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Chair

Mr. David Tilson

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• (1525)

[English]

The Chair (Mr. David Tilson (Dufferin—Caledon, CPC)): Good afternoon, ladies and gentlemen. This is the Standing Committee on Citizenship and Immigration. It is Tuesday, March 4, 2014. This meeting is televised. We are studying strengthening the protection of women in our immigration system.

You will note that item 1, committee business, which we normally do in camera, is the budget, so I directed the clerk to hold this in open session, unless there are some questions, in which case we will move in camera. This budget should be distributed to you.

Do I have a motion that this budget be adopted?

Mr. Shory, are there any questions or debate?

Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP): Was the budget just presented to us?

The Chair: It should be before you.

Ms. Rathika Sitsabaiesan: Can I look at it before we vote on it?

The Chair: We'll move in camera.

[Proceedings continue in camera]

• (1530)

The Chair: Ladies and gentlemen, we have some guests to help us with our study on the protection of women in the immigration system.

We have before us, from the Canada Border Services Agency, Lesley Soper, who will be speaking to us for about eight minutes. She is accompanied by Mr. Geoffrey Leckey, the director general of the enforcement and intelligence operations division.

With this group we also have, from the Royal Canadian Mounted Police, Superintendent Jean Cormier, the director of federal coordination centres.

Welcome to all of you.

Ms. Soper, you have the floor.

Ms. Lesley Soper (Acting Director General, Enforcement and Intelligence Programs, Canada Border Services Agency): Thank you and good afternoon, Mr. Chair, and honourable members of the committee.

I'd like to thank the committee for inviting the CBSA to participate in its study of how to strengthen the integrity of the spousal sponsorship program.

Superintendent Jean Cormier, a colleague of ours from the Royal Canadian Mounted Police, has agreed to be present today to support our agency and to take any questions you may have that might fall within the RCMP's purview.

[Translation]

As the committee has heard, Citizenship and Immigration Canada is the lead department for the policies relating to, and management of, the spousal sponsorship program.

[English]

Through this program, Canadian citizens and permanent residents may sponsor close family members for Canadian immigration. In order for a family class application to be successful, both the sponsor in Canada and their sponsored family member must meet the immigration requirements under the Immigration and Refugee Protection Act.

The CBSA's involvement in this program is quite limited and specific. Once an immigration officer has processed an individual's application and issued a visa, the individual will be deemed to have met the admissibility requirements to enter Canada. When the individual arrives at a port of entry, a border services officer will direct them for secondary examination to validate their documentation and land them as a permanent resident in Canada.

The only other involvement the agency has in the spousal sponsorship program is during an appeal. Should an application for spousal sponsorship be denied by Citizenship and Immigration Canada, the sponsor in Canada has the right to appeal the decision. Under the Immigration and Refugee Protection Act, the CBSA represents the Minister of Citizenship and Immigration Canada before the Immigration and Refugee Board in such cases, and will work closely with the responsible immigration officer to obtain and review the case file and present the government's position on the case before the board.

Having outlined the role that the agency plays in the spousal sponsorship process, I would like to turn my remarks to the more challenging aspect of the committee's study, which relates to the potential vulnerability of sponsored spouses and partners.

[Translation]

One of the objectives of the Immigration and Refugee Protection Act is to facilitate family reunification. The spousal sponsorship process is open to abuse when individuals enter into non-bona fide marriages to facilitate entry into Canada.

[English]

Both Citizenship and Immigration Canada and the CBSA understand that to combat marriage fraud effectively, there is a need for joint anti-fraud measures to deter individuals who might otherwise use a marriage of convenience to circumvent Canada's immigration laws. A marriage of convenience is a marriage or common-law relationship whose primary purpose is not the reunification of a genuine couple.

The CBSA has various enforcement options under Canada's immigration laws to pursue suspected marriage of convenience cases. The agency may remove an individual from Canada if that person misrepresented himself or herself, or if it is found that the sponsored person did not comply with the condition of living in a legitimate relationship with their sponsor for a minimum of two years, as required under the new regulations.

The CBSA investigates cases of marriage of convenience, and subsequently criminal charges may be laid for misrepresentation. In such cases, the CBSA conducts a criminal investigation and recommends to the Public Prosecution Service of Canada that charges be laid in criminal court. The CBSA investigates and pursues criminal charges under IRPA, the Immigration and Refugee Protection Act, against a person who counsels an individual to misrepresent himself or herself.

The CBSA's criminal investigators focus on potential fraud cases in which both parties are wilfully attempting to circumvent and abuse the immigration system. In some cases, the sponsor may be given a financial benefit in exchange for the sponsorship, or there may be an organizer or facilitator involved in setting up fake marriages for the purposes of immigration.

• (1535)

[Translation]

The CBSA also investigates cases in which a foreign national spouse used their relationship with a Canadian solely for the purpose of gaining a permanent status in Canada. However, these types of cases are challenging to investigate due to the limited availability of documentary or independent evidence to support allegations of this nature.

[English]

The issue of victimization by an abusive sponsor, however, goes far beyond marriage fraud in the immigration context. While the CBSA is mandated to actively pursue enforcement action against any permanent resident or foreign national against whom a reportable criminal conviction is registered, the CBSA is not mandated criminally to investigate cases in which domestic violence may be suspected. Unlike the CBSA, the police have the authority to pursue charges under the Criminal Code of Canada with respect to domestic violence incidents. The police are trained to deal with victims of domestic violence and work in cooperation with social services at agencies and non-governmental agencies that focus on helping victims.

Social service agencies provide shelter and other assistance to victims where needed. Many of their staff are trained to assist with domestic violence victims from immigrant communities.

[Translation]

Another area of concern relating to the potential vulnerability of sponsored spouses and partners is in situations of non-bona fide marriages that are used to cover human trafficking.

[English]

Trafficking in persons is a crime that involves the recruitment, transportation, or harbouring of persons for the purpose of exploitation, typically in the sex industry or for forced labour. It is an investigative responsibility of the RCMP. Trafficking in persons and related conduct are criminalized through specific offences in the Criminal Code of Canada and IRPA, the Immigration and Refugee Protection Act. Trafficking in persons is not to be confused with human smuggling, which is the illegal movement of people across a border. Trafficked persons are always deprived of liberty when they arrive at their destination, whereas smuggled migrants would not be restricted in their movement and freedom after arrival.

Through field guidance and their enforcement training, CBSA officers receive information to assist in the identification and interception of individuals who are either suspected of human trafficking or who may be victims of such activity. Any time an officer encounters a situation in which human trafficking is suspected, they are required to separate the potential victim from the suspected human trafficker; to seize and hold any means of transportation, document, or other item if the officer believes, on reasonable grounds, that it was fraudulently or improperly obtained or used; and to take detailed notes and notify their supervising manager of the case as soon as possible so that the information may be reviewed and direction and support may be given.

A regional intelligence officer is the next point of internal contact. They will in turn coordinate further action with all the implicated CBSA partners, such as the police of jurisdiction and the Department of Citizenship and Immigration Canada.

[Translation]

The RCMP will investigate to ascertain whether trafficking in person charges can be laid under the Immigration and Refugee Protection Act or the Criminal Code of Canada against the alleged traffickers.

[English]

Citizenship and Immigration will conduct an interview on immigration options with the victim and may issue a temporary resident permit for up to 180 days when a preliminary assessment is made that the person may be a victim of human trafficking. The fee is waived for that permit.

A longer-term temporary resident permit or a subsequent permit can be issued if verification of the facts provides reasonable grounds to believe that the person is indeed a victim. Immigration officers will counsel the victim regarding the need to submit an application for a work permit should they wish to work and will provide victims with interim federal health documentation. The assistance is available for up to 180 days if the victim has no health insurance or is unable to pay for their own health care services.

• (1540)

[Translation]

Mr. Chair, despite its limited role in the spousal sponsorship program itself, the CBSA is very sensitive to the very real potential for individuals to be victimized by those that would circumvent the law.

[English]

To this end, the agency will remain vigilant in detecting and reporting potential cases of domestic violence as part of its core duties. It will also continue to support Citizenship and Immigration Canada's policy efforts to ensure that new immigrants are not trapped in violent relationships for fear of loss of their immigration status.

We would be happy to answer any questions you may have.

The Chair: Thank you for your presentation, Ms. Soper.

Mr. Menegakis has some questions.

Mr. Costas Menegakis (Richmond Hill, CPC): Thank you very much, Mr. Chair.

Thank you to our witnesses for appearing before us today. I also want to thank you for your service. We're all partners in this battle to try to keep those who would have illicit intentions from coming into Canada and abusing our immigration system.

My first question will be to you, the CBSA officials here with us today. Can you elaborate for us what the process is if a CBSA border agent detects or is made aware of a marriage fraud, a forced marriage, or even spousal sponsorship abuse?

Mr. Geoffrey Leckey (Director General, Enforcement and Intelligence Operations Division, Canada Border Services Agency): Under Canada's immigration laws, the CBSA has various enforcement options to pursue suspected cases of fraud, notably marriage of convenience cases. That can include the removal of the individual from Canada if that person misrepresented themselves or did not comply with the sponsorship conditions.

The CBSA also investigates and pursues criminal charges under IRPA in cases where both parties are knowing participants to a marriage fraud in order to gain entry to Canada, such as cases where the sponsor may be given a financial benefit in exchange for the sponsorship as well as cases where they may be an organizer or facilitator in setting up fake marriages for immigration purposes.

For statistical purposes, the CBSA spends about half of its criminal investigation funding on immigration investigations. Criminal investigations related to immigration offences tend to be complex, lengthy, resource-intensive, and difficult to obtain evidence on. For that reason, criminal investigations are not open for all referrals, particularly if an administrative procedure is available that may be equally appropriate, such as removal from Canada. We focus our criminal resources on serious contraventions of legislation, cases where the probability of obtaining the required evidence to pursue the investigation is likely and success of prosecution is assessed as high.

Again, here are some statistics. Since April 1, 2010 there have been 392 referrals of marriage convenience cases to our criminal investigations division. Of those, 67 cases have been opened, and 34

remain open. Seven charges have been laid, and three out of five that have gone to court have been concluded with a guilty finding. The other two remain before the courts.

Mr. Costas Menegakis: Thank you.

I'd like to ask a question of you, Superintendent Jean Cormier. We know that honour killings have occurred in Canada, most recently of course, the Shafia trial comes to mind. What can you share about the Shafia case that would be relevant to our study here? Is the RCMP taking any special measures that are associated with honour killings in particular?

Superintendent Jean Cormier (Director, Federal Coordination Centres, Royal Canadian Mounted Police): Yes, I can certainly speak to that. The 2009 Shafia case that happened in Kingston, Ontario, was certainly a tragedy and has given rise to a lot of awareness of honour killing in Canada. I believe that until that time it was something that was not as widely recognized. It gave rise to awareness that there was a lack of education in relation to those situations ongoing in Canada, ones that may not have been recognized. In terms of that case in particular, when we look at the history that goes with it, some of the girls had gone to authorities such as social services. They had been returned back to the family, not knowing exactly what to do.

In relation to that, the RCMP has an initiative currently on the go. We are developing training that will be rolled out. Right now it's in the pilot phase, but it will be rolled out to the greater law enforcement community in the near future through not only the RCMP but also through the Canadian Police Knowledge Network and through Holland College. It's going to be available online for everybody to get more awareness on the issue. This should also help with how to recognize it, what to do about it, and how to address it.

We also have other initiatives. The RCMP is participating in other initiatives such as the working group that is currently led by the Department of Justice that is studying the existing law to see where the gaps are in legislation, what could improve when we recognize it, and what can be done about it within the boundaries of the law. There are a number of items in motion currently that are dealing with that.

• (1545)

Mr. Costas Menegakis: Does the CBSA or the RCMP monitor cases that would be potential forced marriage cases?

Supt Jean Cormier: Speaking for the RCMP, no. We would not monitor it, but it may come to our attention through other investigations.

Mr. Geoffrey Leckey: As for the CBSA, the CBSA is aware of the existence of forced marriages. We've produced an intelligence brief on forced marriages and it has been provided to our stakeholders within the CBSA and within CIC, such as visa officers who field the initial applications from couples abroad.

We have also identified a number of countries in which Canadians have been forced into marriage at a higher rate than in other countries. In other words, there are certain countries abroad where there's a higher propensity to see forced marriages, but I won't mention those countries at this point.

The Chair: Thank you, Mr. Menegakis.

Madame Blanchette-Lamothe.

[Translation]

Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP): Thank you, Mr. Chair.

I would like to thank our witnesses for coming today. It is a pleasure to have you here.

First, I would like to come back to a few terms you used in your presentation and in your answers to the questions. You spoke about “marriages of convenience”. In your opinion, a marriage of convenience is necessarily fraudulent. Is that correct?

[English]

Ms. Lesley Soper: A marriage of convenience is really an immigration term that we use to describe persons who enter into relationships for the sole purposes of immigration. A marriage of convenience is specifically to talk about marriage entered into for the sole purposes of gaining permanent residency, and that it's not a real marriage. There are other ways to interpret that phrase, but how we use it in immigration is very specific.

[Translation]

Ms. Lysane Blanchette-Lamothe: Thank you.

With respect to “arranged marriages”, do you think an arranged marriage is necessarily a marriage of convenience? If not, do arranged marriages have some legitimacy? Could you clarify the concept a little?

Mr. Geoffrey Leckey: An arranged marriage is not the same thing as a marriage of convenience. An arranged marriage can very well be a part of the culture in some foreign countries and be absolutely acceptable.

Ms. Lysane Blanchette-Lamothe: Thank you.

In the offices of MPs, we often hear about the cases of people who have a lot of difficulty having their marriage recognized and ensuring that it is considered valid and genuine, particularly in the case of arranged marriages. Could you tell us about the tools you use to differentiate between a marriage of convenience and a legitimate or valid arranged marriage?

Sometimes it seems that there is confusion when sponsorship of a spouse is denied. So I would like to know what your guidelines are and what tools you use to determine beyond a shadow of a doubt that a marriage, arranged or not, is a marriage of convenience.

• (1550)

Mr. Geoffrey Leckey: An arranged marriage can be legitimate. The tools we use to distinguish between an arranged marriage, a legitimate marriage in general, and a marriage of convenience include the following techniques. If I may, I will switch to English.

[English]

We interview the applicants, interview them together, interview them individually, and corroborate details of their marital life to make sure that they coincide. We may conduct an inspection of the couple's dwelling. In certain rare instances, we may conduct surveillance to determine whether or not the couple are actually cohabiting as they claim to be. If necessary, interviews may be conducted with friends, family, and co-workers.

Additionally, applicants may be required to provide evidence of their relationship in the form of letters, emails, photographs, etc.

[Translation]

Those are the tools we would use to distinguish between the two types of marriage.

Ms. Lysane Blanchette-Lamothe: Thank you.

Do you acknowledge that sometimes there may be cases where valid marriages that are not marriages of convenience are not recognized? Do you recognize this problem?

Ms. Lesley Soper: Yes, of course.

[English]

If I may, I will add that obviously the primary decision-maker on whether or not a sponsorship is legitimate is Citizenship and Immigration. They do their due diligence in assessing the bona fide qualities of that relationship. It only comes to us when there has been some indication that it's not a bona fide relationship, but in that also, the law is structured such that the couple is given the benefit of the doubt under the law. In fact, in sponsorship appeals before the Immigration and Refugee Board, they can bring new information to the table to talk about why their information should be considered legitimate and their marriage should be considered bona fide.

[Translation]

Ms. Lysane Blanchette-Lamothe: Thank you.

I would like to ask a quick question about conditional permanent residence.

Last week, we spoke to CIC staff, and they did not seem to have an answer to this. Do you know how many people have been sent back to their country because of this conditional residence status? Do you have figures on how many people have had to return to their country and how many requested a status exemption because of some kind of abuse or violence?

[English]

Ms. Lesley Soper: I looked at the testimony from Citizenship and Immigration last week in which they had indicated some numbers. We are in the process of verifying the numbers. This mechanism has only been in place since 2012. I understand from my colleagues at Citizenship and Immigration Canada that collecting the data on the system is not quite there yet, so we would have to provide that information to you at a later date.

[Translation]

Ms. Lysane Blanchette-Lamothe: You don't have the figures for the moment.

I would like to give my last minute to my colleague.

[English]

Ms. Rathika Sitsabaiesan: Thank you.

Earlier when you were talking about forced marriages, you said that there were forced marriages of Canadians who are being forced into marriage in another country. You weren't able to say which countries. Can I ask why you're not able to share with us which countries these incidents are taking place in?

Mr. Geoffrey Leckey: I think I wouldn't want to use this forum to generate what might turn into diplomatic problems with other countries.

Ms. Rathika Sitsabaiesan: Okay. I have a very short time. I understand.

I have the situation of a constituent of mine who has now been deported. Last time I asked CIC a question, they told me to ask the CBSA, and you're here. A woman who was here from another country, who came here from an extreme situation of violence, now has been deported and sent back to that country, where the only person she knows is her extremely abusive spouse. There are marks all over her and her daughter. She has been sent back to that country. Why would these kinds of things happen?

Ms. Lesley Soper: Obviously I can't speak to any cases, but I think that under the structure of the act such as it is now, there wouldn't have been.... The act doesn't compel the individual to stay with an abusive spouse in Canada. I would understand that the individual was in Canada to get away from the spouse and perhaps looked at avenues to seek permanent residency or to seek refugee status in Canada, and those are certainly legitimate and open mechanisms to do so—

• (1555)

Ms. Rathika Sitsabaiesan: Absolutely.

Ms. Lesley Soper: —with many checks and balances in that system.

The Chair: Thank you.

Mr. McCallum.

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

Thank you, witnesses.

Can you give me an idea—not necessarily official statistics, but according to your time at the CBSA—of how big a problem this is? Of all the spouses who come into the country, what percentage would you suspect of a possible marriage of convenience, and what percentage might ultimately be detained or deported?

Ms. Lesley Soper: Certainly. I'll start, and perhaps Geoff can carry on.

I also read with interest the statements of Citizenship and Immigration Canada on this subject last week. It is a two-step process, in effect. The marriage is looked at from the point of view of issuing a visa overseas, and then in Canada, where something doesn't look quite right in the marriage, it might be referred to us for our interest.

I think Geoff gave some of the statistics on the numbers of cases that we look at. I don't have them offhand. I'll let him remind you of

those, but I believe that Citizenship and Immigration Canada indicated that about 30% of the sponsorships that come forward present as being not bona fide.

Hon. John McCallum: I don't remember that number being nearly as high. In terms of the percentage of the people at the border whom you deal with, what percentage of those pose some questionable behaviour or ultimately are not admitted?

Ms. Lesley Soper: When they present at the border to be landed as permanent residents in Canada, I think most permanent residency applicants present as bona fide permanent residents.

Hon. John McCallum: So is that 98%?

Ms. Lesley Soper: We could look at that—

Hon. John McCallum: Over the last decade, let's say, do you think the incidence or number of marriages of convenience has gone up, or has it been stable or declining?

Mr. Geoffrey Leckey: Since 2008, our figures show that the incidence of marriages of convenience has decreased overall. We attribute that in part to increased enforcement by both CIC and the CBSA, by the Government of Canada's public awareness campaign.

Hon. John McCallum: If the vast majority of people coming in are legitimate, and the incidence of marriages of convenience has been falling since 2008, to what extent are you inconveniencing or delaying the entry of legitimate people? I'm concerned not only about illegitimate people getting in, but legitimate people being delayed or harassed. To what extent are innocent people caught in the crossfire, if you will?

Ms. Lesley Soper: When a person presents at the Canadian border with their permanent residency papers, coming to be admitted as a permanent resident for the first time, we trust that the paperwork and all the necessary checks have been done by Citizenship and Immigration. It's a very rare case when something isn't right within the paperwork when we would detain or question the individual at the border about the circumstances of their permanent residency.

Ms. Lesley Soper: They would have to be presenting significant suspicions to an officer.

Hon. John McCallum: That's a little different. Now you're saying it's very rare; that was my first question. So 1% or 2% of people seem to be a problem, or hardly ever. Is that what you're saying?

Ms. Lesley Soper: In your first question, I thought you were capturing the whole process—

Hon. John McCallum: No, I meant just from the CBSA point of view.

Ms. Lesley Soper: I think it's very rare across all lines of permanent residency and the work we do at the border.

Hon. John McCallum: Okay.

Mr. Geoffrey Leckey: Can I weigh in on that?

It's very rare to encounter those kinds of cases for the first time at the border and for a border services officer to be able to distinguish the indicators that would lead to an ultimately founded suspicion that he's dealing with a fraudulent marriage, because the filtering is supposed to have been done in advance. By the time a couple shows up at the border with a permanent resident visa, all the checking has been done.

We are aware that certain programs have been particularly targeted for fraud. We at the CBSA, through our intelligence component, develop guidelines, papers, and indicators that are used by CIC visa officers abroad to do an initial screening.

• (1600)

The Chair: Thank you, Mr. McCallum.

Mr. Leung.

Mr. Chungsen Leung (Willowdale, CPC): Thank you, Chair.

I wish to establish some of the data collection methods, statistics, and trends on fraudulent marriages. I would group marriage of convenience, spousal sponsorship abuse, forced marriages, and polygamy in the same basket. I fully appreciate the fact that the pre-screening is done prior to the person's visa being issued, and then perhaps there is an inspection or review at the border. You may not catch all the cases other than those that are referred to you before, or at some point, to watch for them.

How will we determine, once they come across the border, if there's a case for any of those abuses of our immigration law? Once they're inside the border, if we can capture that, then we can have a better understanding of the trend of people using these fraudulent methods of gaining entry. Perhaps you can comment on that, and share with us some of the statistics over a period of a decade or so.

Mr. Geoffrey Leckey: Once couples have been admitted and are inside Canada, of course there is the potential for domestic abuse. If that happens, it can come to our attention through the CBSA's Border Watch line. It can come to our attention through CIC's call centre.

In the case of straight domestic abuse within Canada, those cases are referred to the local police. They have the jurisdiction. The cases may ultimately be referred to social services. That's not, strictly speaking, a CBSA concern. If spousal abuse that happens within Canada leads to the wife going to a women's shelter, the CBSA has a very strict policy about entering women's shelters. For example, only female officers are allowed to even approach a women's shelter, and those female officers have sensitivity training.

Of course, if marriage breakdown in the spousal sponsorship program is due to abuse, then the victim is not re-victimized by being sent back to the country of origin, as you're aware.

Mr. Chungsen Leung: Should we not also be capturing that information as part of our statistics or data-gathering in order to give us the ability to do a post-coming-over-the-border review over a period of time?

Mr. Geoffrey Leckey: Yes. We—

Mr. Chungsen Leung: Let me rephrase my question. What I'm trying to establish is that there's a way to prevent them before they enter the border. Obviously you wouldn't know the entire population of abuses, but there are those who do come across, so we need to capture that statistic to then correlate it with the total population of abuses.

Mr. Geoffrey Leckey: Yes. We can get back to you on that, on the four cases that you mentioned and that you bundled together as being fraudulent.

Mr. Chungsen Leung: Essentially, yes.

Mr. Geoffrey Leckey: We can provide you with statistics on that, and then of course—

Mr. Chungsen Leung: That would be helpful.

• (1605)

The Chair: Mr. Leckey, that would go to the clerk, please.

Mr. Chungsen Leung: Perhaps in that analysis you can also supply us with a little bit of commentary on the aggregate factors affecting that trend, and whether the trends are increasing or decreasing. Ultimately I guess what this does is it helps us review our legislation, or review the various gaps that we can stop, in that case.

There's also a lot of age discrepancy; it commonly happens in these cases. It could be a forced marriage or a marriage of convenience. Is that a factor in the evaluation by border services?

Mr. Geoffrey Leckey: Yes. In the case of forced marriages in particular, the victims tend to be quite young, as young as 16 or 17.

Mr. Chungsen Leung: Is it in the training of the CBSA to spot or to recognize that?

Mr. Geoffrey Leckey: Yes. We've developed products and we've disseminated them to stakeholders in the CBSA and CIC, the front lines being in this case the CIC visa officers abroad and the CBSA border services officers at our ports of entry.

Mr. Chungsen Leung: For younger persons, when they come across the border, are they usually accompanied by an adult or usually accompanied by the spouse? What are some of the cases that you can share with us?

Mr. Geoffrey Leckey: In the cases I spoke of, of forced marriage where predominantly the victims tend to be younger, of course when they enter Canada they are accompanied by an older person.

Mr. Chungsen Leung: Culturally, I understand that the age of consent is very different around the world. Would you feel—I guess this is perhaps an opinion—that our Canadian age of consent is right now inadequate, or would increasing the age of consent help in mitigating some of these marriages of convenience or forced marriages?

The Chair: I wonder if that's a political question.

Mr. Chungsen Leung: It is a political question.

I withdraw my question, Mr. Chair.

The Chair: Yes. I think we'll pass on that one.

Mr. Chungsen Leung: Do I have time, sir?

The Chair: You have about 10 seconds.

Mr. Chungsen Leung: I will share with you, sir.

The Chair: Mr. Sandhu.

Mr. Jasbir Sandhu (Surrey North, NDP): Thank you for being here.

In the past couple of years we've seen an increased focus on fraud marriages. In fact we've seen a new obligation for sponsors. How has this affected the CBSA and of course their resources? Do you have enough resources? Obviously there is increased demand in regard to your services. Has the government provided you with the adequate resources to deal with all these cases?

Ms. Lesley Soper: Marriage as a convenience is one of many types of immigration fraud we pursue as an organization. Within the resources we currently have I think we do quite well in pursuing, even as far as criminal prosecutions, the serious challenges to our immigration laws in Canada.

Certainly as an organization we are always trying to balance off many priorities we have from goods to people, and immigration violations, and customs violations, so it's always a balance we have take into consideration. Things like marriage as a convenience in our immigration fraud work remains a priority of the organization.

Mr. Jasbir Sandhu: How many investigators do you have to investigate fraudulent marriages and marriages of convenience across Canada?

Mr. Geoffrey Leckey: Across the country in total we have approximately 220 criminal investigators and somewhere above 500 inland enforcement officers.

Mr. Jasbir Sandhu: When a fraudulent marriage occurs, it takes a long time for an investigation to take place. I know one case in my constituency has taken over five years, and it's still being investigated.

Is that the norm? Does it take a long time to investigate these cases?

• (1610)

Ms. Lesley Soper: Certainly.

I think this particular area is highly challenging for officers to investigate, given the burden of proof required to demonstrate that a relationship was entered into solely for the purposes of immigration. Human relationships are complex, and so any investigation that would flow from that would be likewise complex. They can be very challenging.

Mr. Jasbir Sandhu: What steps does the CBSA take? In this particular case are there any steps being taken to safeguard this particular person who has been defrauded by this other person to come into the country, yet they are still in the country, and the case is being investigated for five years?

Are there any steps taken to protect the person who has been victimized in this marriage?

Ms. Lesley Soper: Obviously those are highly problematic cases where it's hard to prove the person has been victimized. We try to do our best to ensure we pursue those cases but as I said, they are complicated cases to bring evidence to bear that would allow for finality.

I think some of the statistics Geoff spoke of earlier where we have quite a number of referrals, but the likelihood of gaining a prosecution for wilful fraud is a very small percentage where we can bring a case to success in the criminal prosecution space....

Mr. Jasbir Sandhu: Mr. Leckey, you pointed out that there were 392 cases referred to you.

Mr. Geoffrey Leckey: That is right.

Mr. Jasbir Sandhu: How many of those were convicted or sent back?

Mr. Geoffrey Leckey: So far seven have gone to court. Two of them are still before the court of the five that are resolved that resulted in the criminal charge being successful.

Mr. Jasbir Sandhu: So how many of those 392 have actually been sent back or are out of this country?

Mr. Geoffrey Leckey: I would have to get back to you on that.

Mr. Jasbir Sandhu: Would you provide that information to the committee?

The Chair: Again, Mr. Leckey, it would be to the clerk, please. Thank you.

Mr. Jasbir Sandhu: When we are talking marriages of convenience, are we talking about a collusion between both partners, or just maybe one partner is committing this particular crime?

Ms. Lesley Soper: It's much more straightforward when both partners are party and we have evidence to that effect. It can happen that a person may be unaware of the intent of the person being sponsored. And that does occur also.

Again it can be somewhat challenging to produce evidence that would result in a case.

The Chair: Thank you, Mr. Sandhu.

Mr. Shory.

Mr. Devinder Shory (Calgary Northeast, CPC): Thank you, Mr. Chair.

Witnesses, thank you for coming to enlighten us this afternoon. I want to thank both organizations for their assistance and for the service they provide to Canadians and of course in some instances to other countries as well.

Mr. Leckey, I was very happy to hear you say that since 2008 the number of marriages of convenience has decreased. And of course credit goes to the CBSA for enforcement. At the same time, I also believe that credit goes to the government, which made the required changes and also communicated those changes to those who abuse the system.

I will be asking both organizations for their feedback, because the CBSA and the RCMP both have front-line officers.

Does your organization offer recommendations to Public Safety and the justice department? And what about CIC? Do you offer any recommendations to CIC as well? I'd like to hear from both organizations.

Supt Jean Cormier: I'll start if I may. A point regarding the RCMP on that in particular is that in most cases, the RCMP is not the lead agency in these types of investigations. So we would work alongside CIC or the CBSA.

As far as providing recommendations, it would be more information sharing in some cases. Sometimes that's bilateral, between the different agencies.

Mr. Devinder Shory: What are you seeing?

Ms. Lesley Soper: I would say that we certainly work very closely with our policy leads on the immigration act and with CIC to ensure that what we're seeing on the ground, as well as in some of the issues that we encounter, is being addressed in the way we set out policy guidance to our field, both overseas in CIC's visa operations and in our own field at the port as well as in investigations inland.

• (1615)

Mr. Devinder Shory: Marriage fraud and marriages of convenience are one thing, but violence is another area that I have heard about from my constituents. Now with all the conditional visas issued to newcomers, there is also a smart trend in which people start getting into violence, but don't leave the home right away in those sorts of circumstances.

If someone is charged and convicted of domestic violence, and if the convicted person is a permanent resident, what is the process for revoking their permanent residency and is there enforcement to send that individual back to where they belong?

Ms. Lesley Soper: In that sort of circumstance, the inadmissibility provisions of the Immigration and Refugee Protection Act would commence. If there was a criminal conviction against the individual, that would form the basis of rendering that individual inadmissible and they would then be subject to removal proceedings.

So it's a fairly straightforward process, although it takes time to execute. If there was a conviction for which there's a sentence to be served in Canada, that sentence would need to be served before we could proceed with removal.

Mr. Devinder Shory: How long does removal take once the sentence has been completed? If someone is convicted and sentenced to two years less one day or whatever, then after that is that person released or sent back to the country they are from straight from the prison or jail?

Mr. Geoffrey Leckey: The latter is the answer. In those cases there would be an enforceable removal order in place. The individual would be obliged to serve their sentence in Canada, and on release they would be collected by our inland enforcement officers, and the removal would proceed immediately.

The Chair: Thank you.

Mr. Opitz.

Mr. Ted Opitz (Etobicoke Centre, CPC): Thank you very much.

Just on that, they'll be released but they would be picked up at the prison or the jail that they're being held at, just so they can't sink into the underground.

Mr. Geoffrey Leckey: Correct.

Mr. Ted Opitz: Then they go right onto an airplane and away they go. Right?

Okay, great.

Just quickly, the minimum age of consent for marriage is currently at 16. Do you think that should change? Would that be able to protect women better if that... If you can't answer that—

The Chair: Mr. Opitz, that was sort of the same question Mr. Leung asked.

Mr. Ted Opitz: That's why I was just qualifying that—

The Chair: Just let me finish, Mr. Opitz.

We've stopped the clock.

There's a certain leeway in political questions, but I think that's clearly a political question. I think that question should be directed more to the minister than to these officials.

Mr. Ted Opitz: That's why I qualified it.

Thank you, Mr. Chair.

How do we compare to some of our peer countries on marriage fraud, enforced marriage, and other general abuses of spousal sponsorship program issues? Can you comment on that?

Ms. Lesley Soper: Certainly. We cooperate with other key immigrant-receiving countries to talk about what they experience in their jurisdictions and to see how we compare. It certainly informs some of the broader views on trends that we experience.

Certainly I don't think that what we're seeing is out of step with other major immigrant-receiving countries. It is quite consistent with where things are.

Mr. Ted Opitz: Do you know if any of our peer countries that you deal with and share information with have introduced regulation or legislation to combat some of those issues? Do you have any examples of any nations that do that?

Ms. Lesley Soper: I can't comment offhand.

Supt Jean Cormier: If I may, from a law enforcement perspective, in the U.K. they have introduced special legislation to help address some of those concerns. It is fairly new. I'm not well versed on it, so I would not be in a position to speak to what those details are. But it's an area that could be looked at.

• (1620)

Mr. Ted Opitz: That's something for us to look into. Okay, that's great.

Speaking of the U.K.—you mentioned that—they implemented I think what they call the Forced Marriage (Civil Protection) Act 2007. They also have the Forced Marriage Unit, which raises awareness on the issue. You mentioned earlier somewhere in your testimony that we do make an effort to generate awareness on these issues. How do we do that?

Supt Jean Cormier: How do we do that in Canada? One of the agencies that we are consulting with is in the U.K. There is also a partnership to DFATD that is also involved in these consultations that are ongoing right now to raise awareness, not only domestically but internationally as well—typically the work that we do with our allied countries.

Mr. Ted Opitz: How closely do we share information with peer countries?

Supt Jean Cormier: It's on a case-by-case basis depending on the need and under legislated authority. Obviously in cases such as the ones we are talking about here, certainly an exchange of information with peer countries would most likely be appropriate. We're talking about immigration matters.

Mr. Ted Opitz: Now, we also gain intelligence and do some intelligence-gathering from around the world. Are you in a position to say how that is generally accomplished, without getting into specifics?

Supt Jean Cormier: From a law enforcement perspective, certainly. Obviously there's a different method to gathering criminal intelligence. I'm not going to get into all the details of it. It is complex and there are many different avenues. But the sharing of criminal intelligence is done on a law enforcement to law enforcement basis, essentially, with countries that support similar legislation and human rights considerations.

Mr. Ted Opitz: How much time do I still have?

The Chair: Less than a minute.

Mr. Ted Opitz: I'm done, thank you.

The Chair: Ms. Blanchette-Lamothe, please. Thank you.

[Translation]

Ms. Lysane Blanchette-Lamothe: Thank you.

To properly set up my next question, I would like to quote one of the objectives of our study. It reads:

[English]

“...examine how to better prevent vulnerable women from being victimized by an abusive sponsor...”

[Translation]

Do you have any recommendations to make so that you have better tools, practices or resources to achieve this very specific objective of our study? I would like to give you the opportunity to express your opinion on this.

[English]

Ms. Lesley Soper: I think it's a very important issue. The Canada Border Services Agency trains its officers who interact with prospective immigrants at the border and inland. The officers are trained to be sensitive to issues where the persons may be vulnerable, or in vulnerable situations. We work concertedly with service provider organizations, immigrant—

Ms. Lysane Blanchette-Lamothe: I will stop you.

I want to make sure that my question was clear. It's not what you do, but what would you like to have as supplementary tools to help vulnerable women from being victimized by an abusive sponsor? Can you think of anything that would benefit you to achieve that specific goal?

Ms. Lesley Soper: I have no comment, specifically, to that.

Supt Jean Cormier: From a law enforcement perspective, I would say the following.

[Translation]

We review all cases of abuse carefully. It's something very important for us. Any tool the government could provide to us would be welcome. I cannot speak of anything specific because the cases brought to the RCMP's attention have already gone through the CBSA or CIC. In our case, it is essential that we have the social supports that already exist in Canada and ensure that maximum use is made of them to prevent violence.

Ms. Lysane Blanchette-Lamothe: What do you mean by “social supports”?

• (1625)

Supt Jean Cormier: I am referring to social services.

[English]

There are women's shelters, for example, social services, and other support groups like that.

[Translation]

Ms. Lysane Blanchette-Lamothe: That leads me to another question.

To what extent do you work with partners in civil society, such as non-profit organizations? Do you work in partnership with them when you investigate situations of human trafficking or other related activities? If that is the case, do you know what tools would be useful to them to broaden their field of activity?

Supt Jean Cormier: That is a question that should be put to the agencies or partners. Yes, we do work in partnership with them and share information when necessary. If needed, we ask them to help us with victim support.

Ms. Lysane Blanchette-Lamothe: So these are precious partnerships.

Supt Jean Cormier: Certainly.

Ms. Lysane Blanchette-Lamothe: Ms. Soper or Mr. Leckey, would you like to add anything?

[English]

Ms. Lesley Soper: We would echo Jean's comments that we rely heavily on those social networks and on governmental organizations to facilitate the integration of immigrants into our society, and to help where people are vulnerable.

I think CIC also spoke on this topic last week to this committee about the settlement services work that they do. Certainly, the CBSA benefits from that work immensely.

[Translation]

Ms. Lysane Blanchette-Lamothe: Thank you.

The CBSA agents must ensure that deportation orders are carried out if the Immigration and Refugee Protection Act is breached. Do they receive any training that helps them to identify situations of spousal violence or abuse? It seems likely that individuals with a conditional permanent residence status may eventually be deported. Would the agents carrying out these deportations be aware of the situation so they could show some sensitivity? As we know, a lot of life partners are victims of abuse and do not know where to go for help. These people dare not report abuse for various reasons.

What type of training or tools do you currently have to identify deportation cases where abuse is involved?

[English]

Ms. Lesley Soper: In the particular case of sponsorship abuse, we share the products developed by Citizenship and Immigration with the people we encounter in the field to make them aware of their rights, and what avenues of appeal and recourse they have as permanent residents in Canada. The Immigration and Refugee Board also makes literature available to make people aware of their rights.

The Chair: Thank you.

I'm afraid we've run out of time, Ms. Soper. I thank you and your colleagues, Mr. Leckey, and Superintendent Cormier, for coming and giving us your views on this very important topic. Thank you kindly.

We will suspend.

• (1625)

(Pause)

• (1630)

The Chair: We'll reconvene, ladies and gentlemen.

We have three groups. One group is with us by video conference from Montreal. They are the Shield of Athena Family Services.

Melpa Kamateros is the executive director. Good afternoon to you.

Ms. Melpa Kamateros (Executive Director, Shield of Athena Family Services): Good afternoon.

• (1635)

The Chair: Okay.

Siran Nahabedian is the social worker for female victims of conjugal violence and domestic violence, of Athena's House.

Good afternoon to you as well.

Ms. Siran Nahabedian (Social Worker for Female Victims of Conjugal Violence and of Domestic Violence, Athena's House, Shield of Athena Family Services): Good afternoon.

The Chair: We have two other speakers: from the South Asian Legal Clinic of Ontario we have Deepa Mattoo, who is the staff lawyer and acting executive director. Hello.

And we have Mr. Kurland, whom we all know, who comes here often. He should be sitting at the table with us in fact, he's here so often. He is a lawyer and policy analyst.

Mr. Kurland, it's always a pleasure to see you.

Mr. Richard Kurland (Policy Analyst and Lawyer, As an Individual): Thank you.

The Chair: You each have eight minutes. We will start off with Ms. Mattoo.

Thank you.

Ms. Deepa Mattoo (Staff Lawyer and Acting Executive Director, South Asian Legal Clinic of Ontario (SALCO)): Thank you.

Mr. Chair and honourable members, I thank you for the invitation to appear before committee today for the study on how to strengthen the integrity of the immigration spousal sponsorship program.

My notes are very long, but I'll try to keep this within the eight minutes.

My submission will be focused on three points today: challenges faced by women victimized and abused by their abusive sponsor and better ways to prevent vulnerable women from being victimized by an abusive sponsor, and the consequences and any potential penalties to the sponsor; potential skills and support needed by the sponsored spouses, especially those abused and isolated, to succeed independently; and the unique challenges of the survivors or the victims of forced marriages in sponsored situations, and potential ways to support them better.

In terms of the challenges faced by the victims who are abused by their abusive sponsor, we all know about the recent changes since October 2012 and the introduction of the conditional permanent residence for two years. The changes were focused a lot more on curbing fraudulent marriages, and there was very little attention paid to the situations of the victims of abuse, although there is an exception, which has been introduced, with the conditional permanent residence.

But there are a lot of challenges. They include a lack of understanding of the laws of the country, as well as the fear of the police and the fear of getting to any service providers in order to access services, as well as the constant fear and threat of losing their immigration status, for which their families sometimes hold them to ransom.

It has been our experience that women trapped in such relationships usually have no one to turn for support other than the abuser and the families themselves. The abusers normally censor and restrict the interactions of newlywed immigrant women with family or friends and isolate them from any support network. There is a power imbalance between the sponsored person and the sponsor, and it has become more pronounced after the introduction of conditional permanent residence status. We also see that in many cases the sponsors and families use the conditional status as a way to threaten these women and expect those sponsored to live life according to the conditions of abuse imposed on them.

In terms of the skills that these women bring with them, there is an issue of the financial abuse that goes hand in hand with that. A lot of these women are actually given some money in these marriages in the form of a dower or dowry, or there is money promised to them in these marriages that is actually kept under control by their families. Either they are not given any resources in terms of the development of their skills, or sometimes the skills they bring in are not recognized by the Canadian job market.

As far as the unique challenges for the survivors of forced marriages are concerned, our experience is that due to the lack of identification of the forced marriage as an issue of abuse, it is difficult for them to access the exception itself, the reason being that once they say they have been forced into the marriage and that there was a lack of consent to the marriage, this marriage becomes void or voidable *ab initio*. They will be very, very reluctant to actually come forward and then maybe be blamed for being a perpetrator of immigration fraud. Additionally, the victims or the survivors of forced marriage not only suffer abuse at the time of the marriage, but in most cases they live in abusive conditions, and they have nowhere to go back to because they're actually, through this marriage, fleeing an abusive situation.

The suggestions for these three points are as follows.

Number one, while there is the exception due to abuse, I would like to submit that in the case of the breakdown of a relationship in conditional sponsorship cases, especially in the cases where they experience an immigration investigation triggered against them on false complaints of abusive sponsors in retaliation for access to services or a criminal complaint, the burden of proof should be lightened. They should be allowed to access this exception more easily. Right now, they are expected to give evidence of cohabitation, and they're also expected to give proof of the abuse. Sometimes that's impossible for them due to lack of reporting or access to the services, as discussed before.

Number two, it is our recommendation that under settlement programming for spousal sponsorship programs, there should be dedicated resources allocated that should not be restricted to language training and should be for counselling for financial independence as well.

• (1640)

Number three, there should also be availability of funds for sponsored spouses who are experiencing or have experienced abuse to upgrade their skills and education. There is a need to connect the sponsored spouses to settlement services as soon as they get visas to provide encouragement and opportunity to access Canadian banking and financial institution services, similar to what happens with other categories of immigrants, such as foreign-trained workers and business-class immigrants.

The five-year sponsorship bar that was introduced in April 2011 currently extends to the sponsored spouses, and it is recommended that in cases of abuse, this bar should not only be lifted but also be imposed on the sponsor's spouse or family who perpetrated the abuse. This is one of the punitive measures the committee is looking at today.

In the unique case of forced marriages, it is recommended that the definition of abuse should be extended to introduce the incidence of forced marriage as an issue of abuse. It is also recommended that special protection should be extended to the victims of forced marriages and that there should be a thorough assessment of risk along with the humanitarian and compassionate grounds assessment in the case of forced marriages where section 44(1) report investigations are launched and the cases go to admissibility hearings. It is recommended that special privacy and confidentiality procedures and policies should be created for the protection of

victims of abuse, including forced marriages, so that the victims or survivors can confidently report incidents to Citizenship and Immigration Canada without putting themselves at risk of retaliation by the abuser or his family.

In cases of the processing of sponsorship applications where the officer in charge notices that the person being sponsored might be a victim of forced marriage, there should be an exception and the victim should be given special protection to be landed on conditional permanent resident status, as per the international commitment to protect victims who might need the protection of Canada.

Last but not least, it is recommended that Citizenship and Immigration Canada should raise awareness in the training of its officers and adjudicators regarding various issues of abuse, especially in cases of forced marriages.

I just want to say lastly that Canada should fulfill its international commitment to protect victims of forced marriage in the form of various signed treaties and recent announcements, and extend vehicles of safety and protection to the victims of forced marriages, not only when they're in Canada, but also while they are in their own home country at the time of the processing of applications.

Thank you.

The Chair: Thank you. You did it in under eight minutes. Well done.

Mr. Kurland, it's your turn.

Mr. Richard Kurland: Thank you, Mr. Chair. It's a true pleasure to be here with everyone today.

There are three things: trends, justice, and processing time. I waded through the bank of immigration statistics. I focused on the period recently available, January to September 2013, to get a flavour of what we're really dealing with here on temporary entry. Temporary entry, that's our future.

The results are counterintuitive.

First, on our foreign-student flow, we're betting a good part of the bank on canvassing foreign students as our future immigrants to Canada. Well, between January and September 2013, we had about 50,000 males and 43,000 females. There are 22,000 males, as opposed to 18,000 females, with university education. That's not a terrible variation.

What is a variation of note is foreign workers. Heads-up. During the same period, we documented 125,000 males and 58,000 females. We are relying on the foreign worker flow as the window, the gateway, to our skilled worker programs, our PNP programs. Someone may want to look a little closer at how it is that significantly more males than females appear to qualify for work permits. If ever there was a gender variation, this is it.

In terms of processing times, remarkably no witness has commented on the impact of processing time reduction as it concerns women specifically. Because we have moved to an immigration processing system that is virtually just-in-time inventory, where processing times have cut from half-decades to half-years, in things such as family reunification the cascade of savings provincially remains uncounted.

When I was starting out in this field, three- to four-year delays on family reunification for temporary foreign workers, skilled immigrants, or live-in caregivers with their families were the norm. Well, guess what happens when you leave adolescents in the home country to fester their anger and resentment, splitting families? Impacts on the social support system provincially, impacts on our criminal justice system, and problems that arise due to immigration separation of families. Gone, because of the changes in immigration processing times of late.

Who's the beneficiary? The entire family. But more often than not, for example, in the live-in caregiver program, it was the woman in Canada working for years to access the gateway of permanent residency, leaving a family behind.... And when that family was reunited....Toronto is the example of what happens when you have angry adolescents with integration problems. I want to underline the impact of processing time reductions as it affects this issue.

Finally, on justice, what's going on here in the immigration field should not be considered in isolation of other programs, federal and provincial. We hear from the RCMP, the CBSA, and CIC that it's not enough. This issue is wider than a single silo.

• (1645)

It's an issue of justice. The Department of Justice should properly pick up the baton here and allocate resources, get the stakeholders around the table, and lead in the study of how women in particular are affected by these changes on immigration and other things. When you change an immigration rule, it has a ripple effect across several departments and agencies, federally and provincially. Only the Department of Justice at this point has a program definition that properly encapsulates the capability to study this issue further.

In that connection, my recommendation is this: Immigration Canada has to loosen up on its data policy. There is a written CIC data management policy that denies external departments such as Justice from accessing current information. Even this committee is denied access to current information. The written guideline says this committee shall not receive current data from CIC. Only the minister and CIC officials are entitled to that, which I find odd, given that the mandate of this committee is to oversee CIC. How can CIC withhold current information?

Leaving that aside, I hope CIC will allow for data sharing of the valuable information it possesses from information gleaned from the ground, the field, with other partners such as the CBSA or Justice or other interested parties.

Mr. Chair, my eight minutes.

• (1650)

The Chair: Thank you very much.

Ms. Kamateros.

Ms. Melpa Kamateros: Hello.

The Chair: I'll try to give you notice if you're too long.

Thank you.

Ms. Melpa Kamateros: Hello from Montreal. I will definitely try to be within my time, but I also have a lot of notes.

My presentation will be slightly different because we stress a lot of prevention at the organization. We have a network of services that provide services and activities in up to 15 languages presently in Montreal, Quebec, including two day centres, a shelter, and a community outreach department. We deal only with victims of conjugal and/or family violence.

I'd like to say that 85% of our clients come from various ethno-cultural backgrounds. Last year, 62% of the residents at the shelter were born outside of Canada, and on an average, between the centres and the shelter, we see over 700 cases annually. So this is quite a lot of cases.

My presentation today will be on what it is that we can do in terms of recommendations that have been given to me by both the caseworkers and our cultural intermediaries. Our cultural intermediaries are community workers who are trained in conjugal violence and who deal with matters coming from communities. They do interpretation, but they also provide us with a cultural insight as to how the communities work.

Now, on the issue of sponsorship as it applies to our daily work with victims, particularly regarding vulnerable clientele who present linguistic and other difficulties, last year at the shelter approximately 30% of the women who passed through were women who had been and who were in a vulnerable and precarious position because of their sponsorship or immigration status. Over half of these women had problems communicating in English or French. Their knowledge of basic information as well as their understanding of their immigration and sponsorship status were therefore extremely limited by these linguistic difficulties.

Their situation of isolation was also very high since the women had taken a decision to leave the abusive relationship or were taken out by the police and transferred to our services. Many did not have the support of either their family or their community, and of course, all these factors impacted their vulnerability, making this clientele very prone to being diminished, unemployed, and effectively without recourse or choice of action.

Within our present statistical period—and again I revert to this because for us language is a very, very important issue here in Quebec—severe language difficulties are present in 45% of our new long-term files at the centres, to the extent that intervention has to be done in the language of origin.

In a study we did with McGill University on ex-residents who had left the shelter, we found that in most of the cases where the women were sponsored, it was the husband who was controlling their whole sponsorship and immigration process. We therefore feel it is important that the sponsored spouse be part of the ongoing immigration process from the beginning. A recommendation that we therefore have is that in order to break this isolation and to provide basic information regarding the impacts, obligations, and consequences of the sponsorship, such information should be given to women in the language of origin when the sponsorship or immigration process has begun.

Upon consultation both with our social workers, who work with the clientele, and with our cultural intermediaries, we have decided to give the following observations regarding when and how this should be done. Before the woman arrives in Canada, she should be informed on the Canadian legal system, gender equality, the time it takes to process her sponsorship—as the gentleman before me quite aptly said—her right to access the specialized organizations, her right to free language courses, and also her right to have her documents.

At the community level, because we work with victims and we work with communities, the same information should be largely posted and very visible in the language of origin, in areas that these messages could be reinforced.

When immigrants come to Canada, they should all receive a welcome package in the language of origin that includes the above information and other issues, such as a definition of what “conjugal and family violence” is, the police procedure, Canadian laws, and what resources are available. A potential victim who does not speak English or French would not understand the information given. We are therefore suggesting to have the information readily available in different languages.

• (1655)

This information should also be dispersed in the different community areas in Canada—in religious areas, community centres, and wherever the women and members of the community frequent, including the para-public clinics we have here in Quebec, the CSSSs.

Another solution, particularly for women who are illiterate, is to have this information relayed to them through an audio or a video tool that she would receive as part of a session with immigration.

If a case of conjugal and/or family violence is observed, then the worker should be mandated to immediately refer the woman to the appropriate resources, and help the woman to navigate through the system. This is for a number of reasons: so that she can know what to expect in her situation, to ease her fears, and to provide important information that she may not know, for example, that she has a right to have her important documents, such as her passport, her visa, her medicare card, or any other important papers she needs.

Once the sponsorship papers are withdrawn the immigration agent should question the measure for the withdrawal of the sponsorship papers by the spouse or partner if the violence is not evident. Then the agent should be able to ask more pertinent questions. We highly recommend that the agents be trained on conjugal violence and also on cultural sensitivity. It is also important to note that several types of violence, such as emotional or financial abuse, may not be immediately apparent and this is why the agents should be trained further. They can also refer to the appropriate resources where the agents and the social workers are already trained and can discern the presence of such abuse.

How can we provide better protection to vulnerable women so as to prevent them from being victimized by an abusive sponsor? Of course the training of the agent is very important and again, the agent should be able to refer to a multilingual, multicultural organization that specializes in this.

How can we empower the women?

The Chair: Ms. Kamateros, you have less than a minute.

Ms. Melpa Kamateros: Yes, okay. I will go over the general recommendations that we have, then, because I will not be able to finish: equality of access to information on gender equality, legal system and Criminal Code in Canada in language of origin, mandatory language courses and integration programs, training of immigration agents, establishment of a screening and referral process for conjugal violence, application and procedure for standard humanitarian and compassionate grounds should be accelerated, and dissemination of information on these issues and others through either the ethnic media or community organizations in the language of origin.

Thank you.

The Chair: Thank you. You've covered a lot of ground in eight minutes; well done.

Mr. Daniel is first.

Mr. Joe Daniel (Don Valley East, CPC): Thank you, Chair.

And thank you, witnesses, for being here, in both Montreal and here.

My question is to Madam Mattoo, of the South Asian Legal Clinic. You published a very interesting report titled, “The Incidence of Forced Marriage in Ontario”. You had several recommendations for the government, a few of direct interest to this committee. Recommendation 3 is, “Develop an appropriate risk assessment tool for service providers, which include guidelines on how to deal with forced marriage cases.”

By service providers, who do you actually mean? Are they the visa officers? Can you elaborate on this recommendation?

Ms. Deepa Mattoo: The service provider in the report is meant for service provision at all different levels: Citizenship and Immigration Canada, the CBSA, the consular officers through the department of foreign affairs and trade, and at the justice level from our different police officers.

For the purposes of the report and the risk assessment in particular, what we envision is that the tool will be consistent at all different levels, including the NGO sector, so that people are able to assess the risk uniformly.

Mr. Joe Daniel: Another of the recommendations that is of interest is, “Recommendation 7: Creation of a national database of forced marriage resources in Canada.”

Obviously this is important. Can you elaborate on this recommendation?

Ms. Deepa Mattoo: Currently what happens with the situation of a forced marriage, especially in the cases of repatriation where clients are stuck abroad, or in a situation where a client contacts the clinic in a sponsorship situation and says that they are being sponsored to Canada but this is a forced marriage for them, the help is very band-aid-like in the sense that I will try to connect them to an NGO abroad or an NGO here in Canada on the basis of what I know and what I have taught myself over the last seven or eight years of my work, or what my agency knows.

We don't have any national database that actually has names of all the different agencies and stakeholders interested in this issue. We basically are looking at a one-stop shop that would have all different names of consular services, officers, and agencies that have an interest in these clients and would be able to assist the clients.

We made this recommendation to the department of foreign affairs and to Citizenship Canada at the bureaucratic level as well.

• (1700)

Mr. Joe Daniel: Thank you.

Let me now turn to the Shield of Athena. In your respective organization, do you receive requests for assistance from individuals who are in forced marriages, and if so, what steps do you tell them to take?

Ms. Melpa Kamateros: Thank you very much for asking me that question, because I had a whole section on forced marriages that I couldn't get to.

Mr. Joe Daniel: So please go ahead.

Ms. Melpa Kamateros: Thank you very much.

Yes, we do have requests with regard to forced marriages. Actually, we are embarking on year two of a project that we've done on honour-based violence. Forced marriage is part of this issue. When we do get requests, they are usually, because of the project we have developed, either through the schools or through the Direction de la protection de la jeunesse, or Batshaw, the youth protection services here in Montreal, Quebec.

We also get clients from the police directly, and we deal with them in the appropriate manner. We have modified our laws for entry to the shelter because of the fact that so many young women—young women without their mothers, who are underage, who cannot, through the rules of youth protection here in Quebec, be allowed admittance to shelters—will go there.

This is one of the things we have done regarding the adaptation of services that exist already in Montreal, Quebec, but it is a relatively new field. We are trying to adapt as many of the services as possible.

I don't know if the social worker, Siran, would like to add anything to that.

Ms. Siran Nahabedian: As Ms. Kamateros said, we've started to work a lot with young girls who are victims of honour-based violence and forced marriage. Often they come through the school system, so they're extremely vulnerable. They're very young and they're very scared. I work mainly at the shelter. We would refer them to the shelter, if that's what they want, and from there we work a lot on the violence they've been through.

Often what we have to do is really reshape their lives. At a very young age, they have to start thinking of being independent, in a way. That involves finding housing and changing their school so that they're safe. Through all that, we continue to give them a lot of support, which can last for many, many months. They are very young, and they are not to be left alone in all of this.

Ms. Melpa Kamateros: As well, upon consultation with our community workers, our cultural intermediaries, we have to say that the issue of forced marriages is something that comes up more and more. I revert back to the issue of language; when there is no linguistic access, no information can get through to communities. The less information they have on such issues as forced marriage, the less possibility we have of changing perceptions on such issues.

We find, through our cultural intermediaries, that there are two types of forced marriage that young girls are forced at times to embark on, as opposed to arranged marriage—

Mr. Joe Daniel: Let me just cut you off a little bit there, because I have another question that is related to this.

Are those who face forced marriage situations aware of their rights with respect to forced marriage?

Ms. Melpa Kamateros: Of course not. This is a field that's just being developed here in Quebec, largely through a project that we have been applying for the...I think it's year two now. Through the project we have enacted what we call legal clinics within certain communities, where information on items such as sponsorship fraud, the laws of Canada, and forced marriages are given in the languages of origin and with very, very positive, positive results.

I would just like to take—

• (1705)

The Chair: Thank you, Ms. Kamateros.

Ms. Melpa Kamateros: Okay. Thank you.

The Chair: Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair.

I just want to let everyone know that I have seven minutes for this whole thing, so I'm going to go really quickly.

First, to Ms. Mattoo, I know that the South Asian Legal Clinic is doing amazing work. That includes your report, which Mr. Daniel mentioned.

The first topic I want to touch on is forced marriage. To start off, with your ground knowledge and expertise on the subject, can you explain the difference to us between arranged marriage and forced marriage?

Ms. Deepa Mattoo: In terms of the two topics of concern, there are a lot of people who confuse them. The way we explain it is that it's an end of a spectrum; one side is arranged marriage and one side is forced marriage. Sometimes there might be an overlap. A situation might start where a young person is enthusiastic about the relationship at the beginning of the conversation but might lose interest because of the coercion or the emotional abuse that might start in between. So, they are very distinct. There has to be enthusiastic consent, which is in an arranged marriage, and there is a lack of complete consent or a grey area of consent in the case of a forced marriage.

Ms. Rathika Sitsabaiesan: Thank you so much and thank you for your brevity.

To continue, your organization recently had a conference that brought together government and service provider organizations to raise awareness on the issues of south Asians in Canada. You developed a tool kit for service providers, and there was extensive training on the topic. What would you recommend the federal government do to better protect permanent residents and Canadian citizens in the context of forced marriages?

Ms. Deepa Mattoo: As I said in my submission, I think the key is the exception to the rule that is there right now for the condition of permanent resident. That has to be expanded explicitly for victims or survivors of forced marriages. That's number one. Number two is that, in case a person actually discloses, at the time of the sponsorship assessment of the file, that this is a forced marriage, there should be protection extended to them as per the international conventions. Right now there is a lack of reporting, and this was very apparent from the report like the survey report that we collected as well. The reason for lack of reporting is that people are afraid that they will actually get punished for reporting.

Ms. Rathika Sitsabaiesan: Right. Do you know of any best practices from other countries that you think Canada should consider?

Ms. Deepa Mattoo: Most definitely. There are some European countries including the U.K. that have some good practices. But I say that with a word of caution because some of those jurisdictions have also criminalized forced marriages. That is not necessarily the route that Canada can actually afford to take at this point because of the lack of understanding and knowledge of the issue.

Ms. Rathika Sitsabaiesan: Thank you. We're doing great for timing. We'll switch gears to resources and options for women in these situations.

In your opinion are sponsored wives and, I guess, immigrant women in general less likely to report abuse and neglect than native-born Canadians?

Ms. Deepa Mattoo: Absolutely. One reason is the lack of knowledge and the second, as I said in my submissions—again I refer back to my notes—is the families actually hold them at ransom saying that they will actually get them deported. That's the language used, and it has only become more serious with the condition of permanent resident because now that is a reality. The people who are sponsoring them have better access to the resources. They are better connected to the communities. They know the media well. They know who their MP is. They can actually garner a lot more support in their favour as compared to the person who is sponsored.

Ms. Rathika Sitsabaiesan: Yes, I've actually met many women who were in that situation in my community so I totally understand what you're saying.

What options do the sponsors' spouses, who are facing abuse, have available to them from CIC right now?

Ms. Deepa Mattoo: Currently there can be a breakdown of the relationship and they are expected to give a stack of documentation of cohabitation, experience of abuse, how the abuse was experienced. "How did you experience this abuse? If there was no reporting, who did you report to?" We basically have to put together an information binder for the officer to look at for this experience. At the end of the day, in spite of submitting all of that, there might be a negative report coming her way because the person being complained against, in retaliation for her reporting, is also submitting documentation.

So in our submission, what we are trying to say is that, once she says that she has been abused, the burden of proof should be relaxed a bit. She should not be expected to prove that abuse in so many evidentiary formats. The cohabitation right now for us has been a problem. If she is saying she is living there but her family didn't let her have access to any paperwork, her family didn't let her open a bank account, didn't let her actually have the PR card when it came to her, how would she prove that she was cohabiting?

• (1710)

Ms. Rathika Sitsabaiesan: Right. When you meant abuse, you're talking about physical domestic abuse. But if she doesn't have access to a bank account, that's financial abuse.

Ms. Deepa Mattoo: Absolutely.

Ms. Rathika Sitsabaiesan: I'm sure there's lots of psychological and other stuff continuing.

I'm going to open the floor for both of you, either Mr. Kurland or Ms. Mattoo.

In your opinion what can the government and Citizen and Immigration do to help sponsored spouses integrate and break down some of the barriers that cause these types of isolation that are common? I'm going to throw in another one and then give the rest of my time to you guys. What can we do to help these immigrant women enter the workforce or to improve their education?

Ms. Deepa Mattoo: My Christmas list says please give the funding back to the agencies from where the funding was taken away. That's the big ticket item I can ask for, but the reason I say that is that my legal clinic is receiving a lot more questions around settlement from the women facing abuse, because they don't have those resources allocated to them anymore. Those resources were taken away, without putting them back into the system. Where do these women go then?

They have to call somewhere, and they will call a legal clinic, which probably can do the least for them to find a job. In terms of the job situation, we need to think about them as the currency of this country. They can work, and they have a human capital. They are not—sorry for my unparliamentary language—dead meat, right?

They can be very useful, but we don't provide them with those opportunities. We don't provide them with those spaces where they can get themselves the right kind of job, and the right kind of training.

The Chair: Thank you, Ms. Mattoo.

Mr. McCallum.

Hon. John McCallum: Thank you, Mr. Chair.

One quick question to Richard Kurland on statistics, and then I want to get to what I think is the core issue.

When you talk about processing times and not getting recent data, I agree with your sentiment except I have numbers from the department, and the latest period is—perhaps not the very latest—the 12 months ending March 2013. The first year available is 2007, and it shows processing time is way up. Families from 13 months to 40, spouses from 11 to 17, live-in caregivers from 23 to 38.

I agree with your sentiments on processing times, but given the department's own numbers, I can't see why you're saying they're down.

Mr. Richard Kurland: I used the Department of Citizenship and Immigration.

Hon. John McCallum: That's what I'm using.

Mr. Richard Kurland: The data sets are from Statistics Canada, and I'm pleased to share current data that's extracted. The word “families” might be compounding parents and grandparents into the spousal category for a seven-year period. Anyway, those are details.

Hon. John McCallum: I have the numbers, which maybe are not the latest, but they're up to March 2013, which is quite recent, showing major increases for families, also for spouses, also for parents and grandparents, but that's not the main topic of the day.

The main topic I got, and Ms. Mattoo mentioned it, is there's a huge dilemma here. If a woman is abused or in some sense hurt, if she brings this forward she risks deportation because this proves the marriage is not genuine, whether it's forced or a marriage of convenience or whatever the terminology might be.

I want each of the three of you to respond. First is a legal question.

If the woman can prove abuse, but the marriage originally was genuine, then she would not be deported, I assume. Under what circumstances is there a true risk of deportation because of a marriage that for whatever reason has gone bad?

Second, and more importantly, what can the government do about it? We are the committee that is supposed to make recommendations, so to me the crucial question of the hour is, what can we do to help in this critical dilemma that these women face?

● (1715)

Ms. Deepa Mattoo: I don't want to confuse forced marriages with abusive marriages. There are two distinct categories.

One category is where the marriage is void or voidable *ab initio* because it was performed without consent. This will be a pure forced marriage. The risk is that if she comes forward and says this was void *ab initio*, the officer will have to say this whole sponsorship needs to go out the window.

Then her option would be to make an application on humanitarian and compassionate grounds, in which there is no assessment of the risk. My recommendation is government should assess risk for these victims or survivors of the forced marriages when that stage comes.

For the situations where the marriage started as a genuine marriage, but became a situation of abuse, right now she can report it. In more cases than less, what happens is before she can report it to Citizenship and Immigration, she makes a 911 call, or somehow reaches a social service agency, which involves the justice system or not, depending on her situation. She might be very shameful; her community might not support her if she goes to the police, so she chooses not to do anything about it, or do something about it.

In either situation, Citizenship and Immigration Canada runs an A44(1) report on her, looking into whether she used the system, or if she was a genuine, sponsored person. In those cases, as I mentioned before, the burden of proof on the women is very high. They're supposed to prove too many things for the abuse they have experienced, and that burden of proof can be lowered—

Hon. John McCallum: There is less than a minute and the other two haven't spoken. Can you please tell us what you think we should do? There isn't much time for anything else.

Mr. Richard Kurland: When I hear sponsorship, there are two flavours, chocolate and vanilla, overseas and inland. I assume we're not extending Canadian resources to protect the overseas sponsor. If it's just inland, inland processing times are about 18 months to 24 months. It's case-by-case adjudication.

The solution is extending the current policy solution of the two-year conditional landing. The same mechanisms that we are using now to combat marriage spousal abuse can be extended to this category. The government has already provided a solution. The policy is to consider an extension of it to this deserving group.

The Chair: Thank you.

Ms. Kamateros, the time is up but we'll give you a minute.

Ms. Melpa Kamateros: We feel that there should be more leniency regarding the cases if there is a case concerned with conjugal violence, there should be an exemption for the victim, and she should be able to stay in Canada and not be deported.

The Chair: Thank you.

Mr. Leung has some questions.

Mr. Chungsen Leung: Thank you, Chair.

Again, it's always a pleasure to hear Richard Kurland share with us his analysis in such a succinct way.

I was looking at trends, justice, and processing times, but I also want to comment that in a lot of these marriages that essentially end up in abuse, the precise reason that happened is because the family wants to have control over the woman, over her case. A lot of them are precisely in a situation where the family wants to keep them from having access to that information. I heard a lot of suggestions that we should provide this information, but if access is not available for this woman to even get out of the house, how can that be of any help?

I want to start with Richard first on this. Can we take that extra step and look at these women coming in who have a potential for being abused and say why don't we raise the age of consent? Why don't we have a certain linguistic ability? Why don't we have a certain level of literacy in their native language or in one of our official languages? Would that help?

Mr. Richard Kurland: We don't want to take the U.K. route, I think, in all things. A controversial policy in the United Kingdom is to impose a minimum language standard for spouses. I heard testimony: language, language, language. Do we want to go that route?

On the other hand, practically speaking, it's called the Internet. Are these people prevented from accessing the Internet? If not, simple video streaming in the languages of the cultural communities at a known Internet spot can inform. Not all people, some will be locked up in chains, the usual horror stories, but that's a practical, low-cost alternative.

• (1720)

Mr. Chungsen Leung: What about raising the age of consent to give them more ability, more strength to access that?

Mr. Richard Kurland: The age of consent—

The Chair: Just for the record, I did object to that, but we'll allow the questions to stakeholders—

Mr. Chungsen Leung: He's a stakeholder.

The Chair: Of course he is, but I just want you to be clear on my ruling that it's perfectly all right.

Mr. Chungsen Leung: I am clear, sir.

The Chair: For administrators it's inappropriate.

Mr. Richard Kurland: I have looked at age of consent when it comes to women's issues in the field of polygamy. Polygamy is an overlooked area affecting choice parts of Canada, and age of consent, being a provincial matter, is relevant when it hits the immigration enforcement radar. So before tinkering in the consent zone, maybe get a feel of the numbers of persons affected. I suspect you'll see that the numbers are inconsequential. Every individual is important, but in terms of the numbers sufficient to justify government intervention, I have some doubts.

Mr. Chungsen Leung: Ms. Kamateros, would you care to comment on that same point, please?

Ms. Melpa Kamateros: Thank you.

I'm sorry I tried to interject earlier. When I hear things such as the use of the Internet in order to inform people...we have our clients, and I'm sure the social worker can attest to that. They don't even

know how to use public transport because the linguistic issues are so severe, because the isolation is so bad, because very often they are controlled not only by the spouse, but also by the extended family they are living with. So I have my doubts as to whether or not Internet access would ameliorate the situation.

Regarding the clients who we see, particularly in Quebec, we believe that prevention is a better route to go, and we believe the client, the woman, should be part of the sponsorship process right from the beginning. The information should be given to her in the language of origin. It should be followed up after.

With our cultural intermediaries we know for a fact that many times the interview is not done once they reach Canada, or if it is done, it's done in a superficial way. More in-depth information should be given to the women, and they should be an integral part of the sponsorship process. It's something that I think is really not happening now.

If we talk about the arranged and the forced marriages, we have to say that we have, through the intervention of the cultural intermediaries, seen how sponsorship fraud is really an issue within certain communities. Because when we have given the legal information sessions, the issue of sponsorship fraud and also multiple marriages is something that comes out very often. A lot of women, young girls, are sent off to their native countries to get married, and they marry somebody, a Canadian resident. They come back to Canada and they find there's another wife here. So the question is, how does this wife come in? And how did the first wife come in? How have they come in, and how have they been declared by the people in Canada, by the Canadian residency?

Mr. Chungsen Leung: Is there time for Ms. Mattoo to answer?

The Chair: If you can in one minute.

Ms. Deepa Mattoo: From our experience, there are two windows that we missed. I think my colleague Siran Nahabedian has touched upon that. The two windows are before they come here and after they come here. I have to completely agree with her that in many cases, those two windows are completely missed by the Citizenship and Immigration offices at the visa post, as well as when they land here with their first contact.

If those two opportunities are taken and the counselling is done at those two opportunities, I'm sure we can get the isolation solved.

Mr. Chungsen Leung: Thank you.

The Chair: Thank you.

Ms. Blanchette-Lamothe please.

[*Translation*]

Ms. Lysane Blanchette-Lamothe: Thank you, Mr. Chair.

I would like to give Mr. Kurland and the representatives from Shield of Athena the opportunity to answer a question my colleague asked earlier.

I would like to know whether you have anything to add about what should be done to break the isolation of sponsored women who arrive in Canada and to help them integrate into the labour market in a way that reduces their vulnerability.

Ms. Mattoo has already commented on this. So this is for Mr. Kurland and, then, the representatives from Shield of Athena to see if they have anything to add.

Mr. Richard Kurland: Actually, I am wondering how it is that these people arrive Canada and what their status was.

Once they arrive in Canada, they marry. However, what is quite relevant is how they got into the country. Perhaps our witnesses in Montreal can elaborate on that.

In my opinion, if a person enters Canada with a particular status and asks Immigration Canada to change the rules to obtain a second status, there are consequences and risks.

● (1725)

[English]

My fundamental point is essentially you unbuckle yourself from the immigration system at a certain point in time. If you're inland, legally here, entering into a marriage that may or may not work out, or common-law relationship that may or may not be there for the right reason, when does the responsibility of Immigration Canada end? Isn't this issue part of a wider issue to protect women's rights? That's why my recommendation is: don't silo this at Immigration Canada. Do not do it.

[Translation]

Ms. Lysane Blanchette-Lamothe: I'll now address the representatives from Shield of Athena.

How can we help sponsored women who arrive here to integrate into the labour market and break the isolation? Do you have any comments on that?

Ms. Siran Nahabedian: Yes.

In our recommendations and in light of our experience with these women, I think the gateway to break the isolation is language courses. Without language courses, without knowing French or English, these women cannot get information, find out where to find work, how to find work, or even draft their résumé, and so on.

We need to break the isolation. I say this from experience because there are a lot of women who have been in Canada for years whose husbands have prevented them from taking a French course. Language courses should be mandatory and even be a condition of permanent residence. Language courses are the gateway that will help break this isolation.

Ms. Lysane Blanchette-Lamothe: Okay. Thank you.

Ms. Siran Nahabedian: It should be mandatory.

Ms. Lysane Blanchette-Lamothe: Another point that Shield of Athena raised is the information that we should provide in the mother tongue of the sponsored person from the start of the sponsorship process. Do you mean that the information should be given even before the person arrives in Canada, and we should ensure the person gets the information?

Ms. Melpa Kamateros: Yes, of course. That is one of the things I said at the start of my presentation. The woman has to be informed at the very start of the process and after she first enters Canada. Afterwards, her progress should be followed.

Ms. Lysane Blanchette-Lamothe: Are you talking about automatic follow-up for all these women?

Ms. Melpa Kamateros: Yes, the follow-up should be done automatically. How else can we determine if there is spousal abuse? Police reports can indicate such a situation, but if the woman cannot speak any language but her mother tongue, we can't expect her to indicate that she is a victim of spousal abuse.

Ms. Lysane Blanchette-Lamothe: Thank you.

[English]

The Chair: Thank you.

Mr. Shory, one very brief question.

Mr. Devinder Shory: Thank you, Mr. Chair, for giving me an opportunity.

I'll go back to Montreal where I started my Canadian life back in 1989.

I have a question. I'd like to have a comment from everyone. My question is very simple: do women who come to Canada with education face less abuse or do they have an opportunity to deal with it on their own or are women who do not have a language ability in either English or French more your clients? Let's start with the Shield office.

Ms. Melpa Kamateros: I will let the social worker, the caseworker, answer that.

Ms. Siran Nahabedian: The question is whether we have more women coming to our services who do not have certain education levels?

Mr. Devinder Shory: The women who do not have the ability to speak and communicate in one of our official languages.

● (1730)

Ms. Siran Nahabedian: Yes, a lot of our clientele are women who come here and do not know English or French.

Ms. Melpa Kamateros: But education is not an indicator of whether or not there's going to be violence. We have a lot of educated women also who are victims of abuse and education is not an indicator also of who the abuser will be, because a lot of educated men are also abusers.

No, education is not an indicator of the presence of violence but, yes, if women do not speak the language they are more vulnerable to not being able to speak of the violence and to ask for assistance.

The Chair: Thank you.

That concludes our time, ladies and gentlemen.

I'd like to thank Shield of Athena Family Services for your presentations, the South Asian Legal Clinic of Ontario and, of course, Mr. Kurland, for your presentations this afternoon. Thank you very much for coming and you've been very helpful.

This meeting is adjourned.

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