

**Canada sends illegal immigrants home ENFORCEMENT"Prodded by criticism, the Immigration Department is giving top priority to finding people with serious criminal records, second priority to those who dodge hearings**

The Globe and Mail (Canada)

March 7, 1992 Saturday

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**Length:** 1343 words

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## **Body**

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BY PETER MOON

The Globe and Mail

THE two plainclothes immigration officers quietly accompany their prisoner through the Air Canada check-in at Toronto International Airport, pass through U.S. customs and immigration, and are pre-boarded on the mid-morning flight to Miami.

They are escorting a 42-year-old man back to his native Colombia. The man is being deported after living in Canada as a landed immigrant for 18 years. During that time he has received 21 convictions for crimes that include trafficking in narcotics, assault, theft, and keeping a bawdy house.

The Immigration Department has been trying to get rid of him since 1985. He has fought them through immigration hearings, the Immigration Appeal Board and the Federal Court of Canada. The appeals have run out and he has been released from a jail sentence into the custody of the immigration officers who are now taking him to Colombia.

Unlike some deportees who scream and yell and fight to the point that they have to be manacled and shackled and even placed in a strait jacket, the Colombian is quiet and well behaved.

His recent deportation was part of a stepped-up effort by the Immigration Department to remove undesirable immigrants from Canada.

As part of a tougher enforcement program, Canada has begun deporting people to countries to which illegal immigrants were never before sent back. In recent months, people have been returned, on a case-by-case basis, to Iran, Vietnam, Somalia, Sri Lanka and countries within the

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former Soviet Union.

"There is a realization here that enforcement functions were neglected over the last decade," said Ulrich Werneburg, the department's chief of investigations, detention and removals at national headquarters in Ottawa.

"So there has been an attempt, a successful attempt, I think, to put more emphasis into these enforcement functions."

By the time final figures are in for 1991, he said, the Immigration Department expects that about 4,500 illegal immigrants, including 450 with

**serious criminal** records, will have been removed from Canada by a deportation or other kind of immigration order. That compares with 3,039 in 1990 and 2,379 in 1989.

The increase, Mr. Werneburg said, is tangible evidence that things are beginning to change since the Immigration Department's enforcement efforts were severely criticized by the auditor-general, Kenneth Dye, in 1990. Mr. Dye told Parliament he could not understand why immigration rules and penalties were "virtually ignored" by the department responsible for enforcing them.

Mr. Dye noted that by 1988 the Immigration Department had "a general inability to carry out enforcement actions. There was no effective guidance from national headquarters; information systems were inadequate, unreliable, and in some cases, misleading.

"Backlogs in investigations of **criminal** actions by immigrants or visitors exceeded 10,000 cases in the largest region. Morale of immigration investigators was poor, and often no response was made to tips from the public."

A major part of the problem was that the Immigration Department was overwhelmed by a backlog of 114,000 refugee claimants that built up before 1989, when new legislation was introduced to try to speed up the determination process. The backlog has since been reduced but not cleared.

The magnitude of the refugee problem appeared to overwhelm officials and sap the political will of the government to resolve the problem. Refugee claimants continued to arrive in Canada, but in fewer numbers.

But Mr. Dye's scathing report to Parliament appeared to get through to the government. The Immigration Department now has an enforcement-minded minister, Bernard Valcourt, who not only talks about taking firm action against illegal immigrants who abuse the system, but insists that his officials take tough action.

The Immigration Department has established an enforcement team at

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headquarters and begun building computer systems to track the thousands of people trying to get permanent-resident status within Canada as they make their way, with all the protections afforded by the Charter of Rights and Freedoms and usually with free legal aid, through the convoluted, expensive and lengthy system of hearings and appeals.

Immigration has set priorities for investigators, who must now

concentrate on finding and getting rid of illegal immigrants with **criminal** records and people who fail to appear for hearings or removal.

"All **criminals**, especially **serious** ones, have been given top priority,"

Mr. Werneburg said. "So we told our people, No. 1 priority, **go after**

**serious criminals**. Second, we wanted to **go after** no-shows for removal.

Then overstays (by visitors and students), illegal workers, marriages of convenience and other kinds of investigations."

The department's resources are not great. Toronto, which has more than half of Canada's illegal immigrants, has only 30 full-time investigators (10 of them added last year as part of the department's increased efforts) . Montreal has 20 investigators, and Vancouver fewer than 10.

Some days, the Toronto office, which covers not only Metro Toronto but a large area outside its borders, may have only a single car on the road with two investigators to make arrests. Because of budget and staffing restraints, investigators work only a couple of evenings a week and occasional weekends.

The Toronto office has only four investigators to track immigrants and visitors who commit crimes, and who may appear in any of more than 100 court rooms in the area's 10 court houses. The office's court unit is currently tracking more than 5,000 refugee claimants, immigrants or visitors charged with **criminal** offences in local courts. Offences range from theft to murder. Convictions make immigrants and visitors subject to removal action.

As part of the department's new emphasis on enforcement, it is making major efforts to establish links with police forces across the country.

"The problem was that the police had lost contact with us, especially in that period in the late 1980s when we weren't really doing very much enforcement," Mr. Werneburg said. "We couldn't do anything with the people they found for us, which was a frustrating situation.

"Since we wanted to take a more pro-active stance in enforcement, it meant we had to **go** out and encourage our people to liaise with the police

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so they would feed us again.

"But when we do that, we have to commit ourselves to deal with what they give us, because if you don't, your relationship is destroyed very quickly."

The Immigration Department has the names of 5,844 people it wants to arrest in the Canadian Police Information Centre, a national computer system operated for Canadian law-enforcement agencies by the RCMP. It is working with the RCMP to add to the system a backlog of arrest warrants.

A routine traffic stop or contact on a street or in a residence by a police officer can turn up an illegal immigrant. The Immigration Department has established procedures so that police queries and tips are answered around the clock.

Investigators from the Toronto office frequently accompany local police on raids on crack houses, after-hours drinking clubs, gaming houses and bawdy houses.

They also work with welfare authorities. Investigators say an alarming number of refugee claimants and illegal immigrants are cheating the welfare system. They say it is common to find cases of refugee claimants and illegal immigrants receiving as many as 10 welfare cheques by using false identities.

"We are involved with people all the time who are involved in criminality, taking advantage of (unemployment insurance), (provincial hospital insurance) and our welfare system," Sue Pine, a Toronto immigration investigator said.

"There are a lot of excellent people who come to Canada. But those aren't the people we deal with in enforcement.

"The people who come here legally, who have waited their turn and done things the right way to get here, are the first people to call us to report the abuses, because they have had to do things the right way. It bothers them more than the home-grown Canadian, who doesn't understand what a person must go through to come here legally."

## Classification

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Language: ENGLISH

Publication-Type: Newspaper

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**Subject:** IMMIGRATION (96%); ENFORCEMENT ACTIONS (89%); INVESTIGATIONS (89%); ILLEGAL IMMIGRANTS (78%); SENTENCING (78%); CORRECTIONS (78%); **CRIMINAL** CONVICTIONS (78%); PRISONERS (78%); JAIL SENTENCING (78%); LARCENY & THEFT (75%); **CRIMINAL** INVESTIGATIONS (75%); **CRIMINAL** OFFENSES (75%); EXCISE & CUSTOMS (72%); CONTROLLED SUBSTANCES CRIME (70%); GOVERNMENT CONTROLLERS & AUDITORS (69%); DRUG TRAFFICKING (55%)

**Company:** AIR CANADA (58%)

**Organization:** US CUSTOMS & BORDER PROTECTION (84%); Department of Immigration

**Industry:** AIRPORTS (73%); GOVERNMENT CONTROLLERS & AUDITORS (69%)

**Geographic:** OTTAWA, ON, CANADA (79%); TORONTO, ON, CANADA (79%); ONTARIO, CANADA (58%); CANADA (95%); IRAN, ISLAMIC REPUBLIC OF (79%); Canada

**Load-Date:** January 9, 2007