FAMILY CLASS IMMIGRATION: THE NEED FOR A POLICY REVIEW

ABSTRACT

Family class immigration has for several decades been a major and sometimes contentious element of Canada's immigration program. While highly popular in some quarters, questions must be asked about the extent to which it is beneficial to Canadians in general rather than primarily to immigrants who wish to sponsor members of their extended family.

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It should be noted at the outset that no one objects to independent immigrants bringing in their spouses and unmarried dependent children. Family class immigration becomes an issue when it comes to sponsorship of parents and grandparents along with other relatives who do not have to meet the qualifications required of skilled immigrants.

As far back as the 1950s, it had become apparent that sponsorship of relatives other than spouses and children was bringing in too many unqualified workers. During this period, for example, it was calculated that, for every individual from one particular country who was admitted into Canada as an independent immigrant, another forty-nine gained access through sponsorship (Hawkins, 1972, page 51). The government, therefore, decided to remove such categories as brothers and sisters from sponsorship eligibility. Attempts to implement these changes, however, were met with a storm of protests from ethnic organizations, some segments of the press, and even members of the governing party. The sponsorable classes slated for removal were, accordingly, hastily restored. (Hawkins, 1972 page 6, and Green Paper, 1974, Vol. 2, page 26).

Pressure to increase family class intake continued and increased, particularly after Canada opened its doors to newcomers from non-traditional sources, where economic opportunities as well as social welfare systems were less developed than in the traditional source countries. In response to such pressures, the 1978 *Immigration Act* gave first priority to the processing of sponsored relatives, with skilled immigrants further down the pecking order. A further point worth noting is that, while the Department could set annual targets, the 1978 Act did not give the power to set limits on the number of immigrants in the various components of the intake. The Department could not, therefore, cut off the number of family class applications because the annual target had been met for that group. (Green and Green, 1996, page 23) This means in effect that, if someone qualifies to come here as a sponsored relative, even if the processing of their visa cannot be completed immediately, we are obliged to take them no matter how large the numbers might become.

The reason for giving priority to sponsored relatives over skilled independent immigrants is relatively simple: immigrants already in Canada and who want to bring in extended family members can usually vote in the next election, while independent immigrants cannot, even though they are virtually certain to be of greater benefit to Canada. When Freda Hawkins reported on this subject in 1972, she noted that the pressure to give preference to sponsored relatives came largely from MPs who represented ridings with large ethnic constituencies as well as lawyers. (Hawkins, page 349)

In terms of current policy, it is parents who provide the key link through which extended family members can be brought into the country. After being sponsored for entry by their sons or daughters in Canada, such parents can bring with them their unmarried dependent children. The latter can then marry spouses from their country of origin, who in turn become eligible to sponsor their own parents and their parents' offspring. The resulting "chain migration" can eventually lead to the settlement in Canada of dozens of more distant relatives, none of whom has to meet the skills or language requirements of independent immigrants.

An interesting result of this arrangement is that the possibility of marrying a Canadian citizen and, in due course, being able to sponsor one's parents and siblings often brings with it a high price tag in some developing countries. Families wishing to immigrate to Canada and whose members cannot meet the requirements needed to qualify as independent immigrants may be prepared to pay dearly for the privilege of marrying their son or daughter to a Canadian and thus opening the door to other members of their own family.

The opportunity to sponsor parents as a means of bringing in extended family members has also significantly encouraged fraudulent applications. The 1982 Auditor General's report noted that "engagements and marriages of convenience, even pregnancies of convenience, unverifiable or dubious family relationships and false or altered documents are some of the methods used…" (Report of the Auditor General of Canada, 1982, section 7.44). Nor has the situation improved in the interim. In August 2000, it was reported that a single makeshift temple in one of the main source countries of immigration to Canada had created documents for 50 alleged marriages in order to obtain landed immigrants status for the "spouses" (Mandal, 2000).

All of this comes at a considerable expense to both native-born Canadians and immigrants already in Canada. With regard to the sponsored parents themselves, medical costs and other benefits for which they are eligible are likely to be considerable – particularly since most are retired and therefore unlikely to contribute in the form of taxes. A government commissioned report noted in 1997 that the use of welfare by sponsored parents and grandparents rises rather than falls over time, and reaches rates close to four times that of the general population (Government of Canada, 1997. page 46).

As for family class immigrants in general, their track record has not been encouraging. Their weak performance was documented in the analysis of a 1995 report to the House of Commons Standing Committee on Citizenship and Immigration which showed that, while independent immigrants who arrived in 1985 earned $45,000 a year, family class members who arrived at the same time earned only $14,000 a year (Campbell, 2000, pp. 55-56). A study released by the Department of Citizenship and Immigration in 1998 indicated that immigrants in the family reunification (i.e., family class) category report low employment earnings, high rates of unemployment benefit and social assistance usage, and low percentages of tax filers reporting employment earnings. (Government of Canada, 1998). A recent calculation of the costs of immigration to the Canadian taxpayer indicated that it is by no means inconsequential. Herbert Grubel, a former professor of economics, has estimated, for example, that in 2002 the net transfer of taxpayers' money from Canadians to immigrants who arrived in Canada from 1990 to 2002 amounted to $18.3 billion. (Grubel, 2005, page 19)

Notwithstanding the significant decline in the economic performance of skilled newcomers in recent years, family class immigration is almost certainly the largest single contributor to the current high cost to Canadians of immigration. Governments, nevertheless, have continued to respond to pressures to preserve and expand it. With regard to the sponsorship of parents, for example, in 1978, lobbyists managed to have removed the requirement that sponsored parents be at least 60 years old (thus increasing the scope for bringing in parents young enough to still have dependent children).

When the current immigration legislation was tabled in 2000, the lobbyists also successfully applied pressure to have provision for sponsoring parents transferred from the regulations (where it could have been altered at the administrative level) to the Act itself, where it is much more secure and cannot be changed without recourse to Parliament. The new immigration law also eased provisions for sponsoring family members and other relatives. It reduced the length of the sponsorship obligation from 10 years to three for spouses and common-law partners. It lowered the age at which one can sponsor a relative from 19 to 18 and increased the age at which a dependent son or daughter can be sponsored from 19 to 22. The new legislation removed restrictions on bringing in spouses and children who are likely to make excessive demands on health or social services.

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One of the most notable successes of family class advocates was their success in 2005 at reversing a government decision to reduce the targets for issuance of visas to parents and grandparents. Arrivals in this category had been around 20,000 annually until 2003 and then fell to 11,000 in 2004. When a target of between 5,500 and 6,800 was announced for 2005 by the then minister of immigration, Judy Sgro, it was clear that the government's aim was to lower the intake substantially on an ongoing basis.

In one sense this was hardly surprising. As the key link to family class sponsorships and as a category in itself that was very costly to Canadians, it was difficult to justify the intake of such a large number of sponsored of parents and grandparents. In the face of strong opposition from groups representing immigrants, however, the government's resolve did not last long. In April, 2005 then Minister of Citizenship and Immigration, Joe Volpe, announced that the targets would be pushed back up to 18,000 for each of the next two years – a decision regarded by some observers as an attempt to consolidate electoral support among immigrant groups in preparation for a general election.

In fairness to those who had submitted applications to sponsor their parents, it should be pointed out that the government had attempted to lower the levels in a less than transparent fashion. Having paid the application fees in the expectation their parents and grandparents would be able to join them within a reasonable period of time, few of the sponsors were aware that, with the reduced annual targets and a backlog of more than 110,000, many of them would have to wait more than ten years before their parents and grandparents were admitted to Canada.

What the government should have done if it had had the political will and was determined to serve the best interests of Canadians, was to be fair to those in the backlog by processing their applications in an expedient manner and at the same time announcing new rules for future sponsorships based on policies along lines similar to those used in Australia. The Australians also provide for the sponsorship of parents but have requirements in place to ensure that such a process really will reunite families, will not simply be used as a device to bring in other relatives and will not incur undue expenses on Australians.

What Canberra has done is to establish a "balance of family" test, under which at least half of the parents' children have to be permanently settled in Australia (or at least more of them in Australia than in any other country) before the parents can be sponsored. In consequence, the number of sponsored parents admitted to Australia is very much smaller than is the case with Canada. The costs to taxpayers are, moreover, further reduced by a requirement that the sponsors post a bond to cover their parents' medical and welfare costs in Australia.A further feature of the Australian system is that a cap is placed on how many parents can be admitted within a given year. Sponsors are, therefore, aware that there may be delays if the number of applications exceeds the annual limit.

The monetary cost of the present sponsorship system is not the only thing Canadians should be concerned about. As early as 1972 it had been noted that "the sponsorship system has …contributed powerfully to the growth of large and, to a considerable extent, self-contained ethnic communities" in the larger cities (Hawkins, 1972 p. 49). A dramatic increase in visible minority neighbourhoods[1] was subsequently documented by Statistics Canada when it reported that in Toronto, Vancouver and Montreal they had increased from six in 1981 to 254 in 2001. (Hou and Picot, 2004 page 11)

In this regard, it has been pointed out that ethnic neighbourhoods have formed from time to time in Canada during periods of large-scale immigration but that their residents eventually integrated into mainstream society. A number of factors suggest, however, that eventual integration of the members of the increasing number of ethnic neighbourhoods is less certain than it was in the past. For one thing, immigration prior to the middle of the 20th century took place in cycles, with very large numbers of newcomers arriving for several years followed by much smaller intake when the economy was doing poorly. Since the late 1980s, however, immigration levels have not longer been related to our absorptive capacity and now remain consistently high. In the circumstances, ethnic neighbourhoods are receiving a continuing supply of new arrivals and are more likely to grow rather than diminish.

A quite separate factor slowing down integration is the rapid development of communications and technology. This is particularly relevant in the case of sponsored relatives who are usually more limited than skilled independents in their capacity to get involved in the culture and labour force of their new country. This phenomenon was noted in a *Maclean's* magazine article which reported that "cheap communications technology and the Internet enable new arrivals to stay intimately in touch with their native lands, slowing down integration." A university of Toronto researcher is quoted in the article as stating that, in consequence, the pattern of assimilation has all but disappeared, adding that the new groups are more distinct and have round-the-clock access to their country of origin. (*Maclean's*, 1999)

One other aspect in which family class immigration is having a less than desirable outcome for Canada is that it is, ironically, reducing the level of diversity among newcomers settling here. Given the priority accorded to the processing of sponsored applications, the large and settled communities are growing at a faster rate than those that are newer and smaller. Applicants from such countries, for example, as Indonesia, Thailand, Brazil and Egypt are mostly in the independent category and, therefore, do not receive the same priority as family class cases applications from those countries that have been the principal sources of immigration to Canada in recent decades.

An immigration program, it should be remembered, is based on what is in the best interests of the receiving nation as distinct from the acceptance of refugees, which is justified essentially on humanitarian grounds.

It should be noted with regard to family class immigration that there is nothing wrong in principle with newcomers wishing to bring in members of their extended families. It is perfectly natural and, indeed, admirable to want to help one's relatives. The question remains, however, whether it is in the interests of Canadians to take in large numbers of individuals likely to incur major costs on the taxpayer as well as face greater problems of integration than most skilled independent immigrants. An immigration program, it should be remembered, is based on what is in the best interests of the receiving nation as distinct from the acceptance of refugees, which is justified essentially on humanitarian grounds.

It must be acknowledged that some immigrants come from cultures in which importance is given to keeping their extended families together. The point has also been made that the presence of their parents and grandparents can also be of major benefit to working immigrant couples who need someone to care of their children. Some have argued that unless, therefore, they can arrange for such relatives to join them in Canada, some of the most potentially successful skilled immigrants may be less interested in coming here in the first place.

While this may be true in some instances, it is probably not true in most. When the government of Australia decided it was necessary to tighten up on the sponsorship of relatives and particularly the sponsorship of parents in the 1990s, there was no significant drop in the number of well-qualified people wishing to immigrate to that country. In Canada's case, being able to bring in other relatives by initially sponsoring one's parents may be an added bonus for some newcomers. The chances are, however, that most will apply to come here even without such added inducements if they think it is to their advantage to do so.

In the circumstances, the Canadian government must consider seriously new rules for family class immigration that are based on the best interests of Canadians – rules that will reduce not only the very considerable cost to Canadians of the current program but also improve the likelihood that those who do come as immigrants are well equipped to integrate into Canadian society. The Australian model provides us with some useful guidelines in this regard.

References

Campbell, Charles M. (2000)."Betrayal and Deceit: The Politics of Canadian Immigration." Jasmine Books.

Government of Canada, (1997). "Immigration Legislative Review: Not Just Numbers." Department of Public Works and Government Services

Government of Canada, (1998). "The Economic Performance of Immigrants: Immigration Category Perspective,Introduction." Department of Citizenship and Immigration, IMDB Profile Series. Available on the Internet at: http://www.cic.gc.ca/english/research/papers/category/category-b.html

Green, Alan and Green, David (1996) "The Economic Goals of Canada's Immigration Policy, Past and Present" Research on Immigration and Integration in the Metropolis, Working Paper Series No: 96-04 (July) Available on the internet at http://riim.metropolis.net/frameset_e.html

Green Paper on Immigration and Population.(1974) "Volume 2, The Immigration Program – The Evolution of Policy." Department of Manpower and Immigration

Grubel, Herbert (2005) "Immigration and the Welfare State in Canada: Growing Conflicts, Constructive Solutions." Fraser Institute Available on the Internet at: http://www.fraserinstitute.ca/admin/books/files/Immigration.pdf

Hawkins, Freda (1972) "Canada and Immigration: Public Policy and Public Concern" McGill – Queen's University Press .

Hou, Feng and Picot, Garnett. (2004) "Visible Minority Neighbourhoods in Toronto, Montréal and Vancouver" *Canadian Social Trends* (Spring edition) Statistics Canada

Mandal, Veronique (2000). "Couples Using Fake Marriages to Enter Canada." National Post (August 9).

Maclean's, (1999) "The Changing Nation." (May 31)

Report of the Auditor General of Canada 1982. "Canadian Employment and Immigration Commission, Immigration Program." Available on the Internet at http://www.oag-bvg.gc.ca/domino/reports.nsf/html/8207ce.html

Note

[1] A "visible minority neighbourhood" is defined in the paper as having 30% of its population from a particular visible minority group. The authors also note that most of the visible minorities are immigrants.