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Chair

Mr. David Tilson

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•(1530)

[English]

The Chair (Mr. David Tilson (Dufferin—Caledon, CPC)): Order.

Ladies and gentlemen, this is the Standing Committee on Citizenship and Immigration, meeting number 2, on Tuesday, March 16, 2010.

The orders of the day are pursuant to Standing Orders 81(4) and 81(5). We have main estimates 2010-2011, votes 1, 5, and 10 under Citizenship and Immigration, and supplementary estimates (C) 2009-2010, votes 1c and 5c under Citizenship and Immigration. They were referred to the committee on Wednesday, March 3, 2010.

We have today as our guest the Minister of Citizenship, Immigration and Multiculturalism. He has a number of his staff with him; I will let him introduce them.

Minister Kenney, it's a pleasure to have you here today to talk about the estimates. As you know, you have the floor for about 10 minutes.

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism): Thank you very much, Mr. Chairman.

[Translation]

First, I would like to welcome my colleague Mr. Denis Coderre and Ms. DeBellefeuille.

Mr. Coderre and I have known each other for a long time. He is new to the world of immigration, but I still think he will have a great deal to contribute.

I would also like to acknowledge the presence of my deputy minister,

[English]

Neil Yeates; chief financial officer Mark Watters; assistant deputy minister for operations Claudette Deschênes; and associate ADM Dawn Edlund.

Mr. Chairman and colleagues, I am pleased today to place before the committee our department's main estimates for the fiscal year 2010-2011 and supplementary estimates (C) for fiscal year 2009-2010.

The total main estimates for 2010-2011 are \$1,532 million, an increase of \$174.2 million from the previous fiscal year. This change is primarily due to increased funding approved to support settlement services across Canada, including Quebec—that's nearly \$96

million—and implement a temporary resident visa for Mexico, \$48.4 million. I should mention of course that we also generate revenues from visa fees that go to the general revenue fund. We're also modernizing the immigration system and managing the backlog with \$21.9 million and we are reflecting the transfer of the multiculturalism portfolio from Heritage to CIC.

With respect to supplementary estimates (C), the most significant items included address our actions to respond to the earthquake in Haiti—that's \$4.8 million, about which I will speak more shortly—and reallocation of resources to support additional pressures on the interim federal health program. That's in part due to our additional coverage for Haitian nationals in Canada. We're also transferring funds to DFAIT for shared costs related to the renovation of our mission in Tunis and transferring funds to the Department of Justice to assist with pressures on the immigration and refugee legal aid envelope.

I would like to answer your questions regarding these and other funding matters, Mr. Chairman.

By helping immigrants find meaningful employment and successfully integrate into Canadian society, we are committed to using immigration to strengthen the economy and build the future of Canada. This future also depends on a successful refugee asylum system. As many of you know, Canada has been a leader in the international challenge to help refugees. Since 1947, more than a million people have been granted protection by Canada, and in fact Canada receives one of every 10 resettled refugees globally each year. We welcomed over 33,000 people who came to Canada seeking asylum in 2009 following an increase of 60% between 2006 and 2008. In fact, our projections were for substantial increase in 2009. That was only precluded by the difficult but necessary decision with respect to TRVs for Mexico and the Czech Republic.

In spite of finalizing over 26,000 claims last year at the IRB, there is still a backlog of approximately 60,000 claims. The good news, though, is it's now beginning to track down a little bit.

I'd like to commend the IRB for, even before they had a full complement of members, managing to perform above their budgeted target of 25,000 finalizations per year.

[Translation]

We have addressed the growing backlog in our refugee protection system with appointments to the IRB. I have personally made 61 appointments and 28 reappointments, so that the Refugee Protection Division of the Board is close to its full complement. It is currently at 96%, and will be increasing shortly.

But still, the number of refugee claims made in Canada each year exceeds our ability to keep pace. So it now takes about 18 months for refugee claimants to have their claims decided and years for failed claimants who pursue the multiple avenues of stays and appeals available to them.

This is unacceptable. Those who need protection should not have to wait for over a year to be processed.

• (1535)

[English]

We also can't continue with what I have called a two-tier immigration system, one for legal immigrants who patiently wait in line to come to Canada through our fair system and another for those who make manifestly false asylum claims in seeking to come to Canada through the back door of our refugee system.

That many of our asylum claimants do not need Canada's protection is demonstrated by the fact that 58% of claims are rejected by the IRB. More are abandoned or withdrawn before they get to the IRB. For example, of the roughly 2,500 claims made by nationals or citizens of Hungary last year, 100% were either withdrawn, abandoned, or rejected, and out of the 2,500 only three claims were finalized with approval by the IRB.

There are organizations that offer to sell advice on how to use Canada's asylum system as an easy way to get into the country and to remain here for years. I recently saw one that offered a service to help people travelling here as tourists to make manifestly false claims. They actually offered to construct a motive for such a claim.

We need balanced and fair reforms to our refugee system.

[Translation]

To achieve this, we are looking at ways to improve the system, to enable both faster decisions and faster removals of failed claimants, as well as ways to increase the support we give refugees to start new lives in Canada. This would help those who truly need our protection and deter applications from those who try to misuse our asylum system. And it would aim to do so at less cost to taxpayers.

[English]

Mr. Chairman, on another matter, the government is committed to fighting immigration fraud.

We will work to ensure fairness and the integrity of our system for obtaining temporary and permanent residence in Canada as well as citizenship. As the Speech from the Throne said, we will work to protect would-be immigrants by taking steps to shut down unscrupulous and unlicensed immigration consultants. We plan to proceed with legislation this spring to impose tougher penalties on people who break our laws or provide fraudulent advice seeking to exploit applicants for immigration to Canada. By regulating consultants in this country, we will crack down on "ghost"

consultants as well as others who advise immigrants to make false declarations.

[Translation]

I believe, Mr. Chairman, that we must also guard against fraud by those seeking to violate our very generous citizenship laws.

[English]

While I obviously can't discuss individual cases, I expect committee members are likely aware of media reports regarding investigations of fraud. For example, Radio-Canada did one on a fraud network in Montreal; they identified that 1,400 people appeared to have used immigration consultants to set up fictitious lives in Canada as false evidence of permanent residency in their citizenship applications. Another case is under investigation in Mississauga. It involves as many as 300 people who claim to be living at the same address, if you can believe it. They are claiming to be legitimate permanent residents in Canada.

[Translation]

Mr. Chairman, we need to acknowledge that the problem is out there and known. The law is clear: citizenship can be revoked if a person commits fraud, or conceals material circumstances when they apply for citizenship or permanent resident status.

To respond to the recent earthquake in Haiti, staff at Citizenship and Immigration worked to give priority to new and existing sponsorship applications from Canadian citizens and permanent residents who have close family members in Haiti. As the Canadian Embassy sustained substantial damage and CIC's services were affected, an office in Santo Domingo was set up and assigned the caseload normally processed by Port-au-Prince, particularly for temporary visa applications.

As well, CIC set up a unit in Canada to provide support to the visa office in Port-au-Prince. Over 1,500 temporary resident visas have been issued, the majority of which were to people accompanying Canadian citizens being evacuated from Haiti.

• (1540)

[English]

My time is running short, Mr. Chairman. I would just very briefly say that we have recently announced additional investments to accelerate the integration of newcomers through the foreign credential referral office, including an extension and enlargement of our overseas immigration integration project. We have expanded it to a number of other countries by opening an office and making free seminars available to selected permanent residents in London, England, to serve the Gulf States as well as Scandinavia. We're now providing roughly two-thirds of our permanent resident intake with access to these free seminars.

Of course, in November Minister Finley and I, along with the provinces, announced the pan-Canadian framework for the assessment and recognition of foreign qualifications, which is part of the \$50 million investment in Canada's economic action plan.

I look forward to taking questions on that issue or on any others of interest to committee members.

[*Translation*]

Thank you for your time, Mr. Chairman.

[*English*]

The Chair: Thank you very much, Mr. Minister. We will have questions from each of the caucuses.

We are short today. We will end this meeting at 4:30 p.m. I'm going to ask for unanimous consent that each caucus be given 10 minutes.

Some hon. members: Agreed.

The Chair: Mr. Bevilacqua, you have 10 minutes—or at least your caucus does.

Hon. Maurizio Bevilacqua (Vaughan, Lib.): Thank you very much, Mr. Chair.

Thank you, Minister, for your presentation. I want to begin my comments by saying that while it's very important that we review the estimates, my major concern as critic of the Liberal Party is that, in fact, new Canadians are falling behind. They're over-represented in the poverty rates, the unemployment rate, and the gender employment rates of this country, and I question the government response to this reality.

I want to cite an editorial comment made recently:

Canada's future prosperity is tied to the economic success of its immigrants. Perennial wage gaps indicate success for immigrants is not a given. It is regrettable that amidst the ongoing stimulus spending, investments to ensure immigrants integrate as speedily and successfully into Canada's economy as possible are not being made.

I tend to agree with that assessment. That is the paramount issue of immigration in Canada. We welcome people, but their expectations are not being met, not because of what they're not willing to do but rather because the system is not allowing them the chance they rightly deserve. That's the macro-picture, Minister, that I want to paint to you.

Secondly, I have some very specific questions in reference to the main estimates. The main estimates indicate that Citizenship and Immigration net spending increases of \$175.2 million are due in part to \$80 million in funding related to the Canada-Ontario immigration agreement. Is that \$80 million new money that was not originally contemplated as part of the \$920 million over five years under the agreement, or is that unspent money from previous years? Could you please provide the committee with an accounting of the money that has flowed under the Canada-Ontario immigration agreement as of March 1, 2010, how much money actually flowed in each year?

As you know, this week the citizenship guide comes into effect. There are some questions, obviously, related to that guide, but I do want to give you, Minister, the opportunity to answer just some very straightforward questions related to the guide. That is, did you or

anyone in your ministerial office request the removal of references to gay rights or same-sex marriage from the drafts of the citizenship guide? At any time during the process, did public officials suggest that references to gay rights or same-sex marriage be incorporated back into the final product, and if so, what was your office's justification for keeping them out of the guide? Given that the guide is now being used, can we expect that these issues will be reincorporated into the guide, and if so, when?

Thank you.

Hon. Jason Kenney: Thank you. There are a lot of questions there.

Mr. Bevilacqua, first of all, I share your preoccupation with the diminished economic outcomes that are experienced by many newcomers to Canada versus 20 years ago, for example. The overall focus of the government's approach to immigration is to improve economic outcomes for newcomers so that immigration works for them and for Canada. That has been the guiding principle in everything we've done.

I read the same editorial that you did. I'm actually sending a letter to correct my friends at the *Globe and Mail* because they missed the fact that budget 2010 continues the economic action plan's investment of \$50 million in additional funds for the implementation of the agreement between the premiers and the Prime Minister, in January 2009, to accelerate and streamline the process of foreign credential recognition. And that \$50 million, which we're continuing to invest, is what led to the very important development last November of the pan-Canadian framework.

The budget also includes the continuation of our substantial increase in settlement funding, Mr. Bevilacqua. In 2005-06, this ministry spent \$188 million on settlement funding and this year, in 2010-11, it will be \$652 million. So this government has more than tripled the investment in settlement services, including language programs for newcomers.

But may I add, Mr. Bevilacqua, that an index of success isn't just spending more, it's better outcomes. I've asked this committee on several occasions to consider studying best practices in settlement programming and it never seems to get picked up. Perhaps it's because it doesn't generate news stories, but I think it's absolutely essential. The taxpayers are spending three to four times more on settlement programming—yes, in Ontario, under COIA, and across the country—than any government did before. Yet we're concerned that we're not seeing a proportionate increase in enrollment in these programs or in outcomes. I've alluded before to the fact that only a quarter of qualified permanent residents are enrolling in the free language classes that we're now offering, which are far more expansive than they've ever been before. We are looking at some ways of innovation, like the voucher pilot program, but I would really encourage this committee to look more broadly at that.

So I reject the premise that we are not investing in newcomers. In fact, the \$12 million expansion of the foreign credentials referral office for pre-integration programs abroad is a classic example of this. We want newcomers to get ready for the Canadian labour market, to get a head start on the credential recognition applications, and to make their job applications before they arrive here.

Finally, I think a lot of the expanded programs we have, such as the provincial nominee programs and the Canadian experience class, which is starting to pick up momentum, will lead to better economic outcomes.

In terms of your questions on COIA, I will refer this to our CFO in terms of the \$88 million.

• (1545)

Mr. Mark Watters (Assistant Deputy Minister, Chief Financial Officer, Department of Citizenship and Immigration): The funding that's included in this year's estimates is the COIA funding that was re-profiled from prior years, net of an amount that was also brought forward into earlier years as well, plus an increase under the Canada-Quebec accord.

Hon. Jason Kenney: Essentially, to summarize on COIA—
[Translation]

Hon. Denis Coderre (Bourassa, Lib.): Pardon me, Mr. Minister, you can respond to the rest in writing. I think it is important for us to speak, given that we only have 10 minutes per caucus.

I would like to refer to Haiti, because it is a major, key issue. I was somewhat disappointed by your parliamentary secretary who, last week, in response to a question on Haiti, said that there was no way we could treat countries in different ways depending on their circumstances. I thought that, in Canada, our definition of the word "humanitarian" was somewhat different. That said, I would like to ask you some very direct questions on the situation in Haiti.

A supplementary budget of \$4,788 million has been allocated to Haiti. Are you telling me that, as of March 5, only 160 permanent resident visas have been issued. There are 1,500 temporary visas. Temporary visas mean that those people will eventually have to return to their country.

I would like to know how many applications you have processed and received since the earthquake and how many new applications you have received. Because you also said that you were making announcements in addition to those that were already in the system. I should say that, given the urgency of the situation and the fact that there are still approximately 1 million displaced people, 160 visas is not a great deal. You have acted on adoption but, when it comes to family reunification, I am extremely concerned. I must tell you that I am not very pleased and neither is the Haitian community. I would like you to provide us with some figures on this matter.

Hon. Jason Kenney: First, I will respond in writing to Mr. Bevilacqua's other questions so that I may orally respond to Mr. Coderre's now.

Mr. Coderre, the parliamentary secretary said that we could not treat countries differently. Like me, he was referring to countries that have dealt with natural disasters like the earthquake in Pakistan, the tsunami in southern Asia and, obviously, the earthquake in Haiti.

We have developed a humanitarian and flexible approach. I did not want to tell the families of earthquake victims in China or Pakistan that they would receive different treatment than Canadians of Haitian origin. As a former minister, you know full well that when it comes to immigration policy, everyone must be treated fairly and equitably. We try to do this, even in the context of the special measures we have announced.

• (1550)

Hon. Denis Coderre: We disagree, minister. Give me some figures, please. We do not have the same definition of the word humanitarian.

Hon. Jason Kenney: I believe that, before the earthquake, there were already approximately 3,000 people in the family sponsorship system. Obviously, these are cases that have already been expedited. In Quebec we have been told that 3,000 additional cases would be referred to us. Well, we have not yet received a single case from Quebec to date.

Ms. Deschênes, how many additional cases have we received since the announcement of the new measures?

Ms. Claudette Deschênes (Assistant Deputy Minister, Operations, Department of Citizenship and Immigration): I will answer your question, but I want to tell you first that we have helped to repatriate 4,600 Canadian citizens. Our embassy was partially destroyed; so there were certain things that we had to do. Moreover, over this period, 16 officers and other Canada Border Services Agency officers provided temporary service.

I simply wanted to explain to you that, in Haiti, in part because documents were destroyed and in part because of the situation for the people, it is by no means simple. At the moment, we are processing approximately 2,000 additional applications. We are also pulling out of our files all refugee applications that have been granted, so as to expedite their processing. So, we have approximately 2,000 applications.

In the eight weeks immediately following the earthquake, despite the fact that we had consular cases to deal with, among others, we have more or less managed to do the work that had been done every day for the last two years in Haiti. We also opened a mission in Santo Domingo.

[English]

The Chair: We have to stop there. We're well over the time. I'm sorry.

I have a feeling there will be more time for you to give that information later.

[Translation]

Hon. Jason Kenney: Let me add that next week, I believe, the committee will hold a meeting on all the issues concerning Haiti. Senior officials will be here to answer questions.

[English]

The Chair: You're right.

Monsieur St-Cyr.

[*Translation*]

Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ): Thank you, Mr. Chair.

Mr. Minister, I want to talk to you about the use of French in the Immigration and Refugee Board of Canada. I have already spoken to you about this several times. I have asked questions about this issue in the House of Commons and at this committee. However, you have always hidden behind the judicial independence that the members of this board enjoy to tell me, ultimately, that you could not get involved.

Now, the Bolanos file, handled by Mr. Handfield, went before the Federal Court and, through your lawyers, you are directly challenging this person's right to have access to evidentiary documents in the language of his choice. That is clearly the case you are making. I have with me the brief that was presented by the Deputy Attorney General of Canada on behalf of the Minister of Citizenship and Immigration. In paragraph III, it states the following: "The case at hand is not concerned with Mr. Bolanos Blanco's language rights, but it has to do with his right to benefit from a full and complete defence."

I attended the part of the hearing in Montreal that dealt with language, and I was surprised to see how much effort your lawyers expended to tell the court that it did not have to obey its own rules on the use of French. With this in mind, I would like to draw your attention to the Guide to Proceedings before the Immigration Division, prepared by your legal service. Item 6.3.3 is entitled "Consequences of changing the language of the proceeding on the presentation of the documentary evidence". I will spare you the reading of the whole thing, but let me emphasize that the case described is exactly like the case at hand. In fact, the evidence was first drafted in English, then a request was made to change the language to French. It says:

Under rule 25(2), if the minister provides a document that is not in the language of the proceeding, the minister must provide a translation. Consequently, a change in the language of the proceeding may mean adjourning the hearing so that the documents provided by the minister can be translated [...]

The government has spent a great deal of effort and energy on this situation. It is truly a legal guerrilla war that seeks to demonstrate that the board does not have to follow its own rules, namely that evidence be presented in French.

However, when I ask you questions in the House, you say that you are in favour of using French and that you believe that the board must respect that. What you are saying politically and what your lawyers are saying before the court on your behalf are two different things.

I would like to have an explanation of this discrepancy and I would like to know why you are making such a to-do. Substantial resources have been invested in this.

Your government even issued a deportation order against Mr. Bolanos Blanco before the Federal Court had handed down its decision, which is rather extraordinary. Fortunately, the Federal Court granted a stay.

Why all this excitement? Are you afraid that it will create a precedent that favours the use of French?

• (1555)

Hon. Jason Kenney: Thank you, Mr. Chair.

Thank you, Mr. St-Cyr, for your questions.

The position that we have taken was not contradictory. The IRB acted in a way that was in keeping with the Official Languages Act and with the regulations under the Immigration and Refugee Protection Act. I am pleased to inform you that the Federal Court was in favour of the position that we presented to the court on March 11, just last week. Mr. Bolanos Blanco's judicial review was rejected in a decision rendered by Justice Luc Martineau of the Federal Court.

None of the matters raised by Mr. Bolanos Blanco's lawyer for judicial review, including the question of the language of the proceeding, were upheld. In other words, Federal Court was favourable to the government position that the IRB had acted in a way that complied with the Official Languages Act and the Immigration and Refugee Protection Act. I can tell you that Mr. Bolanos Blanco has left the country. He is no longer in Canada.

Mr. Thierry St-Cyr: You are proud of the fact that Federal Court confirmed that a board member does not even have to obey the rules that provide for changing the language of proceedings. I find this rather contradictory. Perhaps you are happy about having won your case, which is not surprising given all the resources that you put into it, resources that come from the pockets of Quebec taxpayers. But there is still a contradiction between the message on the one hand and the reality on the other.

Hon. Jason Kenney: Mr. St-Cyr, the IRB is a quasi-judicial body. It made a decision on the language of proceedings that was upheld by the Federal Court following legal action by Mr. Bolanos Blanco's lawyer.

The reason why the government took this position is exactly because it wants to protect the interests of Canadian taxpayers. Imagine, if lawyers could decide, at any moment, to change the language of the proceeding, compelling us to translate all the documents that were accepted in the original language of the proceeding, the cost would be incalculable. It could amount to tens or even hundreds of millions of dollars in translation costs for taxpayers. The Federal Court and the IRB said that, if the lawyer and the client agree to a language of the proceeding, documents in that language are acceptable. That is the law, and I think that it is in the best interest of Quebec and Canadian taxpayers.

• (1600)

Mr. Thierry St-Cyr: The problem, Mr. Minister, is that your answer confirms my apprehensions. I think that the reason why you put so much energy into this case is that you do not want to create a precedent. You know very well that, even in Montreal, when a proceeding begins, the file is open in English and the evidence is gathered in English. Even before the first day of the hearing, everything has been produced in English, the minister has submitted his documents in English. So we can say that, in this particular case, we can ask for a change of the language of the proceeding all we like, but that everything is prepared in English right from the outset.

Would it not be a better solution to use French in Montreal by default? People who do not want to proceed in French should clearly declare that, and proceeding in French should not be the exception in Montreal, but the rule.

Hon. Jason Kenney: Mr. Chair, Montreal is a part of Canada, which is a bilingual country. People have the right to choose the language of proceedings before legal tribunals. In the case we are discussing, Mr. Bolanos Blanco chose English as the language in the proceedings he brought before the IRB. It was his choice, not the IRB's choice, nor Canada Border Services Agency's. It was the client's choice, the refugee claimant's. He made his choice, he was served in the language of his choice and then he changed his mind, he changed the language and all the documents that were provided after that were in French. Consequently, according to the IRB and the Federal Court, the entire procedure was carried out legally and in compliance with the Official Languages Act.

I agree with the Federal Court and the IRB, and I am sorry that you do not.

Mr. Thierry St-Cyr: The problem is that no one ever really asks an individual, an immigrant—because, in this case, we are not talking about a refugee—what his or her language of choice is. The documents are often available in both languages, so clearly he had no choice between French and English. This is the case for Mr. Bolanos Blanco, among others. If it is already too late to choose on the first day of the hearing, I do not see how it could be done earlier, even before the hearing starts.

All immigration lawyers—

[English]

The Chair: Mr. St-Cyr, perhaps we can wind up, please.

[Translation]

Mr. Thierry St-Cyr: I will be brief. Do you acknowledge the fact that—and all the immigration lawyers in Montreal will tell you this—that if someone speaks neither French nor English, their file will be opened in English? They will not be asked if they want to proceed in French or English. You know that this is the case, Mr. Minister.

Hon. Jason Kenney: No, the department's position and, I believe, the position of the IRB is that applicants are entitled to choose the language of proceedings, as Mr. Bolanos Blanco did.

[English]

The Chair: Mr. St-Cyr, that's it. You can let him finish, but you are finished.

Madam Chow.

Ms. Olivia Chow (Trinity—Spadina, NDP): Thank you.

I have three questions in three different areas.

We know that hard-working Canadians expect effective, fast, and fair immigration services. The system right now is not fair, is not fast, and is not effective. Let me give you an example.

Recently I was watching the Canadian Olympic hockey game in a bar. I ran into a Canadian surgeon working at the Sick Kids hospital, a wonderful young man. He tells me that he sponsored his wife starting on November 15, 2007. The wife has an MBA, a master's degree from Georgetown, and is totally qualified to work. After 27

months. Anu, the wife, is still waiting for her landed immigrant status. As a result, she can't work, she can't get OHIP, and she is stuck. The Canadian doctor was saying, "I am so fed up with waiting. Why does it take so long for my wife to get landed immigrant status?"

I looked up the Buffalo visa office wait time. It is supposed to be 1.2 years, one year in general, and this one is over two and a half years, almost three years. I then looked up a lot of my constituents from southern China via Hong Kong; the average wait time is four and a half years. I looked up New Delhi. The average wait time is 6.74 years. That's close to 7 years. Nairobi is four years; Islamabad in general is 11 years. My gosh, this is.... In general, these are the wait times.

In this specific case, I'm talking about a family class application. If you are trying to sponsor your father and mother, it takes a long time. I'm really focusing on wait times for family class applicants, not for skilled workers, because I know Bill C-50 and we don't need to revisit that. It is really the family class applicants—the spouses, the parents, and the children—who end up waiting for years and years. I looked at the supplementary estimates (C) and I looked at the main estimates. There is really no initiative, no program, to decrease the wait times.

Last year, you may recall, I asked you about the computer program. Yes, you put in \$31 million for a computer program that is supposed to be working this year.

What are we doing? What is your department doing to lower the wait times for family class applicants so that they don't have to wait so long to reunite with their loved ones?

● (1605)

Hon. Jason Kenney: Thank you. I acknowledge, that's one of the top concerns of newcomers. People raise it with me all the time, as I'm sure they have with all of my predecessors.

You know, Madam Chow, that over the course of 10 or 15 years we saw a huge growth in the overall inventory, and that included family class. The department is constantly looking at ways to administer these programs more efficiently to accelerate processing times. For example, 80% of spousal sponsorship applications are dealt with in less than a year. So if this chap has been waiting for two and a half years, please make a representation to me, and I'll look at that particular case.

I can point out that we've made progress on parents and grandparents. In 2006 it was taking 60 to 80 months. It is now taking 56 months in 2009. I know for many families that is still far too long, but it is moving in the right direction.

I know that we have, for instance, made some progress in Nairobi with respect to family class applications. We've been reducing the wait times and the backlog there.

I would say, though, that globally the challenge we have is that there are more people who want to come to Canada, by several orders of magnitude, than we can process in a period of time. We have the highest relative level of immigration in the developed world, at 0.8% of our population—up to 265,000 in our planning range. And yet, according to the international survey on migration done by Gallup last year, there are over 40 million people who would like to immigrate to Canada. So we receive more applications for the family class categories than we can welcome to Canada in any given year, given the practical limitations we have both on processing applications and on integrating individuals to Canada.

Essentially, more and more people make applications for the number of positions that are available. That is why over a period of time the backlogs have developed.

As you know, there are some regional problems or challenges. For example, you have raised Hong Kong in southern China. As I mentioned to you in my last appearance, we have faced a wave—

Ms. Olivia Chow: I remember that.

Hon. Jason Kenney: —of fraudulent applications in spousal sponsorship, and that takes the agents' time, because they have to sort through these things. They know that there are people making false applications, so it takes them a substantial—

Ms. Olivia Chow: Surely not half of them?

Hon. Jason Kenney: Half of the spousal sponsorships in the Hong Kong office are being rejected.

Ms. Olivia Chow: I know; 52% get turned down.

• (1610)

Hon. Jason Kenney: That's right. So they take more time, and it slows everything else down.

Ms. Olivia Chow: Let me go to a slightly different topic, back to the budget; I should focus on the budget.

Supplementary estimates (C) has a category of \$388,000 for the Institute for Canadian Citizenship. I don't know whether this Institute for Canadian Citizenship recommended that collecting hockey cards should be in the citizenship guide but not gay rights or gay marriage or gay history. Did the institute recommend putting equal families for gays and lesbians in the citizenship guide? If not.... It's \$388,000, a lot of money.

Hon. Jason Kenney: We can always count on you, Ms. Chow, to be just about the only member of the committee who actually asks us questions about the estimates. I commend you for that.

Ms. Olivia Chow: Well, I've read them.

Hon. Jason Kenney: The answer is that the Institute for Canadian Citizenship is a project that was created by Her Excellency the former Governor General Clarkson and Mr. Ralston Saul upon their departure from Rideau Hall. A previous government decided to maintain a convention or practice whereby departing governors general can establish a special project focused on a national issue, in this case citizenship. I know that we included the Institute for Canadian Citizenship as one of the members of the blue ribbon panel to provide input on *Discover Canada*.

We received submissions from dozens of organizations and individuals, including the institute, on hundreds of issues. I can't

recall off the top of my head what they recommended, but I think the remarks of the CIC were that they were very pleased with the outcome of *Discover Canada*.

As I've said publicly, if they or anyone else would have suggestions for future revisions on the guide, I'd be more than willing to consider those for any future revisions.

Hon. Jason Kenney: Let me say on that issue that in *A Look at Canada*—the previous guide, which is just now being phased out—there was zero content at all on gay and lesbian Canadians. If all you knew about Canada came from *A Look at Canada*, you wouldn't know there were gay and lesbian Canadians.

We rectified that in *Discover Canada*. We highlighted a gay role model, Mark Tewkesbury, as a prominent advocate for gay and lesbian Canadians.

There wasn't a section on marriage at all of any kind, regardless of how it is defined, in the previous document.

Having said that, since the publication of the guide we have received some constructive suggestions from a number of organizations—you've mentioned one—and we will give them very serious consideration. But I am not at this point going to start prejudging the outcome of it.

If you have suggestions as well, Ms. Chow, we would be willing to receive them, although I would counsel everyone that this cannot end up being a thousand-page document. We cannot include every possible issue, but if there are reasonable ways to insert different issues that people think should be included in the document to present a full depiction of Canada, I am all ears.

Ms. Olivia Chow: But what I—

The Chair: Thanks to you both.

I'm sorry, Ms. Chow, your time is up.

Mr. Rick Dykstra (St. Catharines, CPC): I cannot believe Ms. Chow is complaining about the time she had. This is, like, unbelievable how much time—

The Chair: Let's move along, Mr. Dykstra.

Mr. Rick Dykstra: Minister, you come here a lot, and you're always very open and straightforward. You do a lot of work within the context of your responsibilities across the country.

I thought it relevant to see if there were in fact any announcements that you might like to make today about your department's commitment to transparency and open government.

Some hon. members: Oh, oh!

The Chair: Can we have some order?

Minister.

Hon. Jason Kenney: I would point out to my friends in the opposition that five members on one side are getting as much time as one member on the other side, so I think this is a reasonable question.

I am proud to announce that starting today our ministry will now post its most requested statistics on a quarterly basis on our website.

We are demonstrating our commitment to transparency and open government by ensuring that our most requested data is up to date, easily accessible, and posted in a timely manner. This will ensure that anyone who would like this data can access it free whenever they would like to. The statistics provide current information on the immigration and citizenship processes, such as how many economic-class and family-class applications have been proceeded with in the previous quarter of the year.

So Ms. Chow's research will be rendered even more convenient.

The information also includes operational data on, for example, citizenship statistics, application processing times, and inventories. CIC is also offering public access to a free CD with more detailed statistical information.

Let me add one point, Mr. Chairman, to highlight our commitment to open government. Immigration Canada receives the most requests of any government department under the Access to Information Act—more than double the number of requests received by the next-highest-ranked federal department. So we have a huge volume of ATI requests. But our compliance rate is over 95%. This demonstrates our commitment to transparency and client service. By virtue of our sharing this information proactively on a regular basis, Canadians will have the information they need readily available. I think that demonstrates our commitment to transparency.

•(1615)

Mr. Rick Dykstra: Thank you.

Mrs. Alice Wong (Richmond, CPC): Minister, earlier this month in Vancouver, after an investigation by the West Vancouver Police Department, immigration consultant Mr. Hadad was sentenced in provincial court to one year in prison after defrauding a man seeking to immigrate to Canada from Iran of over \$49,000, and for using a document as if it were genuine while knowing that said document was forged.

Mr. Minister, could you please comment on this?

Hon. Jason Kenney: Sure. I am glad to have seen that this action has come to a conclusion at the court with a conviction. I think it sends a very important message to those who would prey on prospective and actual immigrants that they will face the weight of Canadian law if they seek to exploit people by providing them with false advice, or by taking their money and not providing services. In this case \$49,000 was taken from individuals and it involved the forging of a document. So I think this is very important.

I can tell you that I've spoken to the director of the Canada Border Services Agency about the importance of focusing on violations of the Immigration and Refugee Protection Act. As well, I know that the RCMP has a number of ongoing investigations with respect to contraventions under the Citizenship Act. And, as I've mentioned, we intend to bring forward even further statutory amendments and operational changes this spring, which will facilitate more vigorous prosecution of offences by ghost consultants and those who seek to exploit immigrants and violate our immigration laws.

This is a very important message to get out there. There's far too much of this, but I hope that people will learn from this conviction that they will not get away without consequences if they so clearly violate our immigration laws and exploit newcomers.

Mr. Terence Young (Oakville, CPC): Thank you.

Minister, I recently had some good news in my riding. A lady who had been trying to bring her husband from Haiti for some time was successful, and he's headed back to be reunited with his wife. I know there are some good things going on at your ministry.

There's a lot of money in the supplementary estimates, a substantial amount, to deal with the earthquake in Haiti. Can you tell us what your department has done to expedite immigration files from Haiti, including family class and adoptions?

Hon. Jason Kenney: We covered some of this ground in response to Mr. Coderre, but I can certainly say that our department did remarkable work in accelerating the applications for adoption by Canadian parents. When the earthquake happened, we were contacted by a number of MPs from all parties expressing concern about kids who were abandoned in orphanages and were waiting for a finalization for approval to come to Canada.

In terms of prioritizing or triaging our immigration response to Haiti, we felt it was appropriate to focus on children, who were probably most susceptible to disorder, to a lack of clean water and shelter, to the crisis in general. This is why we proactively contacted parents who had made applications for adoption of Haitian children. We worked with the provincial child welfare agencies responsible for overseeing adoption sponsorships and we worked directly with the orphanages in Haiti and our missions in Port-au-Prince.

I can tell you that as a result of all that, within the first two weeks we succeeded in bringing to Canada about 150 Haitian children to be united with their Canadian families. I want to point out that many of these families were Canadian families of Haitian origin who were helping young Haitians to have a new beginning here. Since then, I think we brought roughly an additional 50 children. There are 203 Haitian children whose adoptions we have accelerated.

In terms of the other cases, we have added, as Madame Deschênes mentioned, resources in Santo Domingo. In Port-au-Prince, notwithstanding the damage caused to our mission there, we've reallocated, and redirected individuals in our Montreal office to be specifically focused on handling inquiries. We opened a designated 1-800 call service for people with inquiries about relatives in Haiti. We triggered extraordinary measures, including accelerated treatment for qualified individuals in Haiti who can be sponsored here as family class.

We have also in a number of cases demonstrated extraordinary flexibility in granting TRVs in extraordinary humanitarian cases.

On the whole, I think our response has been quite remarkable. I would like to commend our officials, particularly those working on the ground in Port-au-Prince and Santo Domingo. As Mr. Coderre points out, once we begin to receive cases that are referred to us by Quebec, we will have several thousand cases: those that were in the queue before the earthquake, the 2,000 or so that have come to our attention since the earthquake, plus some additional ones from Quebec. It will be a challenge.

Because of the limited capacity for medical verification—although that's coming back on stream—we now have a new arrangement. We're back on stream with medical doctors in Haiti who are designated to provide certified medical checks. Of course, we have some logistical challenges regarding security checks because of the destruction of the records in Haiti and the virtual non-existence of the police and the judicial system. But our agents will be using their good sense and due diligence in applying IRPA for applicants to come to Canada, to ensure that they actually are legitimately related to Canadians, that they're qualified to come, and that they meet the medical and security requirements of IRPA.

It's my hope that... As you see, we've already processed some of these applications, and every week we will be processing more and more. I think the special program will pick up momentum. We have learned lessons from special measures implemented for the Sichuan earthquake, the south Asian tsunami, and so forth.

• (1620)

The Chair: You don't have much time, Mr. Calandra, so talk fast.

Mr. Paul Calandra (Oak Ridges—Markham, CPC): In your opening remarks, Minister, you referred to two things: the need to reform the refugee system and the need to crack down on citizenship fraud. I'm wondering whether you might expand on both of those.

Hon. Jason Kenney: In terms of refugees, I spoke to that in my opening remarks, that this was in the throne speech. The government is committed to introducing legislation this spring to streamline and create a more balanced asylum system, a system that provides robust procedural protections for refugee claimants and provides faster decisions for legitimate refugee claimants while at the same time discouraging false claimants from seeking to come into Canada through the back door of the asylum system. We are essentially putting the finishing touches on a package that we intend to present to Parliament in the not-too-distant future, and I anticipate that this committee will be charged with that issue. It will be a very serious issue for study.

It's really my hope and my plea that this issue.... It's a very important issue. I will simply say that the package that we have designed and will be unveiling is a very balanced package that the vast majority of refugee advocates can and should support, and I hope this committee will treat it in as non-partisan a fashion as possible.

The Chair: Thank you, Mr. Minister.

Mr. Karygiannis, you have two minutes.

Hon. Jim Karygiannis (Scarborough—Agincourt, Lib.): Thank you.

Minister, I heard your parliamentary secretary talk about transparency. I want to quote a previous minister, Minister Finley, who said:

These principles will ensure Ministerial instructions today and in the future remain fair, open and transparent.

Minister, you talked about timelines. I was on your website this morning and I could see the timeline for processing skilled workers previous to February 27, 2008, was up to 60 months or 78 months.

Minister, you said you were going to update the website every three months. How come you haven't put anything for skilled workers on your website after February 26, 2008?

I'll read you what it says: "Current processing times for Federal Skilled Worker applications received after February 26, 2008 will be available with the next update, in January/February 2010." We're in March, Minister.

That is the first question, Minister. The second question—

• (1625)

The Chair: Why don't we stick with the first question? You're going to run out of time.

Hon. Jim Karygiannis: I've got two minutes. The minister can respond.

The Chair: All right. I'm going to cut you off at two minutes. Go ahead.

Hon. Jim Karygiannis: You said you were going to allocate \$109 million over five years to have SWAT teams go around the world. This is what Minister Finley said.

In terms of IDP camps and people in Sri Lanka who sponsor their parents, a letter was sent to one of my constituents: it said that they had received in the office the application on 10/11/2009, and it would not be dealt with until 10/11/2010.

Is that your sense of fast-tracking, Minister, for people who live in Sri Lanka in IDP camps?

The only person getting away here, Minister, is you.

Hon. Jason Kenney: I'm sorry, what was that? The only...?

Hon. Jim Karygiannis: The only person getting away is you.

The Chair: I don't know, but do your best, Mr. Minister.

Hon. Jason Kenney: The information you were requesting in terms of wait times under the ministerial instructions of the action plan for faster immigration were put on the web as a result of the announcement I just made, Mr. Karygiannis.

If you have a BlackBerry, you can go to cic.gc.ca and download the information—

Hon. Jim Karygiannis: I just downloaded from your website. They're not there, Minister.

Hon. Jason Kenney: It's in the information that we just released as part of our first quarterly report. It will be regularly updated every quarter.

I would point out that—

Hon. Jim Karygiannis: Minister, I'm going to give you a chance to rephrase—

The Chair: Mr. Karygiannis, please.

Hon. Jim Karygiannis: —to make sure what you're saying, if those stats are on the website—

The Chair: Order!

Mr. St-Cyr has two minutes.

[*Translation*]

Mr. Thierry St-Cyr: Thank you, Mr. Chair.

I would like to question the Minister about the latest appointments he made. Once again, I have some problems with them. I am talking about two former Conservative candidates who were appointed citizenship judges. They are Marc Nadeau, a candidate in the 2006 election in Sherbrooke, and Mr. George Khouri, a Conservative candidate in Pickering—Scarborough-East in 2008. We can also add to this the renewed term for Mr. Atkinson, who was an MP in the parliamentary secretary's riding for a number of years and the appointment of Pharès Pierre, John Cryer, Darcy Tkachuk and Cheryl Walker, who are all recognized and recognizable supporters of the Conservative Party.

I understand that there are Conservatives in Canada. There are 75 Conservative candidates in each election in Quebec, but there are also 75 Bloc Québécois candidates, 75 Liberal party candidates, 75 NDP candidates and 75 Green party candidates.

How is it that there are so many former Conservative candidates among your appointments? Would this not be yet more evidence that, despite all your fine words, you and the Liberals are of the same mind when it comes to partisan appointments?

Hon. Jason Kenney: The Citizenship Commission has a pre-selection process. All candidates whom we nominated were approved as the result of a test, interviews, and so on. These individuals were recognized as qualified to carry out those duties. The vast majority of individuals appointed as citizenship judges, to my knowledge, have no ties to a political party. Even Conservatives, if they are qualified, are not barred from being appointed to such a position.

Mr. Thierry St-Cyr: Why only Conservatives?

Hon. Jason Kenney: Under the new IRB pre-selection process, 90% of applicants for an IRB position are rejected and are not referred to me by the selection committee. This means that only 10% of the applicants are referred to me. Since becoming minister, I have recommended to Cabinet the appointment or the renewal of 70 IRB members.

According to the opposition's research, I know that 4 or 5 of these 90 IRB members had ties to my political party. This means that over 90% of IRB appointments had no ties to my party.

• (1630)

[*English*]

The Chair: You know what? I'm going to let Mr. Calandra ask a question. We've given you.... We're stretched for time.

Mr. Calandra or Ms. Grewal. There is not very much time.

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

Thank you, Minister, for your time and your presentation. As you know, my time is limited, but I'll ask you very short questions.

First, what has the government done to improve economic outcomes for immigrants? Next, what are we doing to promote integration?

Hon. Jason Kenney: Thank you.

As I mentioned in response to Mr. Bevilacqua, really my focus and our preoccupation is better outcomes and faster economic integration so that immigration works better for newcomers and for Canada. That is why, after years of stagnation in terms of federal investments in settlement services, our government has more than tripled the federal investment in settlement services, free language classes, and the like.

Ms. Grewal, you're from British Columbia. I'm pleased to say I've met with Dr. Stilwell, my provincial counterpart there. We're working on improving, for example, the services delivered through our devolution agreement with B.C. for settlement services.

Also, I think the changes we've made in immigrant selection for federal skilled workers under the ministerial categories and the action plan for faster immigration will help to better align the skills of newcomers with the jobs that are available in Canada. I should also mention that today we're announcing consultations on those ministerial instructions to make sure they're working for newcomers and for Canada.

I want to reiterate—I say this every time I'm here—that I think one study this committee could do to really substantively help newcomers would be a review of what works and what doesn't in settlement funding. Why is it that only one-quarter of new permanent residents are enrolling in our free language classes? What could we be doing better? We're constantly trying to do that self-assessment internally to determine what kinds of programs work better.

I want to flag another issue for the committee. Mr. Bevilacqua mentioned COIA—that's the Canada-Ontario Immigration Agreement—through which we agree to fund settlement services in Ontario. I should mention that we're funding far more than the province is even though immigration is a shared jurisdiction.

I also want to say, Mr. Chairman—

The Chair: Be quick.

Hon. Jason Kenney: —that the committee could look at the issue of devolution. Should the federal government or the provinces be doing settlement work? That's an issue on which we need your advice as well.

The Chair: Thank you.

I'm afraid that's it, Ms. Grewal.

I'm going to ask whether votes 1c and 5c carry.

CITIZENSHIP AND IMMIGRATION

Department of Citizenship and Immigration

Vote 1c—Operating expenditures.....\$4,766,440

Vote 5c—The grants listed in the Estimates and contributions.....\$1

(Votes 1c and 5c agreed to)

The Chair: Mr. Minister and your colleagues, thank you very much for spending this time with us today.

Hon. Jason Kenney: Thank you, Mr. Chairman.

The Chair: We look forward to the next time. Thank you very much.

This meeting is adjourned.

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