Canada, under the regulations they can include to come with them their family members, which is defined as dependants, which in turn is defined as a spouse or spousal equivalent and dependent children. My recommendation is that you give serious thought to changing that definition to allow people to optionally include their parents as dependants in their own immigration applications, assuming of course that they can show enough settlement funds, enough money to support the entire family unit, and that the parents can pass all of the regular admissibility requirements.

Should the applicant opt not to include parents in their application, they could still sponsor them at a later date, but they would have to meet all of the regular stringent requirements, and at that point they would have no one to blame for the hardships that they face, those pain points that I just pointed out.

To play devil's advocate, one might immediately think that this would impose a large cost for those extra dependants. My response to that is, how is it different from a family with a lot of dependent children? A family of six or seven is still a family of six or seven regardless of that family's composition.

• (1550)

Keep in mind also that the way express entry currently works, the majority of newcomers to Canada are now younger than ever. The highest point range for age is 20 to 29 years of age, and after the age of 35, it actually becomes quite difficult to qualify. In other words, the parents of these newcomers are not old. They're getting younger all the time, and many of them would still be of working age and able to contribute.

Canada is an attractive immigrant destination, but we are, frankly, competing on a world stage with a lot of other countries that are equally attractive, like Australia, the U.S., and even places like the U.A.E., which, while they don't offer permanent status, they offer significant economic benefits over a long term. Think of how much more attractive Canada would be if immigrants could bring their parents with them right from the beginning. Think of how much happier and better adjusted newcomers would be in that case. Think of the relief of newcomers, knowing that their young children are safe at home with their grandparents while they can go out and work full time. Think of how many immigrants we would retain in this country by not forcing them to keep one foot in and one foot out of Canada.

The second recommendation—this is a short one—is that something has to be done to deal with the situation of permanent residents of Canada who give birth to children outside the country. The way the regulations are currently set up is that if you're a permanent resident, you are not able to sponsor anyone unless you are living in Canada. If you're a permanent resident who, quite within your rights, has travelled abroad for a period of time, still maintaining your residency requirements for permanent residence, and you have a child outside the country, you have to actually leave that child in the other country and come back to Canada to sponsor that child.

**Ms. Chantal Desloges:** Now, this is not something that happens every day, but it does happen at least a few times a year. If you check media reports, you'll find these stories tend to hit the media, because they involve separation of parents and children. I recommend that this be changed.

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

We will begin with Mr. Sarai, for seven minutes, please.

**Mr. Randeep Sarai (Surrey Centre, Lib.):** Thank you to the whole panel. It is very insightful, various aspects of it.

I want to first ask either Mr. Langford or Ms. Thomson a question.

The Canadian Bar Association has twice written papers that I know of requesting that IRP regulation 4, the bad faith conjunctive test, to not amend it originally, and then I guess to say that it was affecting a lot of people in a negative manner. In my riding, and I know after consulting many other MPs as well, the conjunctive test “and” versus “or” has been a challenge.

How many would you estimate, based on your network of people or applications, are hinged on this bad faith test, where their marriage is still considered genuine, but it might fail on the part that it was for the purpose of entering Canada?

**Mr. Vance P. E. Langford:** Thank you for that question. I don't have statistics on how many people actually end up in that situation. I can say that it has been a concern. We'd be happy to take that question away and come back with a more definitive answer, but I don't know, in fact, what the frequency of that is. I know that it's important enough for us to have made submissions on it in the past.

• (1555)

**Mr. Randeep Sarai:** In the same line of questioning, would it be possible for you, on behalf of the Bar Association, to look into what should be the language where people who have bad faith marriages...? Obviously, those who are fraudulently trying to come into Canada and do not intend to live with the person should be weeded out, so the intent of the regulation is maintained, but the problematic nature of it, as it currently stands, could be avoided. I still think, even if we do the “or” versus the “and”, it still doesn't really clean it up. I think if something better than that could be devised, it would be great for our committee to know.

**Mr. Vance P. E. Langford:** We'd be happy to take that away and come back to the committee with a recommendation on language.

**Mr. Randeep Sarai:** Thank you.

My next question is for Ms. Desloges.

I want to thank you and welcome you back. You've been here before and your views are always insightful.

I actually like your idea about the family. I come from one of those joint families. My parents lived with me. My father has passed away now, but my mother still does. For us, that's the only way we've ever lived, so it's kind of a norm. I agree that I've seen it more now since the time and the difficulty to get parents has escalated from the past, and economic disparity is not as bad as before from some of the countries our traditional immigration patterns come from. A lot of people who have permanent residence are wanting to go back because of that anxiety.

What I want to ask, regarding your proposal of having a nuclear family be expanded to include dependent parents, if perhaps the income requirement on that would be more. I'd like to hear your opinion. Maybe it should be less for those who have younger parents, as you suggested, those in their fifties, or 55, say, who can be employed here, who can learn how to drive, be less dependent on their children, versus those who are perhaps 65 to 75, who would obviously face more challenges. Do you think the test for financial requirements for that would be different between the two, that those who are younger, perhaps, have a lesser requirement by the sponsor versus those who are older or past retirement age, the legally defined age, perhaps, of a higher threshold? Could you elaborate on that?

**Ms. Chantal Desloges:** That's an interesting idea and there's no reason why that couldn't work. I do think it might become unwieldy at a certain point or a little unmanageable to apply multiple different income tests or settlement funds tests to different ages of parents. I think also it makes assumptions that younger parents may or may not work. Even if they're able to, they may choose not to. Also, older parents, even though past the retirement age, may choose to work.

**Mr. Randeep Sarai:** Do you also think it might have an effect on our birth rate too? People may choose to have children later or fewer children because of child care, but if they have child care at home or in their family, they might have more children, like two or three.

**Ms. Chantal Desloges:** I 100% agree with you that it could have a demographic effect. Certainly, with my client base, I know a lot of clients who hold back on having children because they don't have enough family support to take care of them.

**Mr. Randeep Sarai:** Mr. Wong, you were saying you had an issue with regulation 4. You made that abundantly clear. What are your recommendations on speeding up some of the processes by which you bring family sponsorship, so the medical, the security background, and then one expires versus the other? Do you have any recommendations? From your experience perhaps you could tell this committee how we could speed it up, so that we do not have delays.

**Mr. Vincent Wong:** There are so many different ways in which, at the back end, they could potentially speed it up. I do think that, if regulation 4 is changed, obviously you wouldn't get rejected as much at the front end. Of course, if you're rejected by somewhat overly broad bans or barriers at the beginning, that basically turns that particular situation into an appeal. That makes it very long, very time-consuming, and very expensive, not just with respect to immigration resources, but also with respect to our boards and tribunals. That's something you can consider, to make sure that the front end is not too generalized.

• (1600)

**Ms. Avvy Go:** Perhaps I could just add that, in my experience working in the clinic, a lot of the spousal sponsorship cases get rejected because the visa officers find that there's no genuine relationship. Then we end up having to appeal. In my view, many of these decisions are a reflection of the biases of some visa officers overseas, whether it's cultural bias, class bias, or race bias, that actually, in my view, prolong the immigration application process as well. If visa officers have more objective criteria—

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

**Ms. Avvy Go:** —and they don't treat every single application as a potential fraud application, then I think a lot of these cases could move a lot faster.

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

Mr. Tilson, you have seven minutes, please.

**Mr. David Tilson:** I'd like to ask Mr. Langford some questions.

One of the biggest problems that members of Parliament have, particularly in the more urban areas, is the issue of wait times. It goes back in time. There have always been problems with wait times.

You indicated in your brief that the family class migration should not be increased to the detriment of economic or humanitarian streams. I agree with that. However, you also indicate that Canada's annual intake of immigration through all streams should increase to 360,000, or roughly 1% of the population.

We're all concerned about wait times. We're concerned about the reunification of families. It's a serious issue. However, there's also the issue of cost. Has the Canadian Bar Association done any economic analysis of what it would cost the taxpayer in terms of increased departmental staffing in order to keep wait times at a reasonable level?

**Mr. Vance P. E. Langford:** We wouldn't have the information available in order to do an analysis of governmental costs and the processing costs to increase levels. We would expect the Government of Canada would be better prepared to do that analysis.

I think the comment about increasing the number of immigrants overall is one that recognizes the importance of immigration to the Canadian economy, and society, and our demographics in Canada and the fact that there are many reasons why immigrants do benefit Canada. I think that's the overall reason for that recommendation. It always comes with costs, as everything does. Our point was just not to start to slash or increase family to the detriment of economic programs in particular.

**Mr. David Tilson:** I understand that, and many witnesses have come to us, saying that we need to increase all this. But there is a cost, and no one seems to be able to give us a cost.

If you double something, does that mean the size of the departmental staff should be doubled?

You suggested changing the administrative procedures as one way of improving the system. Perhaps you could elaborate on that, because that's another way of reducing costs.

**Mr. Vance P. E. Langford:** One of the great improvements in the last five years, in particular, has been the implementation of the global case management system for the processing of immigration applications. Applications are processed at visa offices around the world. Work is shared, and processes are becoming automated. There is a recognized improvement in efficiency in processing, and hopefully there will be a cost benefit as a result.

One of the things the Canadian Bar Association would also like to point out, though, is that for people who are actually going to participate in the application process, the dehumanization of the current system is a big problem.

That's why one of the recommendations in particular is that there be not only improved officer training but also communication between the applicant and the officer, so there aren't unnecessary and arbitrary refusals of applications that result in appeals that drag on for extended periods of time, when it could be as simple as asking a few questions.

●(1605)

**Mr. David Tilson:** You obviously represent a number of people in the legal profession across the province who deal with immigration issues. You must have some idea as to the staffing that's required to process these things, because you deal with it probably on a daily basis.

You also suggest that the department consider applying a processing time standard of up to one year from the date the application is complete to apply consistently across all visa offices. I don't think you'll get any argument against that.

Certainly, what you propose is a laudable goal and an excellent recommendation, but it seems to me there are only two ways of doing that. We may already have discussed that, but one is to relax or eliminate entry standards, or to hire more staff. It's as simple as that, to do all these things. Those are the two main things you could do.

In reviewing all these matters, what approach would the Canadian Bar Association recommend the government take?

**Mr. Vance P. E. Langford:** We would recommend that the government take an approach that involves enhanced efficiency, and some of the recommendations I've made about clearer standards, communication, and enhanced efficiency.

When we make these recommendations about a clearer standard, be it one year or two years for processing, the Government of Canada is already doing that very effectively for economic immigrants, and is processing 80% of applications under express entry within six months now. The government is doing a great job there, so why couldn't that efficiency be transferred to family class to facilitate reunification?

In terms of budgetary numbers and costs, no, we haven't done that work, but the recommendation is based on a fairness and efficiency approach to overall management of the system. There would have to be additional effort, that's acknowledged.

The question for the committee and for the Government of Canada is, is it willing to do that as a priority to achieve family reunification?

**The Chair:** Thank you.

Mr. Donnelly, for seven minutes, please.

**Mr. Fin Donnelly (Port Moody—Coquitlam, NDP):** Thank you to all our witnesses for providing this testimony. It is very helpful. I am substituting for Jenny Kwan, who is normally at the committee.

I will start with Mr. Wong. You mentioned three main points. You talked about conditional and permanent residency, and spousal relationships, but on the third point you ran out of time. Would you like a little more time to go over that?

**Mr. Vincent Wong:** I appreciate that, Mr. Donnelly.

I wanted to go over some of the situations that paragraph 117(9)(d) captures that we've seen on the ground at the clinic. I mentioned the one-child, and I guess now a two-child, policy in China where those are the family planning regulations, and the penalties are extremely harsh. For good reasons, many claimants do not immediately declare these children and wait until after the fact to protect themselves from penalties such as forced sterilization or massive monetary penalties.



A second issue that we see is in conflict zones. Sometimes, for example, in refugee situations people don't know whether their children are alive, or maybe they get wrong information that their child is no longer there or their spouse has been killed. In some situations they find out after the fact, once they're settled, that they're still alive. This ban doesn't have any sort of give in it. Also, because of the way the regulations are considered, there's no jurisdiction at the immigration appeal division to consider humanitarian and compassionate situations within this bar.

The third one is custodial battles. We see situations where two spouses are separated. They have a fight over the kid. One parent is emigrating, and the other parent doesn't allow the child to be examined by immigration authorities. Even in that case, I'm sorry, there is a lifetime ban on family sponsorship.

That's what we mean by saying that it's overly broad and that we have to think about ways to take a more contextual and holistic approach to these cases.

Thank you.

•(1610)

**Mr. Fin Donnelly:** Thank you.

To the Canadian Bar Association reps, we were talking about costs. What about costs to Canadian families? In terms of these policies or the lack thereof and in your recommended changes, what costs do we have to new Canadian families that would be lowered or should be considered in the current legislation and the current processing?

I'll ask the same of the Toronto legal clinic.

**Mr. Vance P. E. Langford:** Are you specifically talking about parents and grandparents or new Canadian families?

**Mr. Fin Donnelly:** We have costs to taxpayers and the government for processing and improving the situation. We also have costs to new Canadian families by not doing that.

**Mr. Vance P. E. Langford:** Of the costs to new Canadian families, the first one that comes to mind is child care. You have \$2,500 a month, which is \$30,000 a year, for a family to have a caregiver for children so the family can continue to work. There is the cost of having to travel to maintain multiple residences if you have a bifurcated family in different countries. You have travel expenses. You have maintaining multiple residences. Medical and other costs would be associated with travel and just maintaining the family across borders.

The facilitation of family reunification would reduce those types of costs, which are very basic and affect many families.

**Mr. Fin Donnelly:** Ms. Go.

**Ms. Avvy Go:** There are costs to Canada as well. I cited the CIC study in my submission. It found that 15% of the sponsors said their parents and grandparents contribute to the household income. Another 21% said they contribute sometimes. Forty-eight per cent said that having the sponsors' parents here helped them go out to work more and therefore generate more income. Another 30% or so helped their spouse to go out to work more and generate more income. That's forgone income or tax income to Canada.

With respect to how you make it faster, I'm old enough to remember when Canada first introduced the right-of-landing fee. The government rationale was that it needed to increase the fee to pay for the processing of these applications, but of course we know that the money collected did not all go into the immigration system. I think that maybe it's time to dedicate all the application fees that are collected to the processing of immigrants. Then you would have a lot more resources to increase the number of applications being processed.

**Mr. Fin Donnelly:** How much time do I have, Mr. Chair?

**The Chair:** One and a half minutes.

**Mr. Fin Donnelly:** Okay. That's enough.

I was going to ask another question of all three witnesses, on improving processing times for the family class reunification and dealing with backlogs. I think the Canadian Bar Association did answer this in terms of its top recommendation. If you had to give one recommendation on doing this, what would it be?

**Mr. Vance P. E. Langford:** In terms of reducing backlogs?

**Mr. Fin Donnelly:** Yes, and processing times.

I think you already touched on it, so I want to give the other two the remaining minute I have.

**Ms. Avvy Go:** One recommendation I have for spousal sponsorship cases, for instance, would be to take away some of the very subjective elements of the decision-making and have a more transparent and objective process based on a number of risk factors.

If these applications do not give rise to a risk, then you don't have to police these cases in the way they are being policed right now.

**The Chair:** Ms. Desloges, you have 20 seconds.

**Ms. Chantal Desloges:** My recommendation would be common sense. If a document is missing, pick up the phone and call the person. Tell them to send it, and give them a deadline, instead of strapping snail mail to the back of a donkey and sending it overland, which is the current system.

**The Chair:** Thank you.

Mr. Anandasangaree, you have seven minutes, please.

**Mr. Gary Anandasangaree (Scarborough—Rouge Park, Lib.):** Thank you very much, Mr. Chair and colleagues.

I am here on behalf of Salma Zahid, my colleague from Scarborough Centre. Surprisingly, I am appearing today as Avvy Go and her colleague from the clinic are. I am extremely familiar with the great work they have done over the years. I want to thank you for being that great voice for the vulnerable in Toronto. To all of you, welcome.

I want to probe a bit more what Vincent was talking about—something that Vance also touched on—which is the conditional PR. In my office, in the last year, since January, we've come across at least four cases where there were a great deal of challenges, particularly with women who were in abusive situations and who were very reluctant to come forward and in any way address the issues. We had to be very proactive and try to probe a lot further than in our usual case management situation.

I wonder if you could give us some specifics in terms of your experience. What interim measures can we do in order to make sure we don't have vulnerable people, particularly women, who are caught up in this mess of a conditional PR?

• (1615)

**Ms. Avvy Go:** I would say that half of the clients who come to us with a CPR question, even though they are abused by their spouse, would not want us to apply for exemption. I've been telling them that hopefully the government will change the rule.

I cannot think of any interim measure, to be very honest, because these women continue to live in fear. As long as there is CPR, they will continue to live in fear. That's why we are urging.... I know regulations are coming down. You have to make it retroactive; otherwise, these women will be in trouble.

We just finished one case where the woman's spouse was a police officer, and even after she called the police.... The husband told her that the police would not help her, and he was right. We were able to help the woman get exemption, but if she had listened to her husband and not come forward, she would have been in trouble.

**Mr. Vincent Wong:** In terms of interim measures, perhaps some sort of operational directive not to go after...to enforce this as hard would be helpful, but of course nothing will be a substitute for actually repealing it.

In a lot of cases we see, the spouse, who most often is the husband, is really explicit about the control. They will say, "You'd better do what I tell you. You can't run away, or else I'm going to get Immigration after you." To a certain extent, they are right.

It is also very difficult for people in an abusive situation to come forward or to collect the documentary evidence about abuse, especially when they are trying to leave their homes and they don't have any support networks and don't know anybody. That's what we are seeing.

Thank you.

**Mr. Vance P. E. Langford:** In our view, the conditional permanent residence was thought to be an easy fix. Before conditional permanent residence was in place.... There are the mechanisms to enforce non-genuine marriages, marriages for immigration purposes. It was clear that there was a lack of resources in the enforcement area, so it wasn't done.

I've been involved in reporting cases. We just don't have the resources to enforce it. If we repeal conditional permanent residence and eliminate the problem with abused spouses in those situations, we can go back to a situation where we have the ability to allocate resources and effectively deal with non-genuine relationships.

**Mr. Gary Anandasangaree:** I recently came across a very compelling situation with respect to a child. It was a spousal sponsorship that included a child in another country. They were forced to take a paternity test and, unfortunately, a 16-year-old had to find out through a very crass process that the father wasn't the biological father. As a result, there are some serious concerns with the processing.

What can we do to ensure that families—and it depends on how people define family—are intact when we deal with immigration and sponsorship?

**Ms. Avvy Go:** That's a \$60-million question. We also have situations similar to that, and it's more common in China, too, where there are a lot of abandoned girls. Some of our clients just took in abandoned girls and raised them as their own family members, until one day they had to prove that they were members. Of course, they had nothing to prove it because they never adopted them. I think that speaks to the lack of flexibility, and maybe to Chantal's point about how we define family. Right now, we use the concept of a de facto family member to try to capture these situations, but it doesn't always work. The visa officers have all kinds of reasons to reject them. Even in some cases where they accept that the girl has been raised in that family, they say, "Well, you know, by now she's almost 19, so she can be on her own." I think, really, the concept of family needs to be resolved. We need to accept that people form families in different ways and that not all of them have had the chance to formalize through adoption.

• (1620)

**Mr. Gary Anandasangaree:** In the CBA brief, I think there was some discussion about the super visa not being a replacement for extended family reunification. What would be an appropriate number that we should look at with respect to family reunification, or should there even be a number on an annualized basis? I think right now it's 10,000 applicants per year. What is the appropriate number, in your opinion?

**Mr. Vance P. E. Langford:** I think in our brief we said 25,000 parents and grandparents, didn't we? We did say that "more reasonable service levels might reflect 25,000 admissions per year, and processing times not exceeding two years." We appreciate that there's been some increase. That was the level that we thought would be reasonable under the circumstances. We did address our minds to the overall cost.

**Mr. Gary Anandasangaree:** Thank you very much.

**The Chair:** Mr. Saroya, you have five minutes, please.

**Mr. Bob Saroya (Markham—Unionville, CPC):** Thank you to the panel for coming all the way from Toronto and all over the place.

All of you talked about four things: to cut the time to one year or two years, to reduce the income for family sponsorship, to change the maximum age of a dependent child from 19 to 22, and to remove the quota system. If we have to put those four different things in a row, which would be number one on your wish list, and number two, and number three, and number four?

We can start with Chantal.

**Ms. Chantal Desloges:** I'm going to make myself unpopular at this table and say that I'm actually not in favour of reducing the income level for sponsorship. That would probably be the bottom of my list, personally. What would be number one? I would say maybe dealing with the definition of "dependent child". I do agree with the position that the age right now is a little bit too low to be realistic. I mean, most people are in college or university when they're 19 years old. But one thing that I disagree with is that I don't think we should go back to the previous definition, which allowed an exception for full-time students. It was a nightmare for visa officers to try to figure out who was a genuine student. You had people who were 35 years old and were already on their fifth master, just trying to stay in school to be dependent. I think that was a logistical nightmare.

**Mr. Bob Saroya:** Vincent.

**Mr. Vincent Wong:** I'm going to play devil's advocate here on the minimum necessary income because, again, we service low-income people. Many of them are immigrants, but not all. Still, they're certainly racialized. Basically, right now the minimum necessary income is the low-income cutoff plus 30%. It has to be shown with three consecutive years of CRA documents, so there can't be an off year. Then, because of various racial issues with accessing the employment market and because of racial inequities, a lot of people who are in our communities are stuck in poverty. If you completely bar family reunification, parent and grandparent reunification, they're never going to have the extended family structure that will be the sufficient condition to let them get out of poverty. Mothers are not going to be able to enter the workforce if their parents are not able to take care of the children since they can't afford child care.

What I want to be concerned about is how the economic analysis is nuanced. It's not black and white.

**Ms. Avvy Go:** I would pick that as our top choice as well, and in fact, some of the studies included in our submission show that racialized communities are less likely to be in poverty if you combine the family income. That means if the family has more than one generation, like the parents and grandparents included in the family, they are more likely to be above the low-income cut-off. In fact, having the family here, having parents and grandparents here, lifts them out of poverty.

• (1625)

**Mr. Bob Saroya:** Mr. Langford.

**Mr. Vance P. E. Langford:** Out of the seven issues in this study being considered, the Canadian Bar Association's number one would be reducing obstacles to entry into Canada for partners and spouses of Canadians through training and process improvements, increased consistency and transparency in decision-making, and greater access to appeals. The fact is that we treat spouses of Canadians worse than spouses of foreign nationals in immigrating to Canada.

Our number two would be children, relaxing the criteria and reducing processing times for the sponsorship of dependent children and adopted children in order to take their best interests into account.

It's very hard to put this at number three, but it is greater certainty for applicants and their family members, and Canadian sponsors, by implementing consistent service standards and processing times across all these offices; so overall system efficiency, certainty that enables people to plan and not be feeling like they have no control

and they're at the whim of the processing of the Canadian government.

**Mr. Bob Saroya:** As we all know, the backlog is this high, whatever amount it is. They cannot be processed instantly for today, tomorrow, this year, next year. The super visa helps.

**The Chair:** Twenty seconds, please.

**Mr. Bob Saroya:** Is there any suggestion for the super visa? What would be the changes?

Anybody can take it.

**Ms. Avvy Go:** Get rid of the minimum income requirement.

**Mr. Bob Saroya:** Chantal.

**Ms. Chantal Desloges:** I was going to say get rid of the requirement that the parents have to prove that they're going to go back to their home country within a certain period of time. That's very limiting, especially for widows.

**The Chair:** Thank you.

Ms. Dzerowicz, for five minutes, please.

**Ms. Julie Dzerowicz:** First, thank you so much to all of you. I want to delve right in because I only have five minutes.

I'm going to start with Ms. Go. Ms. Go, I believe with all my heart that family reunification is very good for Canada, very good for our immigrants, very good for our economy. Do you have any studies that you could share with us? It doesn't have to be now, but if you could forward them to the committee, I'd be very grateful.

**Ms. Avvy Go:** I referred to the CIC's own evaluation report. It was released in February 2014. It's called the "Evaluation of the Family Reunification Program". It actually looks at a cohort of sponsored immigrants, both spouse and parents and grandparents, over a time period. Some of the stats we included in our submission came from that report. That's one study, but there are a number of studies.

No study actually tracks sponsored immigrants, because the government does not provide funding so academics do not do that kind of study. There are studies on, let's say, racialized families' income levels and then looking at individual versus family that show the discrepancies. You are more likely to live in poverty if you're not with the family, or you don't have a multi-generation family, versus racialized groups who have multi-generation families. They are less likely to live in poverty.

**Ms. Julie Dzerowicz:** Thank you.

Chantal, you spoke very eloquently and gave a lot of excellent suggestions. There was one part that you covered really quickly and I wonder if you might review it again for me. You were talking about a number of immigrants trying to maintain the residency requirements, having issue with it, and then their having great difficulty because they had to take care of parents at home.

Could you run through that point again for me?

**Ms. Chantal Desloges:** If you're a permanent resident, the rule is that within every five-year time frame, you have to spend 730 days physically in Canada, with some exceptions. The problem is that when people run up against a situation of aging or ill parents, they end up having to spend protracted periods of time outside the country and then put their own permanent residency in jeopardy if they haven't been able to maintain enough time in the country.

**Ms. Julie Dzerowicz:** That's very helpful. Thank you very much.

For the CBA, my colleague Mr. Saroya was on the same wavelength as I was with some of his questions. The question I wanted to ask was whether relationships of convenience really are an issue. Often when you try to solve one problem, you really hinder something else. I think that's been the case with some of our immigration rules around family reunification. I wonder whether you might have a recommendation. One is the relationship of convenience being a problem. What would be your recommendation on how we address that?

•(1630)

**Mr. Vance P. E. Langford:** Relationships of convenience, or a relationship that's formed for immigration purposes, is against the principles and the laws of Canada. The Canadian Bar Association agrees with that. We would never suggest that it be appropriate for people to marry or get into a relationship so that they can get immigration status in Canada. We rely on our visa officers abroad in order to—

**Ms. Julie Dzerowicz:** That's not what I'm asking. I'm asking whether you think it's happening, and if it is happening, how you would recommend that we deal with it so that it's not negatively affecting the family reunification that we would like to have in this country. That's my question.

**Mr. Vance P. E. Langford:** I've been an immigration lawyer for about 18 years. I've seen it relatively infrequently among my clients. I guess people who come to me want to hire a lawyer, so they're probably not going to come with an illegitimate relationship. I have seen some, and I have one right now, where people have gotten together, and I think a Canadian citizen is being victimized by a foreign person in order to gain citizenship in Canada, so it is a live issue.

As to how it should be dealt with, I think it has to be dealt with the way it is being dealt with by our visa officers abroad, who do very good work to discern the truth, and to the extent—

**The Chair:** You have 10 seconds, please

**Mr. Vance P. E. Langford:** —that they cannot, and they make a wrong decision, then there is access to appeal, and we need faster access to appeal.

**Ms. Julie Dzerowicz:** Thank you very much.

**The Chair:** That concludes the first hour of our hearing today.

I'd like to thank the panellists for their appearance before the committee and for their tremendous insights.

At this point we'll suspend for two minutes to allow the second panel to assemble.

•(1630)

(Pause)

•(1635)

**The Chair:** Committee members, just before we begin hearing from witnesses on the second panel, Ms. Kwan has requested the floor for five minutes for committee business.

Ms. Kwan, please proceed.

**Ms. Jenny Kwan (Vancouver East, NDP):** Thank you very much, Mr. Chair.

I'd like to move our motion, if I may, and the motion reads:

That pursuant to Standing Order 108(2) and in light of the House of Commons unanimously voting in favour of the motion for the Canadian government to use its full authority to provide asylum to Yazidi women and girls for escaping genocide within 120 days, that the committee undertake a study to invite officials from the German government that led the German initiative to expeditiously resettle 1,000 Yazidi women and girls, so that Canada can learn from their experiences; and that this study comprise one meeting and that the committee report its findings to the House and that pursuant to Standing Order 109 the government table a comprehensive response thereto.

Copies of the motion are being distributed, Mr. Chair.

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

Mr. Sarai.

**Mr. Randeep Sarai:** I would ask if Ms. Kwan would be open to have a friendly amendment to add to also have the department officials who went to Iraq and assessed the situation there to come back and give their findings, but do it in camera. Would that be okay?

**Ms. Jenny Kwan:** Absolutely, thank you very much. I would accept that as a friendly amendment, Mr. Chair.

**The Chair:** Ms. Rempel.

**Hon. Michelle Rempel (Calgary Nose Hill, CPC):** I'm supportive of this motion. I was just wondering if my colleague, who moved it, would speak to her desire for timing. I have a concern on this, given the timeline on this motion. I know when we conducted the study this summer, the message out of the ministry was "We're going to wait for action until the committee study is done". My concern is that if this is put off to a later date it might also be the same message that comes out of the ministry again, and that's certainly not how I would like to spend question period for the next few months.

I'm wondering if my colleague opposite would speak to when she would like to see this happen and maybe if the government members would speak to...perhaps this committee would be unanimous that we would encourage the minister not to take that tone on this particular exercise.

**Ms. Jenny Kwan:** I would certainly urge that this motion be acted upon as soon as possible. There is an urgency with respect to the matter, given that the government has a timeline of 120 days. I would think that even if that meant we had to interrupt or change our schedule on the studies that we had planned, we do that and insert this as soon as we're able to have the officials come and present before this committee.

**The Chair:** Thank you.

Mr. Sarai.

**Mr. Randeep Sarai:** I think it won't be more than one meeting. It will be an hour for the German officials and an hour for our government officials to come and report. We're just talking about a short...unless you correct me and they need longer, and then we have a short report after that.

Perhaps we could even interrupt the current reports, and I don't know if the subcommittee does it.

**The Chair:** I believe we could get into the details of it.

Are you suggesting that we add the phrase "as soon as possible" into the motion as it stands?

**Hon. Michelle Rempel:** Mr. Chair, if there's consensus that we move quickly on this, I'm fine with that. I don't need an amendment.

**The Chair:** As far as the final details go, we'll perhaps hear back from the department officials and we can work that out in our subcommittee. I think the intent is clear. It seems that we've collectively come to consensus.

There were some wording changes. The clerk could perhaps read it. It's in her handwriting.

**The Clerk of the Committee (Ms. Erica Pereira):** The motion reads:

That, pursuant to Standing Order 108(2) and in light of the House of Commons unanimously voting in favour of the motion for the Canadian government to use its full authority to provide asylum to Yazidi women and girls who are escaping genocide within 120 days; the Committee undertake a study and invite officials from the German government that led the German initiative to expeditiously resettled 1,000 Yazidi women and girls so that Canada could learn from their experiences; that departmental officials who travelled to Iraq brief the Committee on their experience at an in camera meeting; that this study be comprised of one meeting to be held as soon as possible; that the Committee report its findings to the House; and that Pursuant to Standing Order 109, the government table a comprehensive response thereto.

•(1640)

**The Chair:** Thank you.

Is there any further discussion?

(Motion agreed to)

**The Chair:** That passed unanimously.

We'll now return to the scheduled hearing.

I would like to welcome before the committee, the Canadian Association of Professional Immigration Consultants. We have Mr. Deepak Kohli, the vice-president; and Ms. Vilma Filici, a representative. As an individual, by videoconference, we have Mr. Arthur Sweetman, who is a professor. Also, as an individual, we have Mr. Sergio Karas, barrister and solicitor with Karas Immigration Law Professional Corporation.

Welcome to all the panel.

We'll begin with Mr. Kohli, for seven minutes, please.

**Mr. Deepak Kohli (Vice-President, Canadian Association of Professional Immigration Consultants):** Mr. Chair, I'd like to thank this committee for the opportunity for the Canadian Association of Professional Immigration Consultants to appear before you. The Canadian Association of Professional Immigration Consultants, CAPIC, is the representative body of self-regulated

Canadian immigration consultants, which seeks to educate and inform our members—about 1,400 at present—about the latest developments in the realm of immigration, and lobbies the stakeholders on issues affecting immigration and the consulting profession to improve the recognition of the regulated consultants who are authorized to provide immigration consultancy services for a fee.

In the second decade of its existence, CAPIC has appeared before various arms of the government, including this committee, and the department, as well as the minister's office. We have also been consulting with other stakeholders to immigration including ESDC, CBSA, and the provinces.

I'll start by making two points as a reminder before going to the main presentation.

In Canada, immigration has historically been focused on the social, economic, and demographic needs of the society, but it has had a remarkable though immeasurable social impact on the fabric. In fact, one of the objectives of the current governing legislation, the IRPA, is to allow Canada to pursue the maximum social, cultural, and economic benefits of immigration.

My second point is that family reunification is one of the main objectives and does contribute to the social, as well as the demographic, needs of the society. Despite this, in the last few years, Canada has not been able to reap the potential social and economic benefits of the family reunification initiative.

It would appear that as Canadians we should be looking at family reunification through a different lens and allow Canada to put into practice immigration programs that would help us improve the outcomes. Our presentation will cover these topics: the scope of family reunification as we know it; excluded members of the family class; cap on the parents and grandparents; sponsors' requirements when sponsoring parents and grandparents; 20-year commitment, which is a part of the sponsor's requirement; processing times; and the online processing situation.

I will cover the first topic, which is the scope of family reunification. As I mentioned, we should be looking at family reunification through a different lens. We have traditionally looked at family reunification as a spouse, dependent children, parents and grandparents, but family is much more than that. It appears counterintuitive that while we consider parents and grandparents rightfully as a part of the family, we don't consider siblings, who are a much closer part of any individual. That is where our main suggestion comes from. We would suggest that siblings be included in the family class. Providing an opportunity to sponsor siblings would result in better social, economic, as well as demographic benefits to Canada.

CAPIC acknowledges that this group would be potentially very large and may lead to an administrative burden on the Canadian immigration system. However, given the large-scale potential benefits, CAPIC urges the committee to consider recommending a pilot project to allow siblings to be sponsored without restricting their education and skills.

I will now hand over the microphone to my colleague, Vilma, for further presentation.

•(1645)

**Ms. Vilma Filici (Representative, Canadian Association of Professional Immigration Consultants):** Thank you very much for giving us the opportunity to speak before you today.

I am going to repeat some of the things that we have already heard from the people who spoke before us.

CAPIC is also very concerned about paragraph 117(9)(d) of the regulations, which excludes members of the family class. You heard from the other panellists that if there is a situation where a dependent family member does not do medical examinations at the time that the person, or in this case, the would-be sponsor, is applying for permanent residency, that dependent will be excluded for life from being sponsored as a member of the family class. CAPIC would like to see that section repealed or changed to allow for circumstances where there was no clear intention to misrepresent and where there were circumstances beyond the control of the person applying for permanent residency and they could not have the family member or dependent medically examined.

I believe Mr. Wong talked about a situation where there is a bitter divorce and one of the spouses has custody of a child, and the spouse who has custody of the child does not allow that dependant to undergo medical examinations. Unfortunately, the way the regulation works now, even if the child was declared but the child did not undergo medical examinations as required by section 42 of the act, that child will be excluded for life.

We would like to see changes to allow for such circumstances where there was no true intention to misrepresent, where the child in this case was declared, but for reasons beyond the person's control the child could not be medically examined, to not be excluded as a member of the family class.

We also heard quite a bit about parents and grandparents, and we are in agreement with—

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

**Ms. Vilma Filici:** Really?

**The Chair:** Yes.

**Mr. David Tilson:** I know the feeling.

**Ms. Vilma Filici:** Then I'm going to move to spousal and common-law partners and conjugal partners, and the conditional permanent residency.

We've also heard about situations where people who are very vulnerable may be remaining in situations of abuse because of the conditions of their permanent residency.

**The Chair:** Thank you.

**Ms. Vilma Filici:** I would just like to say that in an attempt to curb the problem of—

**The Chair:** Thank you.

**Ms. Vilma Filici:** —abusive or non-genuine relationships, we have created—

**The Chair:** Perhaps we can continue that later.

**Ms. Vilma Filici:** All right, later on.

**The Chair:** Thank you.

Professor Sweetman, for seven minutes, please.

**Professor Arthur Sweetman (As an Individual):** Thank you for inviting me.

Family class is motivated by many issues. This morning I'll be speaking exclusively to economics and related topics, which are my area of expertise.

The first thing is to think about context. The formal family class immigration stream is only one aspect of the broader issue of family reunification through immigration. For example, by design, "privately sponsored refugees" in practice is used to sponsor family members, so it's another stream, other than the formal family class, used for family reunification.

The one I'd like to focus on is another example, which is the use of adaptability points inside the federal skilled worker program. Expanding this avenue for family reunification might prove to be quite worthwhile and is something the committee should be considering. I know this goes against the axiom used in some governments of using one policy lever for one policy goal, but I think we've already breached that boundary, and I think it's worth thinking about considering pushing that a little further.

In terms of the economic evidence regarding family reunification, usually a committee such as yours is about evidence and opinion collection. Unfortunately, if you're interested in evidence-informed decision-making, you're going to have to invest in evidence generation, because the truth is that very little is known about economic issues related to family reunification.

I want to talk about three economic issues in particular, two of which the Immigration and Refugee Protection Act is particularly concerned about. The first is social assistance used by the family class, which of course the sponsors are responsible for to some extent, and the second is health care costs, which again the act is concerned about in disallowing people with certain types of health care needs.

Other issues are really important. For example, OAS and GIS liabilities associated with immigration are potentially quite important.

The truth is, we simply don't know how large or small these issues are, and if you're going to be making evidence-informed decisions, I think it's incumbent upon your committee to find out.

One of the things the federal government has been concerned about in terms of these types of costs is who pays. As I mentioned, social assistance costs, because of the benefits accruing to sponsoring families, are to a certain extent paid for by those families. The super visa allows—or requires, I guess—people who are sponsoring and the sponsor to pay their own health care costs, and it cuts them off from OAS and GIS liabilities.

One thing we might be thinking about is that if these are truly ethical and moral decisions about benefiting Canada through family reunification, we might not want to be imposing health care and social assistance costs upon provinces. The federal government may want to choose to reimburse provinces for health care and social assistance costs directly associated with the family reunification or the family class program. This is really an issue of asking who should be paying. Should it be the residents and taxpayers of particular provinces or should it be all Canadian taxpayers? I guess I'm advocating that in this case we should think about all Canadians paying.

A third issue is demographics. Immigration, as we all know, has a very modest effect on Canada's demographic structure. Nevertheless, it's used as a motivation despite its small impact. The parents and grandparents program needs to be considered from a demographic perspective. It goes against the motivation used by this government for other parts of its immigration policy, and we need to be considering immigration policy as a whole.

Finally, I turn to labour market outcomes. The outcomes of parents and grandparents are not particularly strong subsequent to arrival and, similarly, the spouses sponsored through the family class do not have outcomes as good, if you want, or as successful, as spouses coming through the skilled worker program. If we expand these programs, we need to be thinking very carefully about the provision of settlement services to these individuals. It's not clear at the moment that we are doing this appropriately or that we're thinking very carefully about the different needs of people settling from different immigration categories.

That's it. Thank you very much.

• (1650)

**The Chair:** Thank you, Professor Sweetman.

Mr. Karas, please, for seven minutes.

**Mr. Sergio Karas (Barrister and Solicitor, Karas Immigration Law Professional Corporation, As an Individual):** Thank you, Mr. Chairman, and the committee for the opportunity to appear and provide some context.

Based on my close to 30 years of practice in the area of immigration, I presented a submission to the committee with a summary of some of the salient points in my remarks, and also significant case law and press clippings that I hope you have in your possession.

I heard the last 10 minutes of the testimony of the panel in the previous hour, and specifically that of my colleague and friend Chantal Desloges, and I very much agree with many of the points she made. However, I'd like to pick up on one of the questions that came from one of the committee members concerning relationships of convenience.

In my 30 years of practice, I have found that a lot of relationships of convenience are a significant problem in the context of spousal immigration. This happens for a variety of reasons, but there is one thing of which there can be no doubt. The financial and personal costs to Canadians or permanent residents who have been duped into entering into relationships of convenience are staggering. Unfortunately, there are very few avenues of redress.

Relationships of convenience happen for a variety of reasons, but specifically Canadians are being targeted overseas, particularly in places such as Cuba—there's significant press reporting on the issue—and also the Dominican Republic, etc. Canadians become a very valuable avenue to escape poverty or undesirable conditions.

That also happens in the context of the Middle East, for example. There is a case that I provided to the committee concerning a Middle Eastern country where people are being duped into entering specifically arranged marriages when the other spouse has absolutely no intention of consummating their relationship or living with the sponsor after entering Canada.

Also, two other examples are India and China. In the context of India, there was a significant problem with what was called “rent a wedding”, when unscrupulous individuals staged fake weddings, including photographs and costumes, etc., for people to apply for immigration.

Also, in the context of China, the RCMP and CBSA have investigated and have convicted numerous individuals responsible for orchestrating fake marriages in exchange for a significant payoff, sometimes ranging from \$15,000 to \$30,000 a piece. Recently, a woman was convicted who had amassed more than \$2.5 million from a scheme like that.

It is a significant problem, and it has to be monitored. One of the things that other countries have done, for example Australia, is instituted a reporting system, and if you have been hearing from other witnesses that the Canadian system somehow imposes onerous requirements on people being sponsored, then all you need to do is turn to the Australian and the U.K. model to see how generous Canada really is. Those countries impose reporting requirements with very few exceptions for violators or for people whose marriage breaks down to continue to remain in those countries.

Canada is also more generous than the United States. In the United States, for example, the priority for sponsorship falls on citizens and not residents, although resident green-card holders can still sponsor, but those become priority immigrants and they can wait for years until they come into the United States, so citizens are given priority. That's another thing that Canada does perhaps more generously.

• (1655)

Also you need to consider the imposition of some sort of reporting system where this conditional requirement is actually being enforced, because right now it may take years for a relationship of convenience or a fraudulent marriage to be discovered.

I can tell you that I receive calls in my office on a very regular basis from people who have been duped into marriage in different countries. There is no particular group that is immune to this. Those individuals are suffering enormous financial hardship. The problem is that they have no assistance from CBSA because, frankly, there is absolutely no budget to enforce this particular legislation, or to investigate fraudulent marriage cases. It's very difficult. Then they turn to the courts.

For example, there is the case I provided to you in my material, the Zaghbib case. This poor fellow turned to the courts and he, unfortunately, could have no remedy in the courts. There is the case of Raju v. Kumar that I also provided to you, in which this lady who was originally from Fiji and became a Canadian citizen was duped by somebody who only wanted to come to Canada, gain permanent residence, then divorce her and turn around and sponsor his girlfriend from back in Fiji, while the Canadian woman spent thousands upon thousands of dollars on the wedding and all the other sponsorship applications.

● (1700)

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

**Mr. Sergio Karas:** It's not only the financial costs, it's also the human cost and the humiliation. I urge the committee to continue to have the clause in place for the two years and to consider having some sort of reporting mechanism, because otherwise there's—

**The Chair:** Thank you.

We begin with Mr. Fragiskatos for seven minutes, please.

**Mr. Peter Fragiskatos (London North Centre, Lib.):** I want to pick up on this point of the provision in the Immigration and Refugee Protection Act, paragraph 117(9)(d), that's come up in this session and in the previous session. As I understand it, this provision places an automatic lifetime ban on the sponsoring of a family member, if that family member was not disclosed in the sponsor's application for immigration to Canada.

Go ahead.

**Ms. Vilma Filici:** Actually not if it was not disclosed. It is if the dependant was not medically examined.

**Mr. Peter Fragiskatos:** Oh, okay.

**Mr. Deepak Kohli:** Disclosed....

**Mr. Peter Fragiskatos:** Okay.

**Ms. Vilma Filici:** Disclosed but not medically examined.

**Mr. Peter Fragiskatos:** The fact that it's come up today in this session twice is actually quite timely for a few reasons. There was an op-ed in today's *Ottawa Citizen* talking about this. It said that although the aim is to prevent fraud, that hasn't been the case. In fact, since its inception, which I think was in 2002, 90% of the cases where it's been applied have not been related to fraud at all, and the article listed examples.

We heard some today. An applicant thought that her children were dead. They were not in fact dead, but there's a lifetime ban on them now coming to Canada. Another applicant was fearful and ashamed, and didn't want to disclose the fact that her child was born as a result of rape. That child cannot enter Canada to be with her mother. There was no fraudulent intent here.

The problem, though, is that the individuals making the decision are given no flexibility. This is how I understand it anyway. They are given no flexibility to use their discretion and say what is known, that there was no fraudulent intent. Could you speak to that and give us examples of cases that you've seen in your work?

**Ms. Vilma Filici:** That's precisely the problem, and that's why CAPIC believes there should be a change to allow an immigration officer to look at the circumstances as to why that dependant was not

examined, and make a decision. If there was no intent to defraud or to misrepresent—let's talk about children because it's quite often where we see this kind of situation—then the child should be allowed to be a member of the family class in the future.

When there is an intention to commit fraud, I can see it. We have the provisions that allow a case to be revisited under misrepresentation, and people can lose their permanent residency if at some point it is discovered that there was misrepresentation.

I think that the intent initially was to stop people from not declaring children, when the children would make the whole family medically inadmissible. Now it has gone to an extreme where it excludes absolutely anybody for whatever reason.

**Mr. Peter Fragiskatos:** Don't we already have in place measures that are meant to deal with cases of fraud?

**Ms. Vilma Filici:** Yes, we do, and that's what we're saying.

I mean, with those types of situations where after they arrive in Canada it is discovered that there was fraud, they could be written up and dealt with under the misrepresentation provisions.

**Mr. Peter Fragiskatos:** As I understand it, all of this is leading to an appeals process. Those who are denied, file for humanitarian and compassionate grounds. They file on that basis but are denied.

**Ms. Vilma Filici:** Unfortunately, the immigration appeal division has no jurisdiction over those cases because they are not members of the family class.

**Mr. Peter Fragiskatos:** Okay.

**Ms. Vilma Filici:** Unless they are considered to be members of the family class, they cannot hear the cases, so we cannot argue humanitarian and compassionate grounds at the appeal division.

● (1705)

**Mr. Peter Fragiskatos:** It was my understanding from the op-ed that appeals are being made on the basis of humanitarian and compassionate grounds.

**Ms. Vilma Filici:** You can't. The immigration appeal division has no jurisdiction.

**Mr. Peter Fragiskatos:** Okay. That's maybe a misunderstanding somewhere along the way.

Professor Sweetman, you talked about the economics of all of this, and family sponsorship, and where that fits in.

According to a recent *Toronto Star* piece, 35% of male immigrants who come to Canada return home each year, many within the first year. Many of those within this cohort, in fact, the vast majority, are here as economic immigrants.

Could you comment on what Professor Jeffrey Reitz has said? He's at the University of Toronto. He was talking about family, and he said, "A support group gives people a reason to stay."



If folks are coming here and leaving very quickly, could you speak to the fact if they lack that support group, they are much more likely to leave? If the reverse were the case, they would perhaps stay and make a contribution to Canada.

**Prof. Arthur Sweetman:** You raise a very important point. Many people think immigrants who come to Canada automatically stay. The truth is, as you said, a very high percentage leave.

I think Jeffrey has the right idea: support certainly matters. I think there's a bit more to it than that as well. Obviously, in a newspaper article you don't get all the details. The rate at which people leave, especially in the economic class, moves with the business cycle. Economic class immigrants who arrive in a boom are very likely to stay. Economic class immigrants who arrive during a recession are much less likely to stay. Partly that has to do with a welcoming group, but partly it has to do with their success in the labour market and their opportunity costs, their potential success back home or in some third labour market. Family class individuals are much more likely to stay.

It used to be, I'll call it the old days, before 1990, that we had a system where the economic class and the family class both moved with the business cycle. During economic booms, the percentage who were in the family class would go down, and during economic busts, the percentage in the family class would go up.

**The Chair:** Thank you.

Mr. Tilson, for seven minutes, please.

**Mr. David Tilson:** We expect very soon, as early as possibly tomorrow, that there will be a release of the 2017 immigration levels plan. It could come tomorrow, or it could come next week, but we expect it's imminent.

I don't know whether all of you read *The Hill Times*. Most of us here do, but you probably don't. There were some interesting quotes by Honourable John McCallum, the Minister of Immigration, that were reported in *The Hill Times* yesterday. I want to read these quotes to you, because it may give a hint as to where he's going with the immigration levels plan. Then I would like to hear what your comments are, starting perhaps with Professor Sweetman.

There were two quotes. He said, "A big influx of immigrants would be too expensive to Canada in the short term". He also said, "If we have a large increase in immigration, it's a large increase in the cost. Because, I don't think Canadians want to bring in immigrants without settling them properly, without integrating them into Canadian life. And that costs a lot of money."

One can say that they don't know what that means, but it may give a hint as to what the levels plan is going to be.

Professor Sweetman, could you perhaps give us your comments? Of course, we're crystal ball gazing as to what these level plans are going to be, but to me, those statements give us a hint.

**Prof. Arthur Sweetman:** It's true that there are settlement service costs associated with immigration. I don't know that they should be driving immigration policy, since they tend to be fairly short term. The greater costs that I'd be concerned about are people returning, and that is to say people leaving, like in the last question, as well as people's satisfaction at arriving in Canada, if they arrive and are

unsuccessful. In the old days, again before 1990, we had an immigration policy where the immigration rate went up during booms because of people's success in the labour market and the cost of settlement services are very low during booms, and finding a job is relatively easy. Alternatively, settlement service costs are very high when people arrive during a recession, because finding employment is very difficult, people lose their skills, and they need to retrain in new fields.

The cost issue is certainly there. There are a lot of subtleties when thinking about it. I'm not sure exactly what else the minister will be thinking about, except perhaps for language training, where it's becoming increasingly clear that the language training we provide is not adequate for many people, and we should be providing substantially more.

Thank you.

• (1710)

**Mr. David Tilson:** Thank you, Mr. Sweetman.

Mr. Karas.

**Mr. Sergio Karas:** Yes, it's all about jobs. When there are jobs available, people integrate. The jobs also allow them to be financially self-sufficient, and they also act as an anchor.

For the question that was raised concerning people returning, that's very true, but people return home for a variety of reasons. I have seen, over my 30 years of experience, clients who come in, land, obtain their permanent resident card, and they immediately return home for a variety of reasons. Sometimes they have a job that they have to finish, and sometimes they have a family situation, or sometimes, quite frankly, they just go home to get married, and that's the truth.

**Mr. David Tilson:** Yes. I'm interested in your comments about the anticipated immigration levels plan. To me, the minister is implying that it may not be what a lot of people want because of the cost. I'm looking for your comments on that.

**Mr. Sergio Karas:** My comments are that it is true. I agree with Professor Sweetman concerning the costs that are higher in times like now when we have an economic downturn and we don't have full employment. I believe that the number of immigrants that we have now, approximately 300,000, is about right, but we need to look at the mix. I think we need to look at the economic category as the primary driver and at the costs that are higher in the other categories. Obviously, refugees draw more resources than economic immigrants, and so do family class members, who are not ready to work in Canada.

**Mr. David Tilson:** Thank you.

Mr. Kohli and Ms. Filici, what are your thoughts?

**Mr. Deepak Kohli:** I can't speak to the particular article that you quoted, but I would not be surprised—and probably you understood the same—if we see higher numbers this year and higher targets for the next year. Last week I read somewhere that this year, up to June 2016, they had admissions of around 350,000, which was one of the highest numbers in recent times. We've heard the minister suggest at various forums that he would like to see a higher number, and that's what he's hearing from Canadians. My sense is that if we see higher targets, I would not be surprised.

**Mr. David Tilson:** Mr. Kohli, I just want some clarification from your brief.

You suggest that the parent and grandparent category should have its cap raised by 2,500 every year. I'm not too sure what that means, and maybe you could clarify that. Would that mean 2,500 more this year, 5,000 more next year, 7,500 more the year after?

Is that what you're suggesting? If it is, would there ever be an end?

**Mr. Deepak Kohli:** Thank you for picking that up.

**The Chair:** A very brief and succinct answer, please.

**Mr. Deepak Kohli:** Yes. This is more for the entire family, the unification unit as a whole. Previously we have said let's look at including the siblings as well. This is in the context of the entire family, the reunification of the family unit.

• (1715)

**The Chair:** Thank you.

Ms. Kwan, you have seven minutes, please.

**Ms. Jenny Kwan:** Thank you to all the witnesses for their presentations.

I'd like to ask Mr. Kohli a question around the family unit and the definition of the family unit. We've heard from other witnesses on different panels who suggest it shouldn't just be limited to children, in that context, but rather should be extended to include siblings. There was a time, actually, when Canada had that category in place. I wonder if you could elaborate on that, on the family unit classification. Should that be extended?

**Mr. Deepak Kohli:** Thank you, Ms. Kwan.

As you've discussed, we believe that Canada is not looking at the family reunification or family unit lens to its full potential. Many of the immigrants coming in have siblings who are young. Broadly, the demographics that Canada targets are the young, the educated. All the siblings may not be as qualified all the time, but what they have going with a sibling in Canada as a permanent resident or a Canadian citizen is the support that could help him or her settle in Canada easily.

This, by the way, has also been the model used in the U.S. for a long time. We were trying to refrain from using examples, but there seems to be a huge advantage in looking at siblings as a support group.

**Ms. Vilma Filici:** I just wanted to add that I like the idea the professor had because, in fact, assisted relative class used to be a category under the previous immigration act, whereby having a Canadian citizen or a permanent resident sibling automatically gave the skilled worker 15 points, I think, and that made a huge difference

in the qualification of that person. Perhaps that could be a way to facilitate helping a sibling come to Canada.

**Ms. Jenny Kwan:** In the end, expanding the family unit in the family reunification classification would be something that we would support to include siblings as well. As we know, for many different cultures, the definition of family is very different from that of the Canadian culture, in many ways.

I'm going to ask a different question. We've heard from witnesses that sponsorship is onerous. The 20 years is onerous and some have suggested reducing it to 10 years. In addition to that, others have also said that the financial requirement is very onerous. If you were a family of three and you were sponsoring two parents, then your calculation is based on a family of five, and then for three years prior to their arrival...before the application can be submitted. Then you can make an application.

I wonder if you can comment on both of those aspects. I believe in your brief you suggested reducing the 20 years down to 10. Also, on the financial aspect, what are your thoughts?

**Ms. Vilma Filici:** We think the financial requirements are extremely high. The previous government changed the law, and the idea was when parents and grandparents arrive in Canada they become very expensive for the health system. I think that was the rationale, but unfortunately what happens, as we heard from Mr. Wong, is that the families who need the support of parents and grandparents, specifically parents the most, are people who are not going to ever meet the financial requirements to be able to sponsor them if we keep the requirements as they are. Because there are the low-income cut-off figures, plus 30%, and it is for three years. It used to be LICO was for one year only.

It is very difficult for a newly arrived family to make that kind of money, particularly if they have children and only one of the spouses is working. We would like to see the financial requirements go back to what they were, the LICO just the same as for everybody else, and we would like to see it going back to a 12-month requirement rather than the three years.

I don't know if Mr. Kohli wants to address the 20-year—

• (1720)

**Mr. Deepak Kohli:** That's okay.

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

On the cut-off age for dependants, again, there were arguments made around the issue on age. In addition to that, there were witnesses who made the point that a lot of the young people are in school, in fact, and have not completed their schooling, so therefore they are dependants. I wonder if you have some comments about them and what your thoughts are with respect to addressing that aspect.

**Ms. Vilma Filici:** I think Chantal Desloges spoke about this earlier. I agree that it was an administrative nightmare for Immigration to decide which child was in reality a student or was just in school so that they could be included in an application as a dependant. I also agree that the cut-off age of 19 is too low for families, because kids are in school at that age and most of the children need the support of the parents to continue to be in school.

Perhaps—and this is something that I'm just thinking about right now—rather than raising it to 22, maybe we can raise it to 24. You could suggest raising it to 24, so that automatically would include the dependants who are in school.

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

**Ms. Jenny Kwan:** On the difficulty about determining whether or not a person is in or out of school, wouldn't some criteria... For example, if you are enrolled full-time, that would be deemed to be in school.

**Ms. Vilma Filici:** Well, there are. There is actually case law that gave very specific points on what to look for in order to decide if a person is in school or not.

**The Chair:** Thank you.

Ms. Dzerowicz, for seven minutes.

**Ms. Julie Dzerowicz:** Thanks to everyone for your presentations.

I'm going to start with the Canadian Association of Professional Immigration Consultants.

Within your profession you deal with a lot of immigration cases and see a lot of these applications. Spousal and child applications take a long time, and for parents and grandparents they take even longer. If you were to make recommendations specifically around the application process, what would be your key recommendations to simplify it?

What are the problems? I don't want you to go into a long précis on it, but if you can make specific issues.... You say that these are the things you see all the time. If you can just address that, I'd be grateful if you could give me a couple of recommendations on it.

**Ms. Vilma Filici:** To be fair, we have seen a reduction in the processing times for spousal applications, and also for parents and grandparents—

**Ms. Julie Dzerowicz:** Great.

**Ms. Vilma Filici:** —in the last six months.

**Ms. Julie Dzerowicz:** We're perfect?

**Ms. Vilma Filici:** No, you're not perfect yet.

There was a suggestion earlier—I think it was from the Canadian Bar Association—that as we're moving forward with technology and with processing applications online.... Right now, we're only doing temporary status online, but I think it's coming that in the future everything is going to be done online, so we will see processing times reduced.

The suggestion that CAPIC has, I believe, has to do with making the family sponsorships part of the electronic processing.

**Mr. Deepak Kohli:** If I may quickly add to that, CAPIC does believe that we should look at online processing to make the best use

of technology going forward. IRCC has tried that and has been successful, I believe. That's the sense we get. That would lead to savings in terms of costs as well as processing times. I believe that would address that situation.

**Ms. Julie Dzerowicz:** That would be great. Thank you.

Professor Sweetman, I wonder if you could elaborate on one of the points you made.

You talked about the need for settlement services depending on the different family class. Keeping in mind that we're focusing on trying to improve the whole process around family reunification, in light of that, can you elaborate a bit on your comments on settlement services?

• (1725)

**Prof. Arthur Sweetman:** At the moment, I think many settlement agencies attempt to provide services depending on the needs of the individual. However, I don't think we have a lot of experience with understanding what works for different types of immigrants in different situations.

For example, I don't think we know a lot about the way to deliver language training to people who are principal applicants—skilled workers—compared to family class immigration. In many larger centres, there are certainly large enough groups where you could have targeted classes for different types of immigrants to serve their needs particularly well, or at least better than we do now.

We also need to think about people who are not particularly focused on the labour market but are still interested in social inclusion. Many of the language training classes we have now are very focused on the labour market. We could have many more, especially in the family class, where we're interested not so much in labour market integration but in social integration.

**Ms. Julie Dzerowicz:** You did make the point, and my ears did perk up on this, where you were talking about how we don't have adequate language training. How do you know that? Are there studies? Is there something you could share with us on that?

**Prof. Arthur Sweetman:** There have been a number of studies looking at language training. The truth is, not very many look at the impacts of language training. We simply don't have good data on it. But we do have—

**Ms. Julie Dzerowicz:** Sorry, to interrupt, but I'm looking for language training from settlement services, that specific.

**Prof. Arthur Sweetman:** I'm focusing exclusively on settlement services. Right now we only go up to a limited benchmark. It's the same benchmark for all individuals, regardless of their profession. For many professions, especially people who are professionals, they would need much higher language training, much more in-depth language training, than we provide at the moment.

We still have debates, whether it's better for people to start working first and learn language second, or learn language first and work second. I don't think we know the answer to many questions in that area.

**Ms. Julie Dzerowicz:** Okay, thanks. That's very helpful.

Mr. Karas, you spent a bit of time talking to us about how other countries are dealing with marriages of convenience. Here's where my concern is. I'm concerned always about putting laws into place to deal with things like a marriage of convenience, or trying to stop that here in Canada. What I want to do is to find a recommendation that is not going to impede our desire, or at least my desire, to have good family reunification. I don't want to try to deal with the 1% by having a big hammer that's going to sort of, you know, really hurt a lot more people than we're really trying to deal with.

What would be your specific recommendation for Canada in trying to minimize these marriages of convenience, but not hurting our desire to sort of process and allow for family reunification?

**Mr. Sergio Karas:** It's not a question of hurting Canada's desire for family reunification. It's a question of enforcing the law. What

you're going to have to do is give CBSA the proper tools and proper budget in order to be able to investigate complaints from people who complain about being duped, or being forced into arranged marriages that they didn't want, just for the purpose of immigration, etc.

The problem right now is that there are no resources for these people to seek redress. The financial cost and the human cost and the humiliation that these people suffer is enormous, especially in many communities, because they end up with having to spend hundreds of thousands of dollars in some cases, and also being responsible for the sponsorship. It's just terrible. There has to be a way to redress.

**Ms. Julie Dzerowicz:** Thank you very much.

**The Chair:** I'd like to thank the panellists for coming to our hearing today. Thank you once again, as before, for all of your insights.

With that our meeting concludes.

The meeting is adjourned.

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