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# Standing Committee on Citizenship and Immigration

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EVIDENCE

**Tuesday, November 26, 2013**

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**Chair**

**Mr. David Tilson**



## Standing Committee on Citizenship and Immigration

Tuesday, November 26, 2013

• (1830)

[English]

**The Chair (Mr. David Tilson (Dufferin—Caledon, CPC)):** Good evening.

This is the Standing Committee on Citizenship and Immigration, meeting number 6, on Tuesday, November 26, 2013.

We're meeting until 7:30 tonight. We have a whole group of speakers.

Here in Ottawa we have Angela Gawel, who is the director general of the international region with the Department of Citizenship and Immigration. All the way from India, we have Carol McKinney and Barry Irvine.

Do you hear me?

**Ms. Carol McKinney (Immigration Program Manager, Chandigarh, India, Department of Citizenship and Immigration):** That's correct, sir.

**The Chair:** Thank you.

And we have, all the way from the Philippines, Catherine Bailey and Ms. Patricia Nicoll.

Hello. Can you hear me?

**Ms. Patricia Nicoll (Deputy Program Manager, Manila, Philippines, Department of Citizenship and Immigration):** Hello. Yes.

**The Chair:** Good.

I gather it's been explained to you that all of you have a total of 20 minutes.

I assume, Ms. Gawel, that you're going first and that you won't take 20 minutes; otherwise we won't hear from India and the Philippines.

You may proceed.

**Ms. Angela Gawel (Director General, International Region, Department of Citizenship and Immigration):** Thank you.

Good evening, Mr. Chair and members of the committee. My name is Angela Gawel, and I'm the director general of the international region.

I'm pleased to appear before you today and hope that our testimony will be helpful to you as you undertake your study of the temporary resident visa for visitors.

[Translation]

International Region plays a two-directional role. We deliver programs and implement policy and operational changes overseas and we also use the knowledge and expertise available at our visa offices abroad to inform the development of new policies and programs. In both cases, the objective remains to be as facilitative as possible for genuine applicants while minimizing risks to Canadians.

[English]

CIC remains committed to facilitating the movement of genuine visitors. We recognize the importance of this program to Canadians, both on a personal level, such as for visits from friends and family from abroad, as well as in terms of its contribution to Canada's economy. This commitment is reflected in our high acceptance rate, which in 2012 stood at 82% globally, as well as in the various new tools we've been implementing to enhance client service, about which I'll speak more later on.

The temporary resident visa program is CIC's largest business line. In 2012, we received close to 1.2 million applications and issued slightly more than 950,000 visitor visas. Considering these numbers, it is crucial to have a robust and ongoing process for assuring that we protect the health, safety, and security of Canadians and the integrity of our programs.

[Translation]

Detecting or preventing fraud can be difficult as verifications of documents submitted by applicants are not always possible or easy to carry out, especially when there is collusion with foreign officials or other individuals responsible for the issuance of the local documents. CIC, in collaboration with our security partners, works hard to detect and prevent document fraud.

In addition to document fraud, we are also confronted with identity fraud, which can be facilitated by unscrupulous organizations. As you know, Canada has introduced the use of biometrics to specifically address this issue. This facilitates the travel of legitimate visitors while assisting in the detection of those who seek to mask their true identity.

[English]

We are constantly undertaking anti-fraud activities in all our missions abroad. Because of their local knowledge and expertise, documentation, and processes related to document issuance, officers abroad are an invaluable source of information and are key in identifying specific local risks. This information is then fed into the department's fraud or anti-fraud approach. Our staff maintains a network of contacts with relevant and trusted local institutions abroad that can assist in the validation of documents.

We also work closely with officials from embassies of like-minded countries.

Another challenge we face with regard to the temporary resident visa program has been the increase in the number of applications received. Intake grew by 48% between 2002 and 2012, placing great pressures on the overseas offices in terms of providing good client service while continuing to exercise the due diligence required to ensure program integrity.

CIC received funding in budget 2013 to help alleviate some of this pressure, particularly in key markets such as China, India, and Brazil. This funding has allowed CIC to deploy additional resources overseas in a strategic manner to respond to new opportunities, including the timely processing of temporary resident visas.

CIC has established an active modernization strategy to support sound workload and workforce management, streamlined business processes, and automated e-services. This far-reaching transformation is still under way, but we are making progress.

One example of our modernization strategy is a move towards centralized processing. With increased centralization, our visa offices overseas play a key role in informing the development and ongoing revalidation of risk indicators. These indicators are used to differentiate the lower-risk applications, processed centrally, from the more complex cases that are better processed abroad, where there is the appropriate local knowledge and expertise.

In addition to achieving economies of scale, centralization allows visa offices overseas to concentrate their efforts on higher-value activities, such as intelligence gathering and reporting, liaison with partners and stakeholders, the oversight of service providers, and anti-fraud and quality assurance activities that further enhance the integrity of our programs.

Another modernization initiative has been the outsourcing and expansion of the visa application centres—VACs—network to more than 126 VACS in 91 countries. In addition to being the main conduit for biometric enrolment, VACs generate efficiency gains by reviewing applications for completeness and thereby reducing overall processing times. VACs also provide services to clients in locations where we are not present and do so in the local language.

Another initiative is the online submission of applications for temporary resident services. This is an attractive alternative, as it can be done electronically from home, including payment of fees, while permitting the client to retain their passport until the visa is ready for issuance.

In 2011 CIC extended the maximum validity period for multiple-entry visas from five to ten years. In 2012 visa officers issued more

than 400,000 multiple-entry visas. These visas give the client additional flexibility and eliminate the time and expense of making repeated applications. These multiple-entry visas are an efficient and cost-effective option for the many visitors, such as business people or family members, who are frequent visitors to Canada. In this way, we facilitate the arrival of legitimate travellers while ensuring that the appropriate safeguards are in place to protect the safety and security of Canadians and the integrity of our programs.

• (1835)

[Translation]

Finally, we are also active in supporting processing during emergencies, such as the typhoon which recently struck the Philippines. We take seriously our role in supporting Canadians in affected areas. We provide priority processing for all types of applicants including new temporary resident visa applications from those in affected areas, who are family members of Canadians and permanent residents.

[English]

**The Chair:** We're not getting the translation.

Stop the clock, please.

Okay. Let's try it again.

**Ms. Angela Gawel:** Should I go back to the beginning of that paragraph?

[Translation]

**The Chair:** You can repeat it in French.

**Ms. Angela Gawel:** Very well.

Finally, we are also active in supporting processing during emergencies, such as the typhoon which recently struck the Philippines. We take seriously our role in supporting Canadians in affected areas. We provide priority processing for all types of applicants, including new temporary resident visa applications from those in affected areas, who are family members of Canadians and permanent residents.

This concludes my opening remarks. I will now give the floor to my colleague from Chandigarh, Carol McKinney.

• (1840)

[English]

**The Chair:** Hello, Ms. McKinney. You're next.

How's the weather in India?

**Ms. Carol McKinney:** It's great. It's about plus 22 today. How is it in Ottawa, sir?

**The Chair:** It's just terrible, but you go ahead with your presentation. We're going to live through our weather.

Welcome to the immigration committee.

[Translation]

**Ms. Carol McKinney:** Thank you, Mr. Chair.

My name is Carol McKinney and I am the program manager of the visa office in Chandigarh. I would like to provide a short overview of Chandigarh's operations in delivering Canada's visa program in the region that it serves.

[English]

The Chandigarh visa office is a satellite office of New Delhi, processing temporary resident applications from states in northern India, primarily Punjab and Haryana. There are six Canada-based officers supported by nineteen locally engaged staff members.

In 2012 we issued a record number of visas, 18,088, almost three times more than were issued in 2005, with an acceptance rate of 53%. Not only has the number of applications received increased, but so too has our approval rate, which was 38% in 2004, the year our office opened.

Our processing times have also improved, with 80% of the temporary resident visa applications processed within our client service standard of 14 calendar days.

In spite of economic growth in India, there is a strong incentive for residents of the Punjab to seek better economic opportunities abroad. The large Punjabi community in Canada exerts a strong pull factor, particularly among the young unemployed or underemployed. As many of these individuals do not meet Canada's visa requirements, officials from Canada and from key partner countries are very concerned about the growing evidence of fraud and misrepresentation.

Chandigarh is aware of the possibility of fraud in all of its business lines. In 2012, 329 applications were refused under section A40 of the Immigration and Refugee Protection Act for misrepresentation discovered through verifications. However, overall, we estimate that between 15% and 20% of the applications we refuse contain misrepresentation of some kind. Examples of fraudulent documents include those received from students, such as fraudulent letters of acceptance, language test certificates, academic records, reference letters, and identity documents.

Temporary foreign work applicants often provide fraudulent ESDC labour market opinions and fraudulent letters for their employment in India. Fraud encountered in visitor visa applications usually involves falsified Indian bank statements or falsified documentation from Canada, such as invitations from non-existent Canadians or fraudulent funeral home letters for funerals that are not taking place.

While some of the fraud is perpetrated by applicants on their own initiative, unscrupulous consultants exploit the desire to travel to Canada and actively mislead clients. The agents may submit a number of applications with similar misrepresentation without declaring their status, as required by the Immigration and Refugee Protection Act. The commonalities and the fraudulent documentation that are found in various unrelated applications are clear evidence that one source is responsible for the submission of all of the applications. Unfortunately, these applications do not include agent information, thereby making it difficult to identify and trace those responsible. Many applicants trust the advice given to them by agents, and, regrettably, many are misled. The agents usually require that a significant portion of their fee be paid upfront, which means

they benefit even if a high percentage of their clients' applications are refused.

In order to improve the processing of applications from genuine visitors, the Chandigarh office has been working with Canadian religious institutions. Our office now has a simple procedure that allows us to confirm invitations from genuine Sikh religious workers. This is one example of Chandigarh's efforts to work cooperatively with trusted Canadian institutions in order to provide quality client service.

To combat fraud in our visa program, a new anti-fraud officer position was created in Chandigarh in September 2012. This position has increased our capacity for field verifications when fraud is suspected, including cases referred to us from New Delhi for local investigation. Chandigarh's invaluable anti-fraud support allows Delhi's anti-fraud officer to investigate in other parts of India.

● (1845)

In addition to assisting New Delhi, Chandigarh's new anti-fraud officer has also provided support to local law enforcement officials, who, particularly in the Punjab, have been targeting unregistered and unlicensed consultants. Canadian missions in India also participate in joint initiatives with local police and our close international partners—Australia, New Zealand, the U.K., and the U.S.A.—in our battle to put unscrupulous agents out of business.

For example, on the basis of information provided by Canada and its partners, the Punjab police, on May 6, 2013, raided the offices of six Jalandhar-based consultants. This resulted not only in the arrest of the owners of five consulting companies but also included the seizure of what is the equivalent of \$36,000 Canadian, 42 passports, and 152 potential visa applications containing suspected false documentation.

Chandigarh is hopeful that these efforts will lead to a reduction in the number of fraudulent applications we receive. This in turn would encourage and support the mission's continued increase in acceptance rates and allow us to continue to facilitate the travel of the many genuine applicants we already approve.

This concludes my remarks. I will now hand the floor to my colleague Catherine Bailey in Manila.

**The Chair:** Ms. Bailey, you have about six minutes. Can you do it?

**Ms. Catherine Bailey (Immigration Program Manager, Manila, Philippines, Department of Citizenship and Immigration):** I will try to read quickly.

**The Chair:** Okay.

**Ms. Catherine Bailey:** Thank you, Mr. Chairman.

**The Chair:** Thank you for coming.

**Ms. Catherine Bailey:** Thank you.

My name is Catherine Bailey, and I am the immigration program manager in Manila.

I understand that the committee is conducting a study on temporary resident visas for visitors. I will therefore concentrate my comments on temporary resident applications and on what we are doing to meet some of the specific challenges we face.

The Manila visa office is a large centre for both permanent and temporary migration. Our office currently consists of 19 Canada-based officers, including two medical officers and a CBSA liaison officer. There are also 77 locally engaged staff, 10 of whom are designated to render decisions on visa applications.

We are responsible for a large territory that includes the Philippines, Japan, South Korea, and a large swath of small Pacific islands.

[Translation]

To give you an idea of the size of our program and to provide some context, we receive some 30,000 temporary resident visa applications per year. In the past two years, we have taken over the work formerly done by the visa offices in Tokyo and Seoul, which were closed as part of the government's Deficit Reduction Action Plan. This has added substantially to our student and temporary foreign worker movements.

[English]

An important CIC initiative that will provide better service to our clients is the opening of visa application centres, or VACs. The previous VAC in Manila was replaced by a new centre in July 2013. New VACs also opened in Cebu City, Tokyo, and Seoul this past summer. Such centres provide personalized service, and in the local language, if preferred by the applicant.

One of Manila's biggest challenges is the ability to communicate quickly and effectively with the applicant. Infrastructure in the Philippines is poor, especially outside of major centres, and our clients are spread out over a large archipelago, making communication with clients difficult.

A solution that has worked well has been the use of mass texting. This not only reaches many applicants at once, but also eliminates inefficiencies for embassy staff. This tool has been successfully used by the mission in the aftermath of Typhoon Haiyan.

Although continually faced with challenges, the Manila visa office has embraced new opportunities, such as the implementation of the e-Medical platform. This technology has facilitated the processing of medical examinations by not only sending results directly from the physician to CIC's computer system, but also by automating portions of the assessment. E-meds have been used since early 2013 by most of the countries served by the regional medical office in Manila. E-meds have improved processing times, especially for TRVs. Although medical assessments are often the longest part of the non-immigrant visa process, the protection of public health in Canada is invaluable, especially given the high rates of TB in certain parts of the Philippines.

● (1850)

[Translation]

Another technology that benefited the mission in Manila has been the introduction of e-applications. This new tool has been well received. Since e-applications were introduced, about one half of our

study permit applications have come in through this channel, which has enhanced work sharing and reduced administrative effort.

[English]

We're well aware of education and employment document fraud in the Manila visa program. To combat it, visa section employees in Manila carry out regular program integrity activities, including quality assurance exercises. These exercises allow us to identify and mitigate vulnerabilities and risks. A primary area of concern remains the quality of so-called "nanny schools". Much effort is made by our staff, in conjunction with local authorities, to verify whether the nanny schools offer genuine training that conforms to our requirements.

As I have indicated, Manila's temporary foreign worker workload has increased significantly since 2011, due partly to the closure of the visa offices in Tokyo and Seoul. The mission in Manila not only absorbed Tokyo's and Seoul's "International Experience Canada", or IEC programs, but also had to manage an increased demand by Canadian employers for foreign workers.

This has meant that we have needed to organize and support the provision of information and instructions to clients in Japanese and Korean, the development of expertise in Korean and Japanese culture by the visa section, and the management of expectations of Korean and Japanese clients, who had become accustomed to personalized service provided by the former visa offices. Although processing of IEC cases is being transferred to Canada, which will reduce the workload in our offices and result in faster processing times for the applicants, Manila will continue to provide exceptional client service.

Filipinos, however, continue to be the largest component of Manila's temporary foreign worker program. They are destined to a variety of sectors, from low-skilled food service positions to highly skilled trades and medical professions.

Filipino workers may be hired one at a time by an individual employer or in large groups, depending on the need. Larger movements to a single employer are monitored by staff to identify bottlenecks in the process, to streamline office procedures accordingly, and to gauge employer needs. Collaboration with the Philippine Overseas Employment Administration is imperative for the effective implementation of our temporary foreign worker program.

[Translation]

The Live-in Caregiver Program is an important component of Manila's Temporary Foreign Worker Program with its own unique challenges. It is important to note that because the majority of live-in caregiver applications worldwide have historically been Filipinos, Manila not only shares its expertise and knowledge with other visa offices, we also assist with the verification of Filipino documents.

[English]

In closing, Mr. Chairman, the many important changes that have taken place at CIC over the past few years will allow Manila and other parts of our network to streamline our operations and use our limited resources in a more efficient manner. Such change always comes with challenges; however, I firmly believe that we are making tremendous progress. Our goal remains to provide quality service to clients who seek non-immigrant or immigrant visas in order to come to Canada, while protecting program integrity and the safety and security of Canadians. This is what we strive for and what motivates our work.

Thank you, Mr. Chairman.

**The Chair:** Thank you to all of you.

The committee members now have some questions to give you.

We'll start with Mr. Menegakis.

**Mr. Costas Menegakis (Richmond Hill, CPC):** Thank you, Mr. Chair, and thank you to our officials for appearing before us today, both from here in Ottawa and from as far away as Chandigarh and Manila.

Before I begin with my questions, Ms. Nicoll and Ms. Bailey, I'd like to express our condolences to all of the people and the families who are affected by Typhoon Haiyan. Please express to everyone with whom you are in contact that our thoughts and prayers are with them at this difficult time.

I'd like to begin my questioning.

We've been studying this temporary resident visa program, starting back in the spring of this year. During this time, we have heard from some opposition MPs on this committee and some witnesses, particularly when a negative decision is brought forth, that the decisions are completely arbitrary and that no objective criteria are used.

That's a bit of a concern, so I wonder whether you can tell us whether that is true. If not, can you please explain what criteria are used and how they are applied?

Maybe we can start with you, Ms. Gawel.

• (1855)

**Ms. Angela Gawel:** There are several factors that these officers will consider when assessing a temporary resident visa application. We will look at such things as ties to the home country, the reasons for travel, the person's means, and so on. All of those things factor into a decision made by the visa officer. I would say that it's not an arbitrary decision; it's a considered decision based on many factors.

**Mr. Costas Menegakis:** Thank you for that clarification. It's not an easy job. We understand that quite often there has to be an "as

objective as you can be" opinion as to whether or not someone is telling the truth, or whether they have given all of the right information.

Perhaps I can ask our officials from Manila and Chandigarh whether they think there is a way to further improve the criteria that are in place now. Could you weigh in on that?

**Ms. Catherine Bailey:** From the perception of Manila, I would say we have made great strides over the past year in getting more information out to applicants and authorized representatives about the sorts of things they should be mentioning on their application forms. We've worked to improve the information on our website; we have many standardized answers to questions.

We encourage people to submit as much information as possible in support of their applications. The onus is on the applicant to provide the information, and a visa officer is placed in a very difficult position if the information isn't there. So we encourage people to submit as much information as they can in support.

**Mr. Costas Menegakis:** Would you like to weigh in on that, Ms. McKinney?

**Ms. Carol McKinney:** I would, because in Chandigarh we can see a continuing rise in our acceptance rate with the introduction of the visa application centres. We feel, as Catherine Bailey was saying, that this is because the information is more available, with our checklists, and the visa application centres are able to assist the clients in providing complete documentation.

**Mr. Costas Menegakis:** Thank you.

When someone is rejected, are they told the reasons for being rejected, and are those reasons general or specific in nature?

**Ms. Angela Gawel:** I can answer that.

When a client's application is refused, we issue a written letter. We have generally a checklist letter on which we check off the reasons for the refusal. There may be one; there may be a few. They are specific reasons, and they are given to applicants so that they have a written explanation of the reason for refusal.

**Mr. Costas Menegakis:** Of the approximately 15% who are rejected, how many would you say are rejected because they just haven't bothered to provide comprehensive information on such things as income or travel history?

**Ms. Angela Gawel:** We don't keep records on cases of the reasons for individual refusals, so I don't have statistics for you on individual percentages of the reasons.

**Mr. Costas Menegakis:** One of the things we've heard, and the stories have come up on several occasions, is that when a failed applicant is rejected, they run and tell, through some contact, their MP that they have been to the U.S. several times and have respected the terms of that country's visa program, but when we look into their application, none of that information is provided.

Do you have any statistics or even an educated guess on that rejection?

**Ms. Angela Gawel:** Rejections of...?

**Mr. Costas Menegakis:** They're telling us they've been to the U.S. several times and they've respected the terms of their visa, but when we look into their application, none of that info is provided.

**Ms. Angela Gawel:** It would be, as Ms. Bailey said, up to the applicant to provide the information to us. As she said, the onus is on the applicants to provide all the information in support of their application. Certainly travel history is something a visa officer would take into consideration.

**Mr. Costas Menegakis:** Does their failure on their first application affect their new application when additional info is provided?

**Ms. Angela Gawel:** Applicants who fail the first time around always have the option to reapply and to provide additional information in support of their application. Any new information is taken into consideration when the officer assesses that new application, yes.

• (1900)

**Mr. Costas Menegakis:** Okay. So of the 15% who are rejected and reapply with additional info, how many are eventually accepted?

**Ms. Angela Gawel:** I don't believe we have stats on that. I don't have them with me. We could verify whether we can get that to you.

**Mr. Costas Menegakis:** Thank you. If you can, I would appreciate it if you could do that through the clerk.

Just to finish off, I want to say a big thank you to the folks on the ground, particularly in Chandigarh and Manila. It's not an easy job you have, but you're our front-line workers there and I appreciate all that you and your staff do every day, day in and day out, working on this very important file for Citizenship and Immigration Canada. Thank you very much.

I'm done, Mr. Chair.

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

Go ahead, Mr. Cash.

**Mr. Andrew Cash (Davenport, NDP):** Thank you, Mr. Chair.

I'd like to thank everyone for taking the time to be here today. I'd like to echo my colleague's opening remarks by saying that, especially for those of you who are working in the Philippines under incredibly difficult circumstances, we wish you all the best, and we hope staff is well and safe, and as well through you, we wish to offer our sincere condolences to the people of the Philippines on this incredible tragedy that has beset the country.

As you can imagine, we have a very large, dynamic Filipino community in Canada that is anxious about news, news about their families, and also very anxious about the new regulations that the Canadian government has offered to deal with this extraordinary situation.

I'd like to ask our friends from Manila, first of all, if you could say what impact the typhoon has had generally on your operations, and if indeed you have had an increase in applications for temporary visitor visas in the aftermath of the typhoon.

**Ms. Catherine Bailey:** I am going to pass the microphone over to my colleague, Ms. Patricia Nicoll, to answer most of that.

I'd like to make one comment about the typhoon, which is that we were extremely fortunate in that the typhoon went south of Manila and north of Cebu City, between two large urban centres. So it could

have been very much worse. Of course, it was still a terrible situation, but we are fortunate to a certain extent.

Now I'll turn it over to Patricia to talk about what we've been doing over the past couple of weeks.

**Ms. Patricia Nicoll:** Thank you very much.

Thank you for your remarks and encouragement about the work we're doing here after the typhoon.

As you mentioned, CIC has introduced special measures to prioritize applicants who have been significantly and personally affected by the typhoon. We have proactively in this office gone into our records of active cases and found addresses and reached out to individuals, either permanent resident or temporary resident applicants, in order to prioritize their applications if they are from an affected area.

We've noticed an approximate, but this is quite rough.... We think we've got about a 15% increase in temporary resident applications, but we can't say that's specifically a result of the typhoon. However, we have noticed an increase.

**Mr. Andrew Cash:** You did mention the difficulty vis-à-vis communication in normal times. How on earth is communication being executed now?

**Ms. Patricia Nicoll:** We have found that we are able to communicate by telephone, fortunately, now that it's two weeks after the event. There are communications opening up, particularly phone lines.

We have used texting, phone, and email to communicate.

**Mr. Andrew Cash:** With the added volume, as it were, have the processing times for all types of applications therefore been affected?

**Ms. Patricia Nicoll:** We have been prioritizing, as I say, cases of people who are directly and personally affected. In addition, we were fortunate to have already had four temporary duty officers assigned to Manila. When the typhoon struck, we already had extra resources in place. We've been able to leverage resources that we have here in order to move cases forward without dramatically affecting processing times on any one line of business.

• (1905)

**Ms. Catherine Bailey:** If I could add to that, during this period, the staff in the office have been working extremely hard. Filipinos are very loyal to their comrades, and they feel very much for people affected by the typhoon, so they've been devoting many, many hours of work to this. I think at the moment our processing times are actually improving, rather than diminishing, because of the devotion of every member of the team working on this crisis.

**Mr. Andrew Cash:** Just to confirm, then, you've received additional resources to deal with this extraordinary circumstance.

**Ms. Patricia Nicoll:** We did already have some additional temporary duty officers in place, so we have those already. We didn't know the typhoon was coming. They were here anyway.



However, as Ms. Bailey has mentioned, we have been working overtime, and we've also received support from CIC in terms of transferring, for example, general inquiries that we've been receiving. We've actually been able to use the resources of the centralized processing region at CIC to assist in answering general inquiries that can be handled from Canada.

**Ms. Angela Gawel:** We also have planned for four more TD officers to go to the Philippines in quarter four.

As well, as Ms. Nicoll has just mentioned, we've been leveraging with our colleagues in CPR to assist us with some of the processing or the client service that can be done in Canada to assist.

**Mr. Andrew Cash:** Thank you.

Finally, the CIC has mentioned that requests from Filipino citizens temporarily in Canada who wish to extend their stay will be assessed in a compassionate and flexible manner. That's great to hear. I'm just curious about what that actually means in the real world. Have we had an increase in those requests? How have they been handled by CIC?

**Ms. Angela Gawel:** I cannot speak for the centralized processing region, so I can't speak for whether we've had an increase in in-Canada applications.

I'm not sure if my colleagues in the Philippines would know.

**The Chair:** Unfortunately, we're out of time.

**Ms. Catherine Bailey:** No, we haven't really received that information.

**The Chair:** Mr. Daniel....

I'm sorry, Mr. McCallum. How could I forget you?

**Hon. John McCallum (Markham—Unionville, Lib.):** Thank you, Mr. Chair.

I, too, would like to express my condolences in regard to the typhoon, and my thanks to you, as you are representing Canadians on the front line.

I'd like to focus on Ms. McKinney from Chandigarh, partly because I noticed that your acceptance rate is 53% versus 82% overall, I think it was, and I noticed that you talked a lot about fraud. You said that represented a problem in 15% to 20% of the cases, which means that 80% to 85% of the cases were a problem for reasons other than fraud.

I wonder if you can explain that briefly in broad terms. Other than fraud, what are the main reasons for turning people down in the 80% to 85% of the cases that don't involve fraud?

**Ms. Carol McKinney:** All of our applications are processed on a case-by-case basis. Generally, our concerns would lie on.... In my opening remarks, I mentioned the strong economic pull to Canada and whether or not the person would indeed leave Canada at the end of authorized entry.

**Hon. John McCallum:** Well, yes, but that doesn't answer my question. Would it be lack of money? Would it be lack of foreign travel? What are the main reasons such that you would turn people down?

**Ms. Carol McKinney:** Right, so that's a lack of ties to their country of origin, unemployment or underemployment, lack of travel, and lack of establishment, including financial means.

**Hon. John McCallum:** One of the issues is how much money the people need. My experience is that the amount is not a constant. The question is whether they need to have a certain number of dollars in their bank account. If so, how many dollars? Does this vary from place to place? Who sets the number of dollars? What criteria are used to set this number of dollars? My experience is that there's some inconsistency in the application of such rules.

**Ms. Carol McKinney:** We don't have a specific dollar amount. What we're looking at when we talk about establishment is in the context of the person. Are they working? Are they in a position where they have a local wage rate? Do they have a pension to look forward to? It's those sorts of things, as opposed to, say, a savings account of x dollars.

● (1910)

**Hon. John McCallum:** We're often told they're turned down because they don't have sufficient dollars in their bank account. Are you saying that's not a reason?

**Ms. Carol McKinney:** It is a reason in the context of the amount of funds they would have in their bank account versus the cost if they travelled to Canada and the reason for the travel to Canada.

**Hon. John McCallum:** Are there any rules about how much money they need? My experience is there is no clarity there.

**Ms. Carol McKinney:** No, sir, there is not an exact dollar amount.

**Hon. John McCallum:** Okay, and in terms of travel history, I know you're overworked and errors can occur, but sometimes an error occurs and the travel history is not well understood. Does the individual have a chance to correct such errors or problems without having to reapply and pay the fee again? Is there some mechanism for providing information to correct some possible error after the application is turned down?

**Ms. Carol McKinney:** We do receive some requests for reconsideration, but we reconsider the application that was received. Information on what we require is widely provided, through document checklists and our visa application centre, so if they would like to have a new decision, we would expect a new application from them.

**Hon. John McCallum:** Finally—I think my time is running out—can you explain why your acceptance rate at 53% is so much lower than the global average of over 80%?

**Ms. Carol McKinney:** Our acceptance rate is lower due to the number of fraudulent applications we have and due to the strong pull of Canada for the Punjabi community.

**Hon. John McCallum:** The fraudulent applications are only 10% to 15% of the cases, so that can't be the main reason for accepting only half of the applicants.

**Ms. Carol McKinney:** The applications are processed on a case-by-case basis. Many of our applicants do not meet Canada's visa requirements because we are not convinced that the individual will depart Canada following an authorized stay.

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

**The Chair:** Thank you.

Mr. Daniel, go ahead.

**Mr. Joe Daniel (Don Valley East, CPC):** Thank you, Chair, and thank you, witnesses, for being here. I have a number of questions.

When we started this study in the last session, we heard a witness complain that visa officers often do not make the distinction between someone applying for a visitor visa versus someone applying for a visitor visa while they have their permanent resident application pending.

Could anybody clarify this misconception?

**Ms. Angela Gawel:** We call that dual intent. For instance, an applicant may have a permanent resident application in process. While that is in process, an applicant may, for various reasons, wish to go to Canada, and they require a temporary resident visa to travel to Canada.

It's not uncommon for people to legitimately have two such applications in process at one time, for perfectly legitimate reasons, and we would assess the temporary resident visa application on its merit.

**Mr. Joe Daniel:** What factors are the officers looking at when examining these applications? Presumably, if they're applying for permanent residence, they've already got their landed immigrant status, right?

**Ms. Angela Gawel:** If they're applying for permanent residence, they would not yet be a landed immigrant. They would still be a foreign national. That is why they would need a temporary resident visa if they were travelling to Canada prior to obtaining permanent residence.

**Mr. Joe Daniel:** If somebody has a permanent resident application pending and is refused, what are the most common reasons for their refusal?

**Ms. Angela Gawel:** It may be that the officer is not satisfied that they have a legitimate reason for temporarily travelling to Canada. That could be the reason for the refusal. Again, dual intent is a recognized, legitimate reason to have two applications in process. Many such applications are approved.

**Mr. Joe Daniel:** Do applicants fill out the visa form with all the necessary information, or do you find that many people submit incomplete forms?

**Ms. Angela Gawel:** I don't have numbers for the rejection rate of incomplete applications. I can tell you, though, that the VACS and the online application wizard we have ensures that clients submit all the required documentation to support their application.

Those two initiatives have improved the likelihood—in fact, they ensure—that a client submits a complete application.

• (1915)

**Mr. Joe Daniel:** Okay.

I'd now like to look at issues regarding program integrity. What percentage of visa decisions are appealed, are overturned, by the Federal Court? Do we have any statistics on that?

**Ms. Angela Gawel:** I don't have a statistic. In fact there isn't an appeal mechanism. An applicant who's refused has two lines of

recourse. They may, as we've talked about, reapply—pay a \$75 fee for a single entry and reapply—or they can seek leave for judicial review through the Federal Court.

I don't have the rates of rejection.

**Mr. Joe Daniel:** When we start looking at people who are coming here and looking for accountability, who is held accountable if someone obtains a visa to enter Canada and then commits a crime or a terrorist act?

**Ms. Angela Gawel:** I believe the individual who commits the act would be held accountable.

**Mr. Joe Daniel:** What was the acceptance rate in 2006 as compared with 2012 for applications for each of the locations?

**Ms. Angela Gawel:** For Chandigarh and Manila?

**Mr. Joe Daniel:** Yes.

**Ms. Angela Gawel:** I'm not sure I have those with me today, but we can present them to you. We can follow up.

**Mr. Joe Daniel:** Okay. Thank you.

**Ms. Angela Gawel:** Just in answer to your previous question, I don't have a percentage, but with regard to judicial reviews of temporary resident visa decisions, I have the 2011 numbers: 41 of 63 applications for leave and judicial review were either denied or discontinued without settlement.

So it's a fairly high percentage.

**Mr. Joe Daniel:** Thank you very much.

This is a similar sort of question that you may or may not have the answer to. Who ends up paying if someone obtains a visitor visa, enters Canada, makes an unfounded asylum claim, and claims welfare?

**Ms. Angela Gawel:** The payment of social assistance is through the public purse. That's one of the reasons we of course strive to ensure that we admit people who have legitimate reasons for travelling to Canada and who are seeking to enter Canada for legitimate purposes.

**Mr. Joe Daniel:** In 2012 Canada issued a record number of visas for Filipino and Indian nationals. In fact, I read that the Philippines was the second-largest source country for immigrants to Canada in 2012. India was the third-largest source for immigration to Canada in 2012. I think we issued a record number of nearly 130,000 visitor visas to Indian applicants in 2012, an increase of about 58% compared with 2004.

How does an approximate 85% approval rate compare with other countries?

**Ms. Angela Gawel:** Approval rates vary from country to country. There are, as we've talked about, a number of factors that visa officers will be looking at.

I think it's fair to say, though, that we assess cases individually. Even though a country may statistically have an 85% approval rate, not every applicant, of course, will be approved. Those are individual assessments.

**Mr. Joe Daniel:** Is your approval rate in Europe, for example, much better than it is in the Asian countries?

**Ms. Angela Gawel:** Most European countries do not require visitor visas for Canada.

**Mr. Joe Daniel:** Okay. Thank you.

Thank you, Mr. Chair.

**The Chair:** Ms. Sitsabaiesan.

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

I have a few quick questions that I'd like to get through, if possible.

One experience that we're seeing in offices across the country is actually funeral-related.

Ms. McKinney, you had touched on fraudulent funeral cases. I'm talking about the false positives. We have individuals, whether it's a son or a daughter, or even a parent, who are trying to come over for a funeral of a child or a parent and have been refused. It's happening as a regular occurrence. I have experienced it, and I know my colleague in British Columbia has; many of them have experienced it from the Chandigarh office. We're trying to figure out why these people are being refused.

Are there specific criteria that these individuals need to meet in order to prove that their parent or child has actually passed away and they are only going for the funeral?

• (1920)

**Ms. Carol McKinney:** These officers are extremely sensitive to these compelling situations. The applicants need to meet all of the regular requirements, and the visa officer would weigh the reason for the travel versus the circumstances of the person wishing to travel to Canada.

**Ms. Rathika Sitsabaiesan:** I'm not sure there was much of an answer there for us to take back to our constituents, to be honest.

If there's only one child left in India and the father died in Canada, we're saying that maybe there are no ties to family back in India and that person is not going to be approved to come for the father's funeral. They have to qualify for the same criteria as for a regular temporary resident visa, which means they have to have enough employment. That means they can't come for a funeral of their own parent because they are not working; they are not rich; they don't come from a wealthy family. It doesn't make sense to me. That's what I got from your answer.

Earlier today we had a professor from the University of Toronto say that when there's a new application.... You said people can make an application and be refused and there's no appeal process, so people have to submit a new application. The new application would be assessed based on the validity of what is provided in that application.

We were advised that every single new application is reviewed by a completely different visa officer. If I were to make an application and my application was refused and then I reapplied, it would be a 100% different visa officer who reviews my second application.

Is this correct?

**Ms. Carol McKinney:** That is correct, in every circumstance possible. There could be a case where that doesn't happen, but that is our intention, that we always have a new officer review a new application.

**Ms. Rathika Sitsabaiesan:** That is the intent, but it is not always 100% the case. Got it.

What are the average processing times in each of your missions for the super visa?

**Ms. Carol McKinney:** For the super visa in Chandigarh, we're sitting at eight weeks. However, if the applicant does upfront meds, they fall within our regular processing time, which is 14 days.

**Ms. Catherine Bailey:** If they do an e-application and an e-med and are not found to have any medical problems, such as pulmonary tuberculosis, the processing time is six to eight weeks at the moment for a super visa.

Unfortunately—

**Ms. Rathika Sitsabaiesan:** Thank you. I have to get one more quick question in there.

The requirements for a super visa are very similar to a sponsorship application for parents or grandparents, or medicals, photos, minimum income bracket, all that kind of stuff.

If your offices are processing the exact same information that's required for permanent residency, why does it take eight weeks or fourteen days in Chandigarh for a super visa and six to eight weeks in Manila, but then it takes seven years to process a sponsorship application?

**Ms. Angela Gawel:** The sponsorship application is a family class application, a permanent resident's application, so there are more criteria that the applicant needs to meet.

As well, there are levels that we must meet each year. Although intake in the past on family class applications for the parents and grandparents had been unlimited, we have a limited number of visas that we can issue every year. So the wait times are necessarily longer.

**The Chair:** I'm afraid that's it.

Mr. Weston, can I ask one brief question? You're next.

**Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC):** Sure.

**The Chair:** Particularly with India, my office has had a number of people come in and say they were rejected with no reasons given. Then they make another application and they are rejected with no reasons given.

My number one question is, does that happen often? Should there be a requirement that reasons be given for rejections with every application?

• (1925)

**Ms. Carol McKinney:** We do indeed provide a letter with every application outlining the reasons for refusal of the application, so I'm not sure.... Do they mean they didn't receive specific enough reasons or that they didn't receive a letter at all?

**The Chair:** The reason given was "rejected". That's it.

**Ms. Carol McKinney:** In every letter they receive, the reasons would be identified, whether they be purpose, travel, or funds.

**The Chair:** We're going to move to Mr. Weston.

I can only tell you that in my office I've had a number where that does not happen. It just simply says "rejected".

Go ahead, Mr. Weston.

[Translation]

**Mr. John Weston:** Thank you, Mr. Chair.

[English]

For Ms. Nicoll and Ms. Bailey, again, our condolences go out to you.

I'm the MP for West Vancouver—Sunshine Coast—Sea to Sky Country, where we have a very active Asian community and quite a robust Asian new year's celebration. I'd like you and your colleagues and friends to know that this year's celebration is going to be dedicated to the victims. We're going to be sending whatever financial proceeds we gather to the Philippines.

I'm sure I speak for all my colleagues when I say that everyone is broken-hearted about what we see there.

[Translation]

I would like to ask some questions on visitor visas and student visas. It is worth it to not necessarily use

[English]

a still camera, but a video camera. In other words, what is the trend?

I wonder if you could maybe reflect on the difference from past years vis-à-vis visitor visas and student visas in the last year.

I will direct that to both offices, starting with you, Ms. Nicoll, or Ms. Bailey.

**Ms. Catherine Bailey:** I'm not sure that I heard your entire question because there was a gap in the translation. If I understood, you're asking about the pattern of acceptances or refusals for TRVs and student visas. Would you just repeat?

**Mr. John Weston:** Yes. How does the issuance of visas compare to previous years, so this past year vis-à-vis previous years?

We've heard about the upsurge from the Philippines.

**Ms. Catherine Bailey:** The upsurge in students is largely attributable to the fact that we now have the caseloads of Korea and Japan. As you may be aware, a great many Korean families send their children to study in Canada for a few years of elementary or high school. That has caused a marked upsurge in our numbers.

**Mr. John Weston:** So those aren't necessarily Filipino nationals.

**Ms. Catherine Bailey:** No, they're not. That's correct.

Now we do also see students, of course, who are wishing to join their parents who are on a work permit in Canada. Those may, indeed, be Filipinos. But the large upswing in our numbers is largely a reflection that we now have the workload from Seoul and from Tokyo.

**Mr. John Weston:** Can you give us a number in terms of the past full year vis-à-vis previous years?

**Ms. Catherine Bailey:** I'd have to look that up. I don't have that information at my fingertips, unfortunately, but I can get it back to committee.

**The Chair:** Could you send it to the clerk, please?

**Mr. John Weston:** Yes, that would be great.

Could we perhaps switch to Ms. McKinney and Mr. Irvine? Are you able to give us a sense of the trend?

**Ms. Carol McKinney:** Our trend in Chandigarh is a growing acceptance rate in both lines of business, for student applicants and for genuine visitors. We attribute this, again, to a better application process and a more complete application being submitted to us.

Also, we have a partnership with colleges in Canada and we have a program that clearly defines the criteria for some students, and that has also helped improve our acceptance rate.

**Mr. John Weston:** Going back to the Philippines,

• (1930)

[Translation]

in a normal work day in your respective visa offices, how many applications can an agent process? Given the growing pressure, do agents have sufficient time to examine them?

[English]

**Ms. Catherine Bailey:** The number of applications reviewed by an officer is going to vary, depending on the complexity of the cases. That's always been the way, in all my experience in visa offices.

With very simple cases of e-applications that are straightforward acceptances, one could do 40 or 50 in a day. But if one has complex work permit applications, one might accomplish 15 or 20 in a day. So there is a lot of variation depending on what the workload is.

**Mr. John Weston:** Thank you, both here and overseas, for your help tonight.

**The Chair:** On behalf of the committee, I thank you all as well for appearing.

This meeting is adjourned.







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