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Chair

Mr. David Tilson

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• (1125)

[English]

The Chair (Mr. David Tilson (Dufferin—Caledon, CPC)): Good morning. This is meeting number 8 of the Standing Committee on Citizenship and Immigration, on Thursday, November 3, 2011. This meeting is televised. Pursuant to Standing Order 108(2), we are studying immigration application backlogs in light of the action plan for faster immigration.

I'm terribly sorry for all the confusion this morning, but there were votes. The place is rather chaotic right now with votes, as we have to stop the meeting if there are votes. We have been put on notice that there will be votes, in which case we'll have to adjourn.

I'm going to introduce the witnesses, but I'm just telling you that out of the blue we may have to adjourn the meeting until after the votes. Then we'll all come back and try again.

We're trying to combine the four of you until one o'clock, and that's because of the confusion that's going on in the House right now. I hope you'll understand, and I'm sorry if we've inconvenienced you. On behalf of the committee, I apologize for that.

I would like to introduce our witnesses, who are going to make some comments on the backlog of immigration in this country. We have with us, from the Canadian Migration Institute, Nigel Thomson, who's a member of the board of directors of that organization. We have Marc Audet, from Desjardins Trust Inc., who is the vice-chair of the immigrant investor program.

Good morning to you.

We have Daniel Perron from the HSBC Trust Company, who is the director and head of global investor immigration services.

Finally, we have Christine Morrissey, the co-founder of LEGIT Vancouver.

Welcome to Ottawa.

Normally we give our witnesses eight minutes to speak,

Mr. Thomson, I'm going to have you go first. I may have to interrupt you partway, and I apologize for that, but you have up to eight minutes to speak.

Mr. Nigel Thomson (Member, Board of Directors, Canadian Migration Institute): Thank you very much, Mr. Tilson.

Good morning. Thank you for the invitation to the Canadian Migration Institute to address immigration application backlogs in light of the action plan for faster immigration.

The Canadian Migration Institute was incorporated in 2007 to provide a platform for authorized immigration representatives—immigration consultants and lawyers—to work collaboratively to educate practitioners and to advocate for the public interest in the formation of immigration policy and procedures.

I have three themes that I would like to touch on this morning. One is the recent legislative effort to reform immigration management. The second is the phenomenon of new immigration backlogs and their impact on immigration program resources. Finally, I would like to address a few comments to immigration operational policy consultations and the opportunities for new ideas.

First, the Canadian Migration Institute strongly supports the legislative steps taken by the current government and Minister Kenney to bring in new legislation to address a Canadian immigration system that is stifled by lengthy processing queues, inflexible core programs, and slow bureaucratic immigration systems that have led to a backlog of nearly a million persons who are waiting for immigration to Canada.

The government has embarked on a series of legislative measures. These measures are to be commended. The government has begun a modernization process for the Canadian immigration system and has put in place strong measures to boost integrity and compliance.

The reality is that backlogs and bottlenecks within the Canadian immigration system are a result of years of accumulated applications. From a personal perspective, I recall a conversation I had nine years ago with an ADM of Citizenship and Immigration Canada. He identified the growing backlog of federal skilled workers as a pressing challenge facing the system. Clearly we have been slow to react to a problem that has been perceived and understood for some time.

It is unrealistic to expect that backlogs will disappear of their own volition or that even bold legislative efforts by the minister can provide instantaneous solutions. We are now on the correct path, but more needs to be done in policy and operational innovation if the problem of excessive demand for a scarce resource—a Canadian immigrant visa—is to be overcome.

I would like to talk a bit about a phenomenon we're seeing, which is the phenomenon of new backlogs and their impact on immigration program resources.

We are not, unfortunately, facing a static situation as we bring forward the action plan for faster immigration. The reality is that there are new backlogs developing even as we speak, as a result of two phenomena: the expansion of new and existing immigration programs, and the ongoing challenge of allocating scarce immigration program resources.

Backlogs are currently developing in the federal processing of applicants nominated under the provincial nomination programs; the Quebec immigration program, notably the Quebec investor program; and the family class sponsorship of spouses and partners under the FC1 program. Notably, the slow processing of FC1 family class spouses and partners is partially a result of the recent legislative modification of regulation 4.

The strong recent growth of the provincial nomination program has resulted in an influx of provincial nomination program nominated applications and a notable slowing of PNP class processing times to more than one year, even at efficient visa offices, such as the ones in Buffalo and London.

Our CMI fellows have also commented on the differential global processing times for family class spouse and partner processing. They range from six months at some visa posts to over 27 months at others for a program that is a high priority for family reunification and that also has a very high profile in the community.

In addition to permanent residence processing, visa offices also face backlogs in non-immigrant processing, notably in the live-in caregiver program. They are facing ongoing challenges matching resources to demand for non-immigrant services during peak periods.

Government personnel and other resources available for processing are a critical issue in these times of governmental resource restraints. CMI wishes to suggest that the time may be propitious to examine special operating agency status for immigration program delivery.

• (1130)

The principle in the operation of a special operating agency is that service provision should be supported by fees from applicants, not from taxpayers. Special operating agency status might provide increased autonomy and flexibility to manage the immigration program delivery system, while adhering to demanding performance standards.

CMI would also suggest that the time is right for the government to have a serious look at immigration processing fees in the economic immigration program, including an evaluation of the actual and real costs of processing.

As one example, the application fee for a federal investor application is currently \$1,050. The fee for a similar application in Australia is more than \$4,000; in the U.S., \$4,000; and more than \$3,500 in New Zealand. Even the British Columbia provincial nomination program charges a business application fee of \$3,000. It is difficult to believe that our current federal economic immigration processing fees are reflecting the actual costs of our detailed application review and decision-making processes in this complex world.

A special operating agency, combined with fair fees for economic applications, might generate the management efficiency and financial and personnel resources to result in more effective and rapid processing, contributing to the action plan for faster immigration.

Finally, I'd like to talk a little bit about immigration operational and policy consultations.

The Chair: Excuse me.

Do we have unanimous agreement to allow Mr. Thomson to finish his presentation?

Mr. Nigel Thomson: I'm sorry, Mr. Chairman.

The Chair: Are we agreed?

Some hon. members: Agreed.

Go ahead, sir. I'm sorry.

Mr. Nigel Thomson: I'm sorry if I'm running a little long.

The Chair: No, you have about a minute.

Mr. Nigel Thomson: Thank you.

We have opportunities for new ideas. Recent experience with the federal cap of 700 applications in the investor category would seem to indicate that reducing supply by itself is not a useful tool for curtailing demand. As we know, all 700 applications were filled in one day, due to the operations of a few immigration agencies from one source country. Methods and policies that are more innovative than simple caps are needed to balance demand and supply for critical immigration programs.

CMI is simply suggesting that we need to do wider consultations, that there are opportunities and ideas out there to be able to address demand, and that these ideas should come from communities and from the practitioners and operators in the communities, ideas that can be brought forward to address both the operational issues and some of the political and community issues surrounding the issue of backlogs.

Thank you very much for giving me the opportunity to speak today.

The Chair: Thank you, sir, for your presentation.

We're all going to have to leave now, but we'll be back.

Monsieur Audet, Monsieur Perron, and Ms. Morrissey, when we return, we'll ask for your presentations, but we have to go to the House to vote.

Monsieur Audet, you will be next.

Thank you for your patience.

We'll suspend.

• (1130)

_____ (Pause) _____

• (1215)

The Chair: Thank you, ladies and gentlemen.

I'm sorry, witnesses, but I hope you'll understand. I'm going to have to leave the meeting at 12:30. Mr. Davies will be taking over as chair.

If you see me leaving, it's not because I don't like what you're saying; I have something that was planned weeks ago.

Monsieur Audet, you have up to eight minutes to make a presentation to the committee.

[*Translation*]

Mr. Marc Audet (Vice-Chair, Immigrant Investor Program, Desjardins Trust Inc.): Thank you, Mr. Chair. Ladies and gentlemen, hello.

I'll do my presentation in French, but I'll be pleased to answer your questions in English, should there be any.

In order to help you follow my comments, I've prepared a PowerPoint document for you in French and English, which has been distributed.

My name is Marc Audet. I'm the Vice-President of the Immigrant Investor Program, within the Mouvement Desjardins, Quebec's largest financial institution and the sixth largest one in Canada. I have been personally involved in business immigration for over 15 years.

Unlike my presentation in April 2010 before this same committee, when I talked to you about the importance of investor immigrants for our economy — which is still the case — my talk today will have more of a general perspective.

What is the backlog due to? Is it the volume of applications received annually, the ability to process them or the annual capacity to receive immigrants? All of these points have been covered by other guests appearing before this committee since the beginning of the session. The answer, however, may not have been provided. I'd like to get you to think about a new approach to the backlog issue.

I invite you to read page 3 of my document, which summarizes the permanent immigration figures for the past five years in Canada. We note that, from 2006 to 2010, Citizenship and Immigration Canada received an average of 435,000 applications from people. The number of applications processed, that is, accepted or denied, pertain to 375,000 people. Withdrawn applications concern 35,000 people. Accepted applications pertain to 260,000 people and denied applications, 115,000 people. For the purposes of our discussion today, let's keep in mind the figures from this last column and go on to the next page.

In a typical year, there are potential immigration candidates from all categories who apply to Canada. They may apply to immigrate directly or through a third party, be it family friends, or immigration consultants or lawyers. Year in year out, Canada receives 435,000 applications, in terms of people, of which 375,000 are processed, 35,000 are withdrawn and 25,000 are not processed. Of the 375,000 applications processed, 260,000 are accepted and 115,000 are denied. I draw your attention to those 115,000 people, who in my opinion form the major source of the backlog.

To my mind, the solution does not lie only in the hands of CIC. I think it is up to several people, starting with the immigrant himself.

The message is that there should be more screening because at present CIC ends up with virtually everything. This would make it possible to take the "just in time" approach proposed by Mr. Kenney and apply it to both new applications and the backlog. With such an approach, CIC could even have two-pile management, that is, one pile for applicants who passed the screening and another one for the rest.

I invite you to read page 6 of my document, which provides an overview of the distribution of the volumes of persons by category of immigration. It enables us to see where we should concentrate our efforts more in processing applications, if we operate according to this screening basis.

How can we support CIC? I have identified three main elements to examine more closely. The first one is eligibility of the candidates. For example, we need to work on screening mechanisms.

The second point involves the supporting document. We need to make sure that, when an officer is analysing a application, it is complete and the quality of the content is sound.

The third point is commitment at all levels. That means requiring more commitment from the different parties, that is, the immigrant, the financial level and the level of responsibility, if third parties are involved. If we work on these three elements, in our opinion, we could ensure better screening.

I invite you to read page 8 of my document. How could this type of approach translate into figures? We would have the impact of quality control, if CIC focused its efforts in this direction. I'm at Part A.

Let's start from the status quo regarding the number of people admitted. Year after year, CIC takes 260,000 people annually. If we increased efficiency through better quality control, say, by 5 per cent, that would enable CIC to reduce the volume of applications processed to 347,000 new ones and this in turn would enable it to deal better with the backlog.

● (1220)

However, if CIC concentrated on its resources so as to increase its capacity for processing applications — an average of 375,000 people a year — and increased its efficiency by 5 per cent, the number of individuals admitted to Canada would rise from 260,000 to 280,000 a year. In my opinion, this approach is quite practicable and these objectives could be met within the very short term.

Now, is the backlog realistic? I'll tell you about my own experience with businesspeople and investors. Investor immigrants who make an application at the federal level at present form a backlog of 22,000 applications, or 77,000 people. In 2006, Immigration Canada put in place a simplified process, whereby people didn't have to submit a complete application, but just a document accompanied by a cheque. From 2005 to 2006, Citizenship and Immigration Canada received 2,000 applications from investors each year. It received 3,000 in 2007, 5,000 in 2008, 8,000 in 2009, and 11,000 in 2010. Furthermore, as Mr. Thomson mentioned earlier, during the moratorium last July, over 700 applications were received in one day, and even more than 1,000 applications. If we had a screening process, I'm very sure that we wouldn't have received 700 applications. Also, many applications are duplicated. Many immigrants make applications at various places, a bit the way we might apply to a university. They submit their application to the federal program, to a provincial program, to the program in another country, waiting until they get their first answer and then seizing the opportunity, without bothering to withdraw any applications already being processed somewhere else.

• (1225)

The Chair: You have one minute remaining.

Mr. Marc Audet: In conclusion, our recommendations are as follows: CIC should seek, from shared interest groups, that is, people specialized in a particular category, submissions on how to improve the quality of applications and how CIC could speed up the processing of applications without sacrificing any resources. We already have some ideas about this that would be easy to implement. In 2012, we could put a program in place, have better screening, better applications and better results for CIC.

I leave you on a humorous note: all immigration candidates are waiting to come to Canada. But they're not the only ones, because Canadians are also waiting for lots of things, as illustrated on the final page of my presentation.

It would be my pleasure to answer your questions concerning the Investor Immigration Program or any other category.

Thank you.

The Chair: Thank you, sir.

Mr. Perron, you have eight minutes.

[English]

Mr. Daniel Perron (Director and Business Head, Global Investor Immigration Services, HSBC Trust Company): *Monsieur le président* and participants, thank you very much for inviting me.

My name is Daniel Perron. I'm part of HSBC Bank Canada and HSBC Trust. We're a leader in terms of the immigrant investor program at both the Quebec and the federal level. As such, we're part of one of the largest financial groups in the world, and we've been able to witness the explosive growth in terms of the high net worth individuals and ultra-high net worth individuals who basically make up most of the immigrant investor class.

It is that growth of this class, coupled with the high popularity of Canada, yet the stable number of immigrant investors being

processed, that led to the high inventory that we are suffering right now.

We were very on board with the federal government decision to increase the amounts, to double the net worth requirements, and also to come in with the full application in terms of process. That was one way to curtail the number of applications being done.

However, because of that delay and because of the expectation from the market that the first thousand applications would be processed very fast, an unusually high demand was created upon the reopening of the Canadian program. Eventually, that led to the program's closure. We feel that was only temporary.

As such, we want to bring forward a few solutions to the investor class program. We feel that increasing the amount again would not be a solution, because if you look at the numbers, most countries' intake in terms of new immigrants—and that's at both the Quebec and federal levels—was stable. This was the case for all countries except China, which is the only country whose applications keep growing. We feel that if we increase the amount again, it will only increase the problem, and we'll see more and more Chinese applications being processed instead of applications from other countries, which may be something that we don't necessarily want to see in the program.

We feel that there are other criteria to be taken.... Just like my partner here said, for the immigrant program, we feel that further screening and other solutions would be better than just increasing the amount. Those solutions would be as follows.

First, we would reopen the program, the FIIP, so that the backlog being pushed over to the Quebec program would be stabilized. This backlog is also being pushed into the PNP. These investors are not going away; they're just being put into other programs.

In terms of the immigrant investor program and being processed, we feel that one of the best solutions, which was also mentioned by our friend Nigel here, is to see centres of excellence, two or three centres that would see specialists in the immigrant investor program, specialists who would know the program and who would take away these more demanding applications from different posts.

You would see experts doing the processing. In turn, they would charge the immigrants for the processing centres. Basically, it would be very easy to increase the amount of \$25,000 to \$30,000. The immigrants in that category would be very happy to pay that fee if it would give them a faster track in the process.

We think it's a very good solution in terms of resources, the financial and human resources, and also in terms of customer service to the immigrants who are applying and coming to Canada. We think this is a great solution.

We also think that in order to provide some further screening.... I don't know if any of you have opened an account at a bank recently, but it's a very demanding process, so we want to ask those investors to open a bank account early on in the process when they make a full application, not just a simplified application.

This would provide significant screening in terms of the banks looking at the customers and also getting rid of applications that either are not serious or where there has been a double application filed under both the Quebec and the federal programs, or under PNP in the federal program. You would get rid of a lot of those double-dip applications by asking those customers to put some money in a bank to provide some further screening. That amount could be somewhere around 5% of the \$800,000 that is currently being asked for. We feel that would be a very good measure in that regard.

• (1230)

Also, we feel that if it was possible for the government to impose such a deposit on all applications that are in the current pipeline, then by asking for a deposit from those already in the system who want to be fast-tracked, you will see a lot of the backlog that you have, a lot of the false applications, being taken away from the system, clearing out the resources for the good customers who are waiting and are really motivated to come to Canada.

Also, there's something that would be harder to implement in terms of curtailment measures. That would be to create some regional caps in terms of regions or countries so that you would get a better balance in terms of who's coming to Canada.

Finally, I think that working on one side of the equation is good, but working on the other side is very good too. In terms of increasing the number of applicants under the investor class, many studies have shown that it's beneficial for the economies of both Quebec and Canada in terms of spending and in terms of creating business links with other countries. We think it would be beneficial if we could increase that category, especially if you were to charge those immigrant investors. That way, it's kind of at no cost to Canada. We think that's a win-win situation.

In conclusion, it was funny when I heard my two partners here saying that their conclusion was that we should create some kind of committee that would gather together the all stakeholders, so we all came out with the same conclusion, but without consulting ourselves. Basically, if we could find a way to create a committee on which you would have the facilitators in the program—the lawyers, some representative immigrant consultants, and members from the provinces—and to create a closed-door committee, really, where all options could be looked at. The options could be looked at and then the committee could say which is the best solution for the investor class, which one all the stakeholders would be happy with, and those recommendations could be made to the minister.

I think we could come up with something that would be a very thorough decision, not just a quick fix that basically creates other problems in terms of pushing the inventory from one pocket to the other. That would be my conclusion.

[*Translation*]

The Vice-Chair (Mr. Don Davies (Vancouver Kingsway, NDP)): Thank you, Mr. Perron.

[*English*]

Ms. Morrissey, you have up to eight minutes for your presentation.

Ms. Christine Morrissey (Co-founder, LEGIT Vancouver): Mr. Chair, thank you.

Good afternoon. I want to start out by saying that my name is Chris Morrissey. I've come from Vancouver.

I'm grateful for the opportunity to actually speak here today rather than having to go back having not spoken.

I'm also very aware that what I'm going to speak about is very different from what the previous speakers spoke about, so I'm going to ask you to sort of twist your brains around a bit to look at something from a different perspective.

Besides being the co-founder of LEGIT, I'm also the co-founder of the Rainbow Refugee society, which is a society that supports and provides information to lesbian, gay, bisexual, and transgendered refugee claimants.

I'd like to start with a quote from Antonio Guterres, the UNHCR, who said recently that "2011 has been a year of displacement crises unlike any other I have seen in my time as High Commissioner". I think we're all aware of what's happened globally and how important it is for us to take a look at life and people not just from a Canadian perspective, but also through a more global lens.

I read this morning in the *Globe and Mail* an article saying that the Canadian experience class has been introduced, has grown, and is growing, and that what we're doing is recruiting the best and the brightest people, who have come to Canada, having paid enormous tuitions, and who then stay in Canada. I would like to propose that if we indeed are recruiting the best and the brightest, we also need to take a look at the balance or the other side of that.

I know that this is about the backlog and I also believe it's very important to take into consideration the wait times, because there is an interconnectedness between both of them.

First of all, here is a little bit of a reality check. In March of 2010, the UNHCR statistics showed 43.3 million displaced persons and 16.8 million convention refugees. These are people who have already been through the UNHCR and have been recognized as convention refugees under the Geneva Convention for refugees. According to the UNHCR, approximately 80% of people from the global south do not even register with UNHCR. There are more than 35,000 government-assisted and privately sponsored refugees already on the wait list to come to Canada. The numbers, especially in Africa, are growing day by day.

Surely one way to view this is that this is a backlog and we must put a cap on it; however, the UNHCR estimates that 747,000 refugees would be in need of resettlement in 2010, but only around 79,000 places are offered annually by the resettlement states, of which Canada is one.

Given the realities of the global society today, it's untenable that countries with far fewer resources than we have—for example, Pakistan, Iran, Thailand, and Kenya—continue shouldering the responsibility of the lion's share of the world's refugees if we fail to meet our commitment to a mere 1%.

With regard to refugees granted permanent residence in Canada, between 2005 and 2009 there was a reduction of 13,803.

While people are coming to Canada as refugee claimants, they also end up becoming permanent residents of Canada and making enormous contributions. One of our early members who came through our society has gone to Osgoode Hall Law School and is currently in Toronto in her own law practice. She was a convention refugee from Malaysia. I think the assumption that refugees are a huge drain on the system needs another look.

• (1235)

So the government-assisted refugee program would be expanded over time up to 500 places, while a further 2,000 resettlement places would be added to the private sponsorship of refugees program. This was in a news release from Citizenship and Immigration Canada by Minister Kenney. This means that Canada would annually resettle as many as 14,500 refugees from refugee camps and urban slums.

Well, he's been talking about mathematics, and I've done a little of my own and the numbers just don't add up. In 2010, the number of refugees between the targets, the low and the high.... If I take a look at the high targets, between government-assisted and privately sponsored refugees there were 14,000; that's the potential even under the government's own targets, its own set targets. This year, the set targets amount to 14,000, so in fact if there's supposed to be an increase, there's only going to be an increase of 500, assuming the government provides all the resources in order to reach its high-end target.

So it's our perspective that a cap on refugee applications is simply wrong and contrary to what Canada's commitment is under the Geneva Convention. The solution? Remove the cap.

The minister established a blended sponsorship program for the sponsorship of Iraqi and LGBT refugees. We are very grateful for the opportunity to be a part of this project over the next three years in our endeavour to support and bring to Canada those refugees who make their claims on the basis of sexual orientation and/or gender identity.

But all of us who are working under that program have to partner—if we're not already a sponsorship agreement holder—with a sponsorship agreement holder. This is nationally across Canada. When we've approached the SAHs and asked them if they will partner with us, their first question to us was whether this will affect their cap—

• (1240)

The Vice-Chair (Mr. Don Davies): Ms. Morrissey, I'm sorry, but I have to ask you to wrap up here. You're at the end of your eight minutes.

Ms. Christine Morrissey: I just want to mention that the largest backlog currently is in Nairobi, which had a target of 1,000 last year and a target of 1,000 this year. While the greatest number of refugees in Kenya is being processed through Nairobi—

The Vice-Chair (Mr. Don Davies): Ms. Morrissey, I'm sorry, I have to ask you to end there. Perhaps we can get more information out during the question period.

We'll now turn for seven minutes of questions to Ms. James and Mr. Weston, who I believe are splitting the time.

Ms. Roxanne James (Scarborough Centre, CPC): Yes, I will be splitting my time with Mr. Weston. I would appreciate it if you could let me know when that time is approaching.

I thank our witnesses who are here today.

I'm going to direct my first question to Mr. Thomson.

You talked very briefly about the investor class and processing fees that are perhaps out of line with those of other countries. I'm just wondering in general what other countries are doing, countries like the U.K., United States, Australia, and New Zealand. What are they doing to deal with immigration and backlogs in general, not just specifically the investor class?

Mr. Nigel Thomson: The U.S. has an interesting approach, as I think we all know. Essentially they stockpile or warehouse all of their applications and establish a priority processing list based on a strict quota broken down country by country for most of their immigration categories. The exception is their EB-5 investor class, which is assigned 10,000 visas total per year and has been undersubscribed in every year in which it has operated.

In the last couple of years, the U.S. investor program has seen a great deal of interest. Their numbers of applications are now approaching probably about 8,000 to 9,000 per year, so they're getting close to their target figure for yearly processing, but so far they have been under.

The U.K. has created a very large investment requirement—

Ms. Roxanne James: Excuse me. I'm just wondering if you could focus on other types of immigration, not just the investor class.

Mr. Nigel Thomson: Yes, certainly.

For most of the other U.S. immigration programs there's a strict priority processing: get a ticket, get a number, and get in line, by country, and eventually your number will come up. It creates huge differentials in processing. For example, with the Philippines, in certain U.S. immigration categories the waiting times are 15 years or more.

Britain has changed over the last three- to four-year period and has radically cut back on the programs available for immigration. It has simply eliminated wholesale programs of eligibility, restricting the number of immigrants it can accept—

Ms. Roxanne James: Thank you. I'm sorry to cut you off, but we're getting very little time here today.

Canada is a welcoming country, obviously, as we have a backlog of a million-plus, so it's a testament that people want to come to Canada. Previous witnesses have said that the federal government has lost control over immigration and that urgent reforms are needed.

I think we can all agree that the backlog started in 2002 with the legislation by the previous Liberal government. I'm wondering if you could give us three recommendations for urgent reforms that need to be done right now so we can address the backlog issues in Canada.

• (1245)

Mr. Nigel Thomson: The first thing I would say is that we have to realize that with the target level we've established, immigration is essentially a zero-sum game. If we process more in one category, then we have to process less in another. I think our balance in immigration is probably correct overall, with its balance between social and family reunification and economic immigration.

My recommendation would be that we need more efficient processing within the system. I think we would address that with more fees and more resources, and I've talked about how we might be able to do that.

The other thing we need to do is look for alternatives. For example, the family class parental sponsorship program has a huge backlog. It's one that's very troubling for all of us as practitioners and for the ministry and the minister.

We need to look at the underlying motivations of why there are so many parental sponsorships. In many cases, it's simply because families want to have their parents visit Canada freely. If we introduced a system whereby parents would be able to receive long-term visitor visas easily, not through the current very difficult visa process, that would reduce demand.

The second reason for family class sponsorship is to bring siblings to Canada. Let's introduce a program to allow student visas to be issued for siblings, whereby Canadian residents can sponsor their brother or sister to come to Canada as a foreign student who is paying foreign student fees and is supported by the family—

Ms. Roxanne James: I'm really sorry to cut you off, but I have one question I want to direct—

Mr. Nigel Thomson: Sure.

Ms. Roxanne James: —if I still have a few minutes.

The Vice-Chair (Mr. Don Davies): I'm sorry, Ms. James. That's 4 minutes and 30 seconds, so I'm sorry to—

Ms. Roxanne James: Oh, you did cut me off? Okay, I'll pass it over to Mr. Weston.

Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC): I'm going to speak like a machine gun.

Welcome to all the witnesses.

Also, thank you, Ms. Morrissey. First, I want to say as a recent visitor to Iraq on a human rights mission that I was at a public event last night where Minister Kenney spoke. He has heard your message, loud and clear, about the plight of people who are being discriminated against and persecuted for their sexual orientation, and he has personally intervened. I want you to know that he's a minister who cares about people in that situation, specifically in Iraq. I appreciate your making that message.

Let me switch to Mr. Thomson. When you were a senior immigration officer for Canada abroad, you were one of the first who put public information on a website to help people around the world better understand Canada's immigration policy. As everyone in the room is dedicated to the promotion of public interest, I thank you—and you continue that to this day.

Canada introduced a policy in 2002 that legally requires our government to process every application it receives. Can you please comment on that and how it affects the backlog?

Mr. Nigel Thomson: It's a huge issue, obviously, in generating the backlogs we face today. Bill C-50 was again very innovative. The minister took a bold step to give himself some control over the ability to accept applications. But that, moving forward, is only addressing essentially economic immigration categories; it hasn't addressed the family class, particularly parental sponsorships.

I think we have a basic conflict, Mr. Weston, between the basic principles of the Immigration and Refugee Protection Act, which embodies and enshrines family reunification as a principle we all adhere to, and the concept of what family reunification really means in the 21st century. That's something that needs to be the subject of a frank, open, and realistic conversation with Canadians.

Mr. John Weston: Could you please be more specific? Even if the applications outnumber the number of persons we can welcome every year, the government is legally required under the 2002 Liberal policy to process every one. Can you give us some specific suggestions on what we should be doing?

Mr. Nigel Thomson: I think you raised an absolutely critical issue, that is, the burden the government and the bureaucrats in the department face is one that simply cannot be met with existing resources and with the existing targets.

The Vice-Chair (Mr. Don Davies): Thank you, Mr. Thomson. I'm sorry, but the time is up.

Mr. Kellway, for seven minutes.

• (1250)

Mr. Matthew Kellway (Beaches—East York, NDP): Thank you, Mr. Chair, and through you to the witnesses, thank you so much, folks, for travelling from far afield to share your thoughts about the backlog issue with us.

First, Ms. Morrissey, to make sure that your efforts to come from the farthest afield are well spent, I'd like to start with you.

Mr. Thomson—and I hope I get back to you, Mr. Thomson, to ask you a question—talked about immigration being a zero-sum issue, and that has been the premise of this study, I think, as set out by the minister. He approaches it this way.

Yet what we've heard today and previously from other witnesses is that there are multiple streams in the immigration system. Each one serves a different purpose and each stream has different implications for Canada and, indeed, for the global community.

One of the issues you raised around the refugee stream is what the implications of Canada putting a cap on refugee immigration are having around the world. I was wondering if you might share those. I was a bit taken aback by the number you gave; I think it was 46 million displaced persons. Perhaps you could elaborate a bit on the implications of Canada putting caps on refugee claims for the global community.

Ms. Christine Morrissey: First I'd like to speak to the cap that's been already put on the sponsorship agreement holders. Their ability as private sponsors to sponsor refugees has been significantly limited. They have people willing to work and support something like 8,000 refugees from various parts of the world. There are Canadians who are willing, in fact, to take on that one-year commitment, and sometimes more than that.

So one of the concerns is the cap that already exists. I think it also really limits Canadians who are in fact willing and want to support people who are coming from the global south.

Mr. Matthew Kellway: It's a bit speculative, Ms. Morrissey, but yesterday the minister made an announcement and set levels without setting levels by way of stream. I wonder if you have any thoughts on what may happen or what the implications may be for the refugee stream.

Ms. Christine Morrissey: What the government has set is its highs and lows in terms of its targets and generally it comes nowhere near meeting its high targets. For the sponsorship under family reunification of children who are the overseas families of refugees who are already settled in Canada, it didn't even meet the low end of the target.

So I think that talking about caps for refugees is not necessarily what we need to be talking about. What we need to be talking about is how it's possible for Canada, with all its resources, to take on a larger commitment when the numbers of refugees are growing. While I recognize that there are these two programs for Iraqi and LGBT refugees, when you look at Kenya and Nairobi and, for us, how many of our refugee claimants come from Uganda, from various parts in East Africa...they're going to die before they get here.

Mr. Matthew Kellway: Thank you very much.

Mr. Audet, I would like to ask you a question. I appreciate the very comprehensive presentation you gave us. There are certain challenges for me in trying to digest a lot of the numbers you've presented, but it seems to me—and please tell me if I have this right—that what you're proposing here with your presentation flies in the face of some testimony we've heard to date, which would suggest that processing and the capability of CIC to process claims isn't really what's responsible for the backlog.

If I look at these numbers and if I understand them correctly, that's not your argument. You're suggesting that there is in fact a processing problem here that to a large extent is responsible for our backlog. Is that the case? Do I understand you correctly?

• (1255)

Mr. Marc Audet: What I'm saying is that, more or less, CIC has the capacity to process close to 400 applications a year. We had some peaks in 2009 when they did 437. The average was 435 for the past five years. So we already have the just-in-time approach.

In some years, maybe, they have a higher intake than the final decision, but the main problem is on the screening, because an unqualified client will submit his application and we have no choice, as you mentioned, because of the rules since 2002, but to process the application. We need some kind of screening somewhere, whatever the category is. So maybe, yes, instead of approving now...generally

speaking, the figure I gave you is that there is about a 70% approval rate at the end, but let's say you have other third parties involved, other collaborators—maybe we can bring that to 80% very fast.

What I'm saying is that we're losing time. We're using the manpower of the government to deny applications. Some of them may have other good reasons, but a lot of them may be unqualified.

Mr. Matthew Kellway: On page 4 of your presentation, I'm looking at the 115,000 applications denied figure at the bottom of the page, where it says "Major source of backlog". Can you explain the concept of denied applications?

Mr. Marc Audet: If the CIC has the capacity to process 275,000 people, let's say, as an example, and they approve 260,000 a year, which is the normal year we have—and that's what we're looking for next year, too, more or less—that means they process 115,000 people who were told, "Sorry, you cannot get into Canada". Instead, let's say that all of the 275,000 people are qualified; they have to spend the time anyway, so maybe in a perfect world we can let 275,000 in if we have the capacity. So what I'm saying is—

The Vice-Chair (Mr. Don Davies): Thank you, Mr. Audet. I'm sorry, but your time is up.

Mr. Casey, for five minutes.

Mr. Sean Casey (Charlottetown, Lib.): Thank you, Mr. Chairman.

Witnesses and colleagues, I'm at a bit of a disadvantage here. I'm pinch-hitting for Mr. Lamoureux. My questions will not be nearly as well informed or well formed as they would be if Mr. Lamoureux were in this chair, so please, everyone, just bear with me. It'll be over in five minutes or less.

I also haven't had the benefit of hearing your presentations, because as soon as I sat down, Kevin got in my ear and said, "Ask them this and this and this". So if it comes out clumsily, that's why. My apologies in advance.

Mr. Thomson, I understand that your presentation was dedicated in part to the provincial nominee program. I'm from Prince Edward Island. The provincial nominee program has been a huge success in my little province in terms of really galvanizing the province against the effects of the recession, because of the huge influx of capital, but also, in a very short period of time, by diversifying our population. It has been a huge success. I don't know this, but I fully expect that the benefits that we've seen in Prince Edward Island would be those that would be sought after and very popular across the rest of the country.

I guess my question for you is this. Given what I've witnessed in terms of what good has come from that program in my little part of the world, what's happening in the rest of the country in terms of the uptake on this program? Also, what does it mean for the problem that we're discussing?

Mr. Nigel Thomson: That's an excellent question. In fact, PNP, the provincial nominee programs, have been a success across the country. They've received a significant number of applications, there have been a lot of approvals, and provincial governments are on board with them because of the direct economic impact they can have on the provinces.

We're seeing a lot of PNP approvals from B.C., Alberta, Saskatchewan, Manitoba, P.E.I., Nova Scotia, New Brunswick, and Ontario. The programs are very successful. They obviously represent a delegation of authority...or a sharing, I think, is the proper way of looking at it, between the federal government and the provinces. It is very desirable to get the provinces involved in the immigration program. The program is definitely a success and we all hope that we'll continue to expand.

The issue is—and it's one I wanted to address—that when the provinces approve and nominate an individual, it's up to the federal government to do the processing of immigrant visas and to review the individual's background, qualifications, and documents to ensure all the information is accurate and correct. That process is bogging down. There's a new backlog being created.

We've seen PNP processing times go from being under a year to now being up to about 18 months. As a result, provinces are being delayed in getting the benefit of the immigrants arriving in their territory and in them being able to do the job or to establish the business that they promised to establish. So there needs to be an accommodation in the system to recognize that the federal government has to match the increased involvement of the provincial governments in selecting PNPs by increasing its own capacity to process visas and issue approvals to PNP applicants.

• (1300)

Mr. Sean Casey: Thank you.

Mr. Perron, I understand that part of your presentation related to investor immigrants. I presume these would be investor immigrants not through the provincial nominee program. Would that be fair?

Mr. Daniel Perron: That's exactly right.

The Vice-Chair (Mr. Don Davies): Mr. Casey, we have less than one minute.

Mr. Sean Casey: I'll try to spit it out, Mr. Chairman. Thank you.

So through that stream, when an application comes in, you're obligated to process it right away. Would that be right?

Mr. Daniel Perron: Yes.

Mr. Sean Casey: Could we stem the tide a bit by attaching a substantial application fee to these immigrant investor applications?

Mr. Daniel Perron: I think that would be a very good idea.

Mr. Sean Casey: What's the right number?

Mr. Daniel Perron: Five per cent of the investment amount would be right.

The Vice-Chair (Mr. Don Davies): Thank you very much, committee.

Mr. Casey, you asked excellent questions for someone stepping into your job.

Mr. Sean Casey: You're too kind, Mr. Chair.

The Vice-Chair (Mr. Don Davies): On behalf of the committee, I'd like to thank the witnesses for appearing today, and in particular for their patience with the interruptions that we had to experience today. Their testimony is very helpful.

The meeting is adjourned.

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