

A stylized map of Canada is positioned in the background. The provinces and territories are represented by various shades of purple, teal, and brown. The map is centered and occupies most of the frame.

Canadian Citizenship

Balancing Meaningfulness with Facilitation

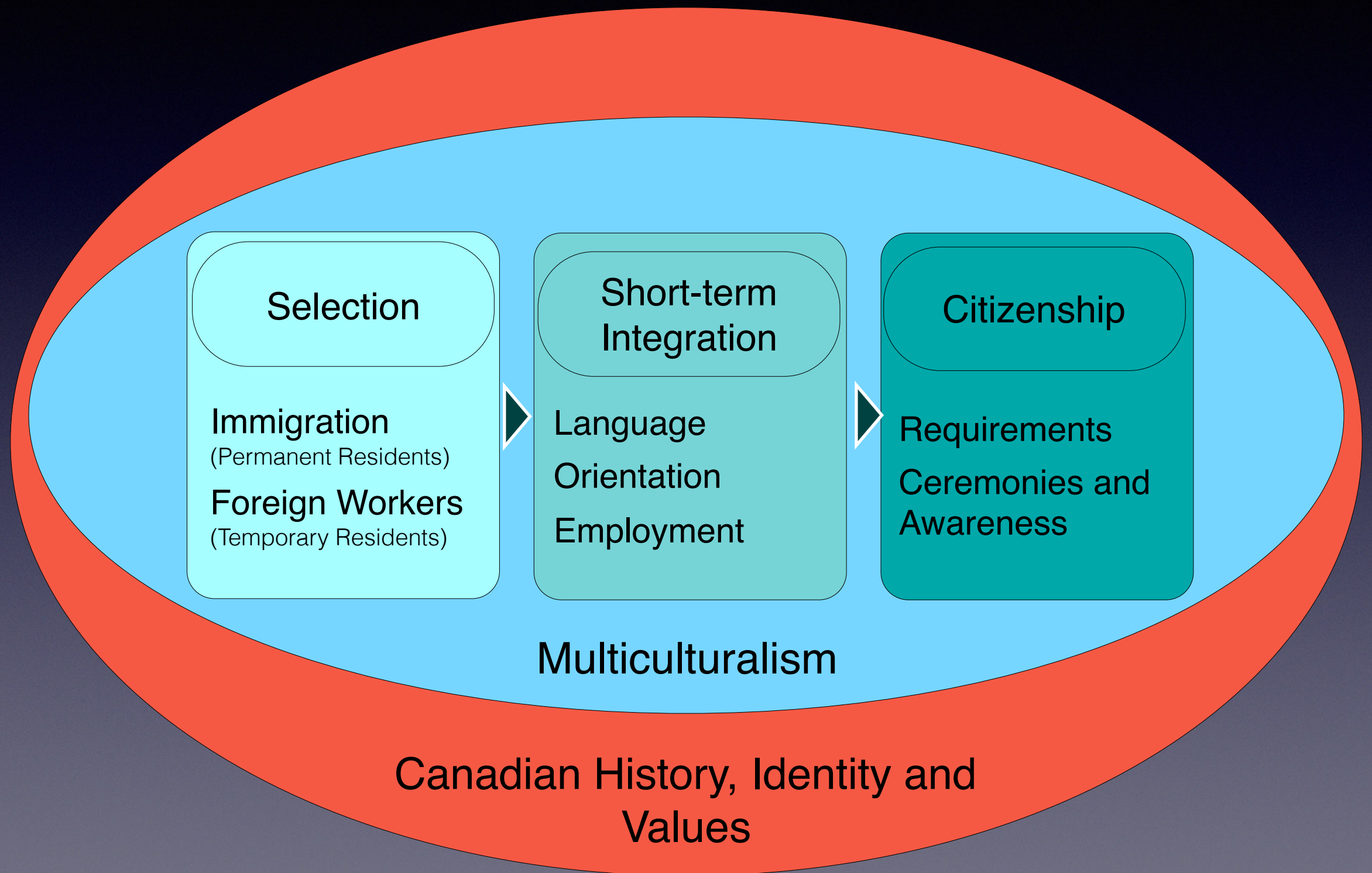
Andrew Griffith

March 2017

Agenda

- Context, framework and history
- Recent and planned changes
- Citizenship take-up
- Fees
- Observations and questions

Canadian Model of Integration



Immigration-Based Society

Culture of Accommodation

- Canada built by successive waves of immigration
- Accommodation (imperfect) among Indigenous, French, and British
- Context for later group arrivals and multiculturalism
- Immigrant to citizen expectation

Citizenship-related Policies

- 1960s — Discrimination removed from immigrant selection (1962); points system introduced (1967)
- 1971 — Multiculturalism Policy
- 1982 — *Charter of Rights and Freedoms*
- 1988 — *Multiculturalism Act*
- 1995 — *Employment Equity Act*

Citizenship — General

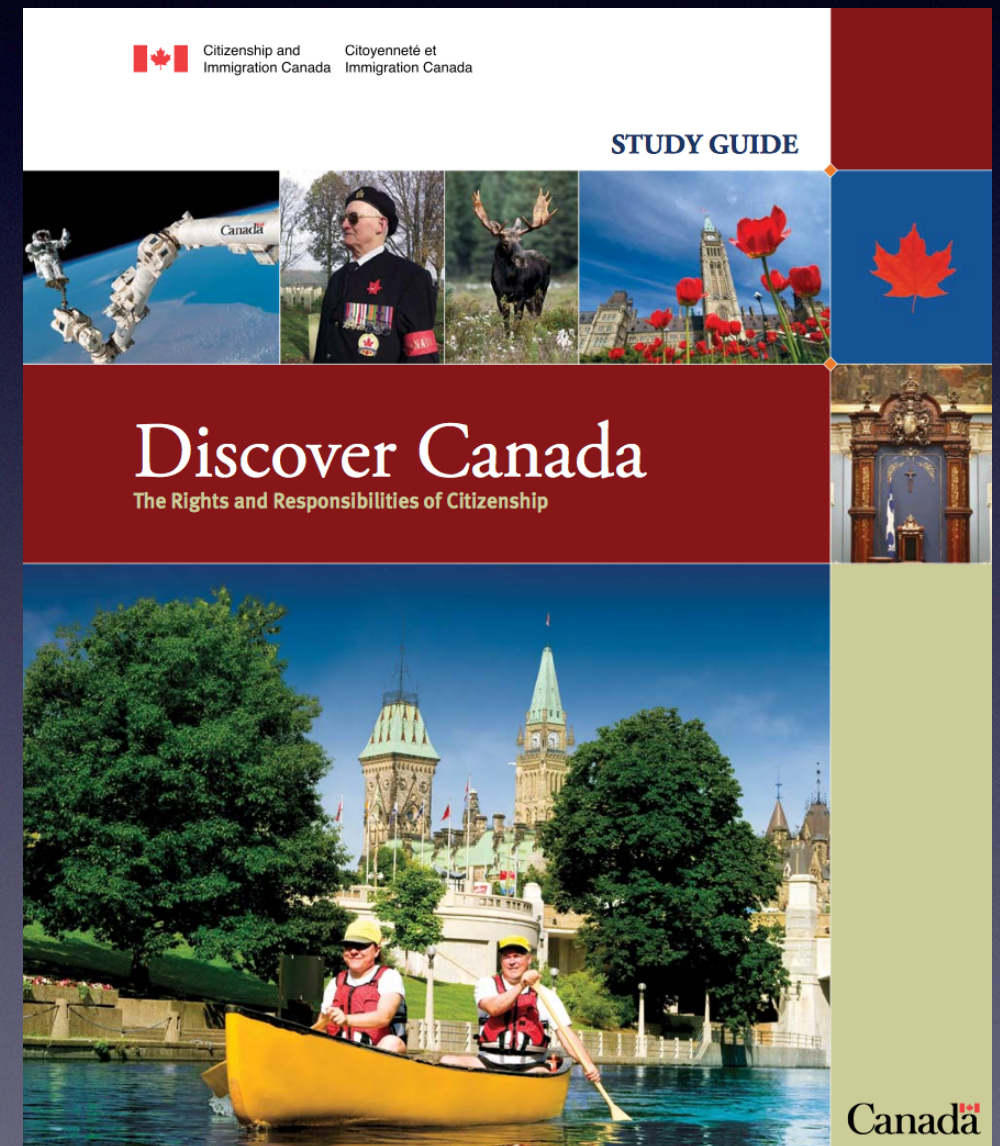
- Birthright or 'blood' citizenship
- Residency: length, physical or legal presence
- Language and knowledge requirements
- Values
- Dual nationality
- Retention and subsequent generations
- Revocation

Evolving Citizenship

| Aspect | Pre-1947 | 1947 Act | 1977 Act | 2014 Act C-24 | 2017 Bill C-6 |
|-------------------------------|-----------------------------------|---------------------------|---------------------------|------------------------|---------------|
| Birthright | Yes | Yes | Yes | Yes | Yes |
| Residence (years) | 5 after 1919 (shorter earlier) | 5 | 3 | 4 | 3 |
| Language | Yes | Yes | Yes | Yes | Yes |
| Knowledge | | Yes | Yes | Yes | Yes |
| Test Ages | | | 18-64 (18-54 2005) | 14-64 | 18-54 |
| Dual nationality | No | No | Yes | Yes | Yes |
| Values | “good character” | “good character” | | | |
| Intent to reside | Yes | Yes | No | Yes | No |
| Retention | Declaration before age 22 | Declaration before age 25 | Declaration before age 28 | First generation limit | |
| Revocation (fraud) | Yes | Yes | Yes | Yes | Yes |
| Revocation (terrorism) | Yes | Yes | No | Yes | No |

Changes 2010

- Emphasis on history, military, responsibilities
- More rigorous knowledge test
- Language “pre-assessment”
- Anti-fraud



2014 *Citizenship Act*

Residency and Testing

- Longer residency (4 out of 6) and physical presence
 - From “honour system” to residency questionnaire
- “Intent to reside”
- Knowledge and language required 14-65
- Eliminate pre-permanent residency time 50 percent credit

2014 *Citizenship Act*

Integrity

- Physical presence, not just legal residency
- Knowledge requirement met in English or French, not through an interpreter
- Bar granting citizenship to those with foreign criminal charges and convictions
- Regulations for citizenship consultants
- Increased fines and penalties for fraud
- Requirement for adult applicants to file Canadian income taxes

2014 *Citizenship Act*

Efficiency and Business Processes

- Ministerial authority to revoke citizenship for fraud, misrepresentation (previously, GiC)
- Ministerial authority on discretionary grants of citizenship (previously, GiC)
- Ability to cancel incomplete applications
- Single-step processing (previously three-step), ceremonial role for citizenship judges
- Electronic means to verify citizenship.
- “Soft” commitment one year processing

2014 Citizenship Act

Fairness

- “Lost Canadians” fix
- Fees from \$100 to \$530, plus language testing (~ \$200)
- Revocation for Fraud: Ministerial discretion
- Revocation for “Terror or Treason” for dual nationals
- Other
 - Fast-track mechanism for Permanent Residents serving in the Canadian Forces

Liberal Changes 2017 (C-6)

Adjustments, not full repeal

- Principle: “*A Canadian is a Canadian is a Canadian*”
 - Repeal revocation for dual nationals for terror or treason
- Remove barriers
 - Restore the previous age limits for knowledge and language testing to 18-54 (~ 10 percent of applicants)
 - Repeal the “intent to reside”
 - Restore pre-permanent residency time 50 percent credit
 - Maintain physical presence but reduce time required to 3 out of 5 years
 - New citizenship study guide (replace *Discover Canada*)

2017 C-6 *Citizenship Act*

Integrity, Due Process

- Maintain C-24 integrity measures plus:
 - No longer counting time spent under a conditional sentence order towards meeting physical presence
 - Retroactive application of prohibition of applicants from taking oath if never met/no longer meet requirements
 - Authority to seize fraudulent documents of those used fraudulently
- Restoration of procedural protections for those accused of fraud or misrepresentation
 - Amendment in Senate

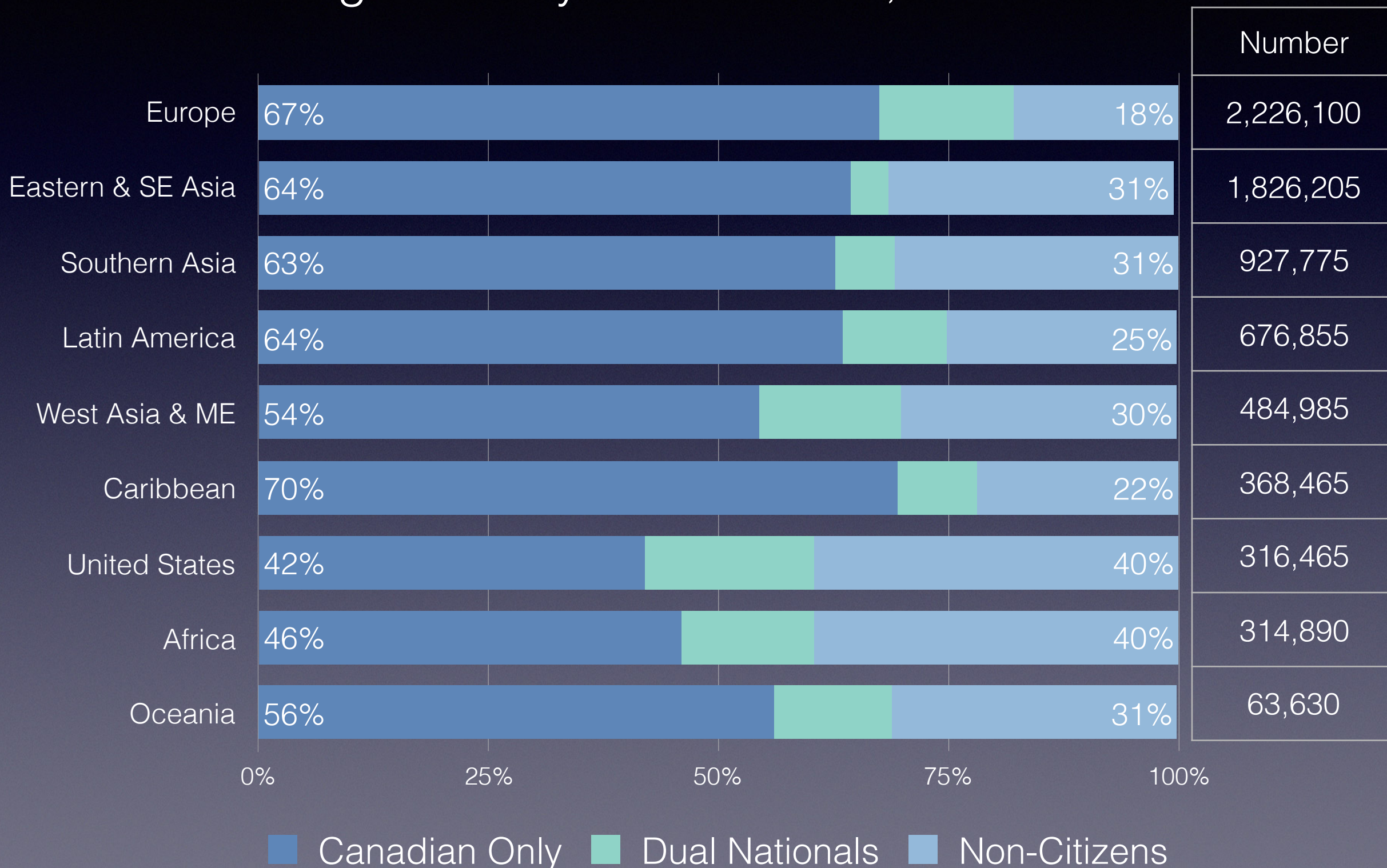
Other planned changes

- C-33 Elections Act amendment proposes unlimited voting rights for expatriates
- Ministerial mandate letter includes TRC recommendation for new oath:
 - “I swear (or affirm) that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II, Queen of Canada, her heirs and successors, and that I will faithfully observe the laws of Canada, including treaties with Indigenous peoples, and fulfil my duties as a Canadian citizen.”

What the data shows

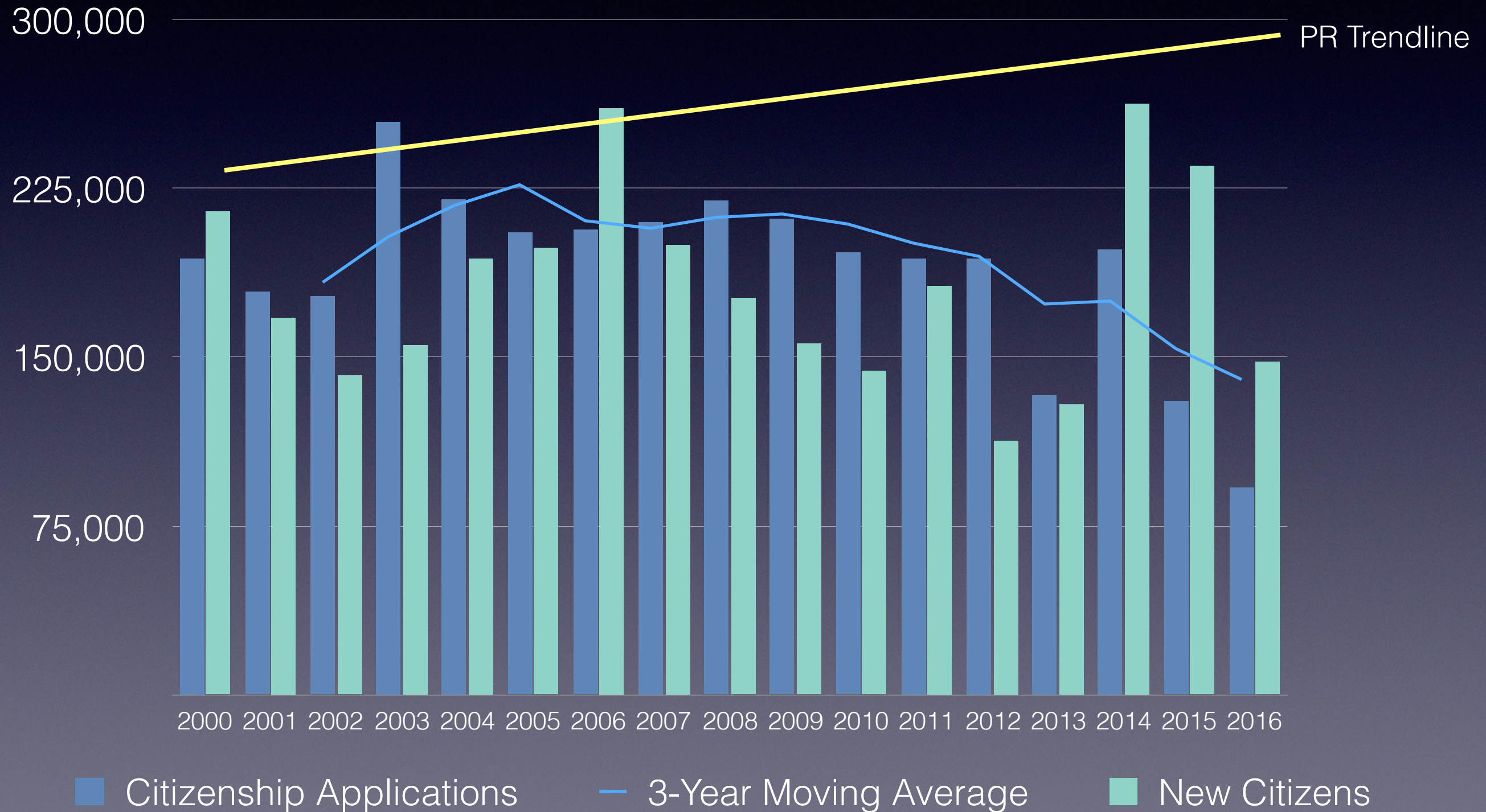
Citizenship Take-up

Foreign-born by Place of Birth, NHS 2011



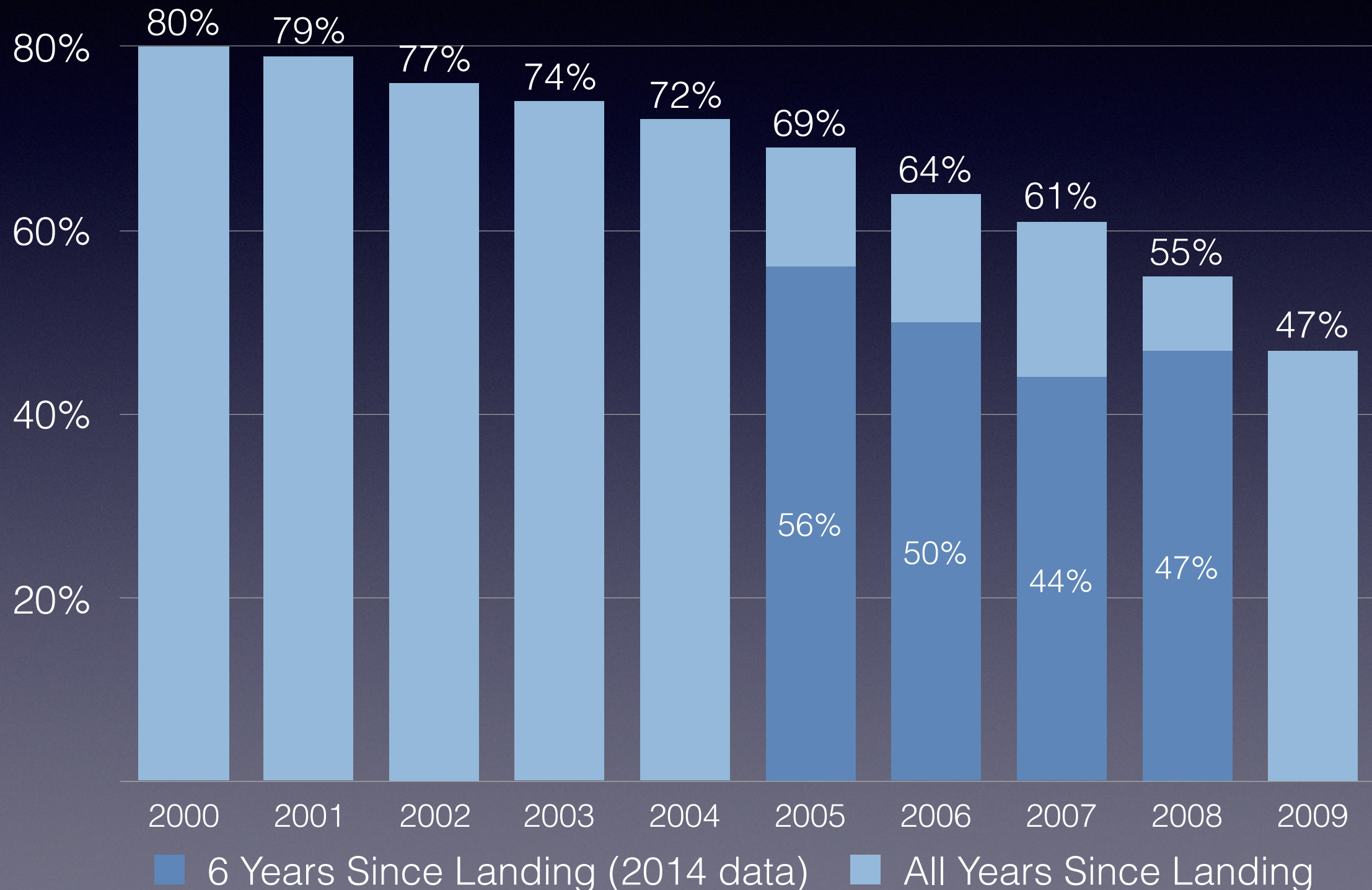
Citizenship Applications & Citizens

2000-16 IRCC Operational Data



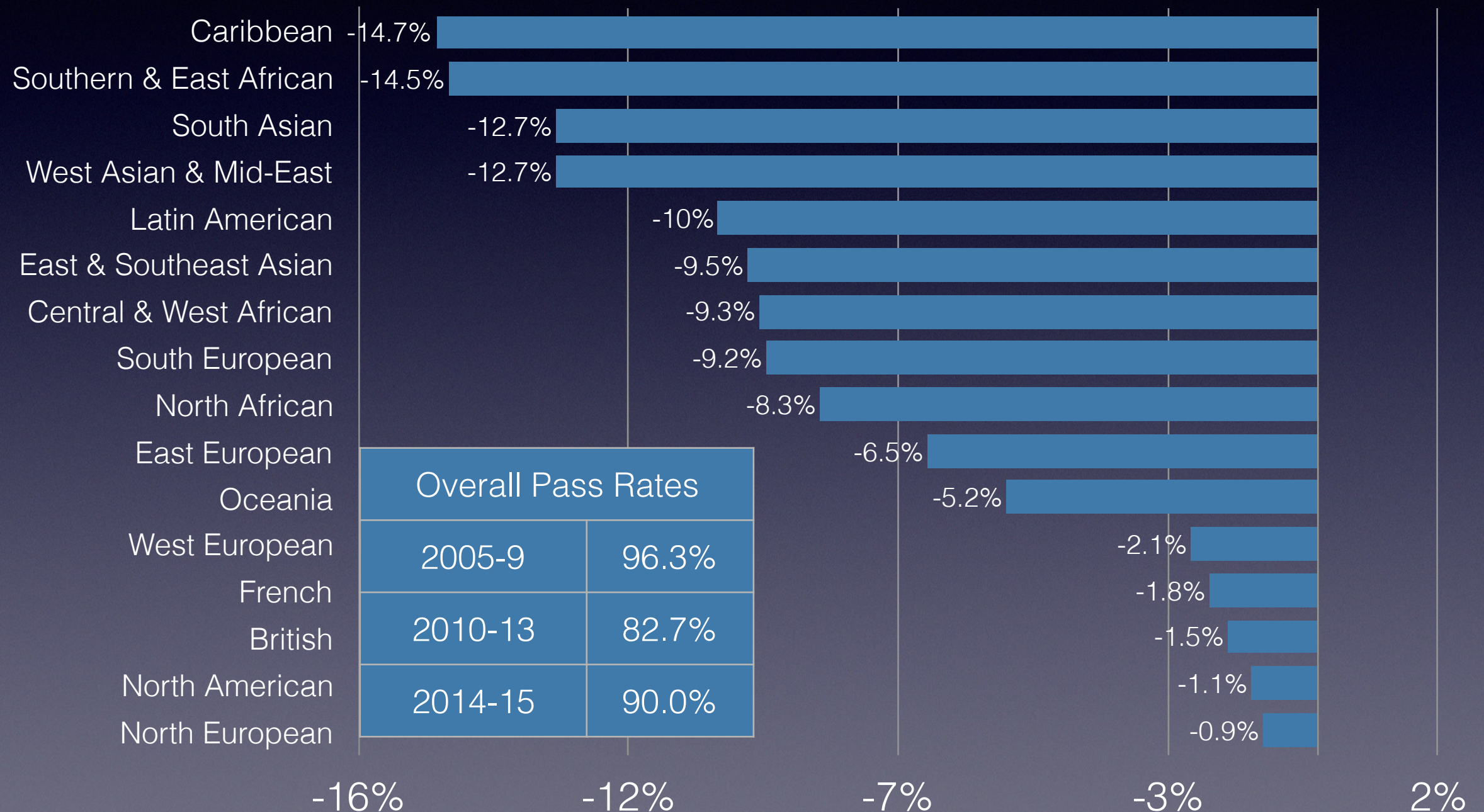
Citizenship Take-Up

6 Years Since Landing vs All Years Since Landing 2015



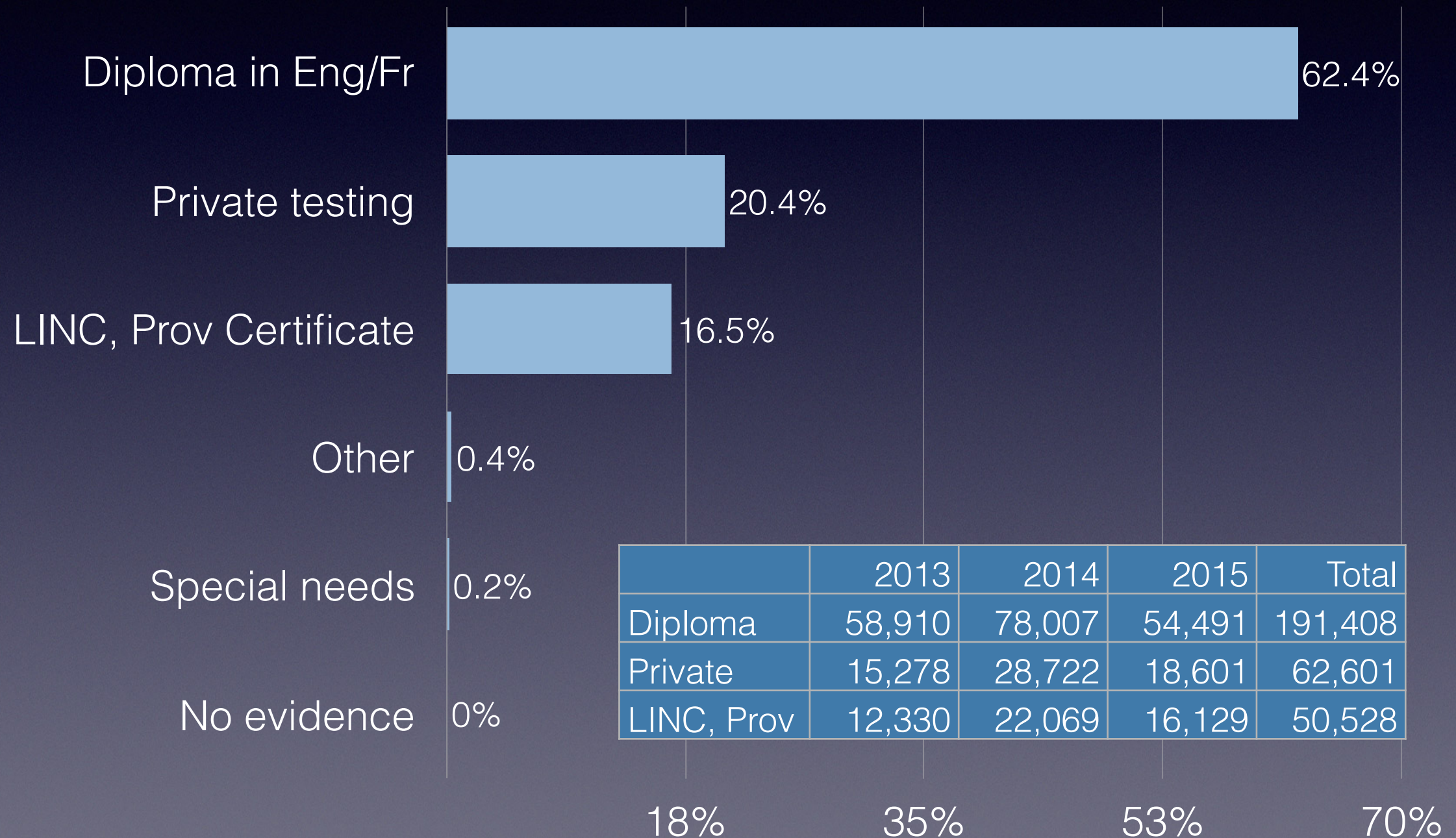
Impact 2010 Changes

Citizenship Test Percentage Decline by Country of Birth 2010-15 Compared to 2005-9



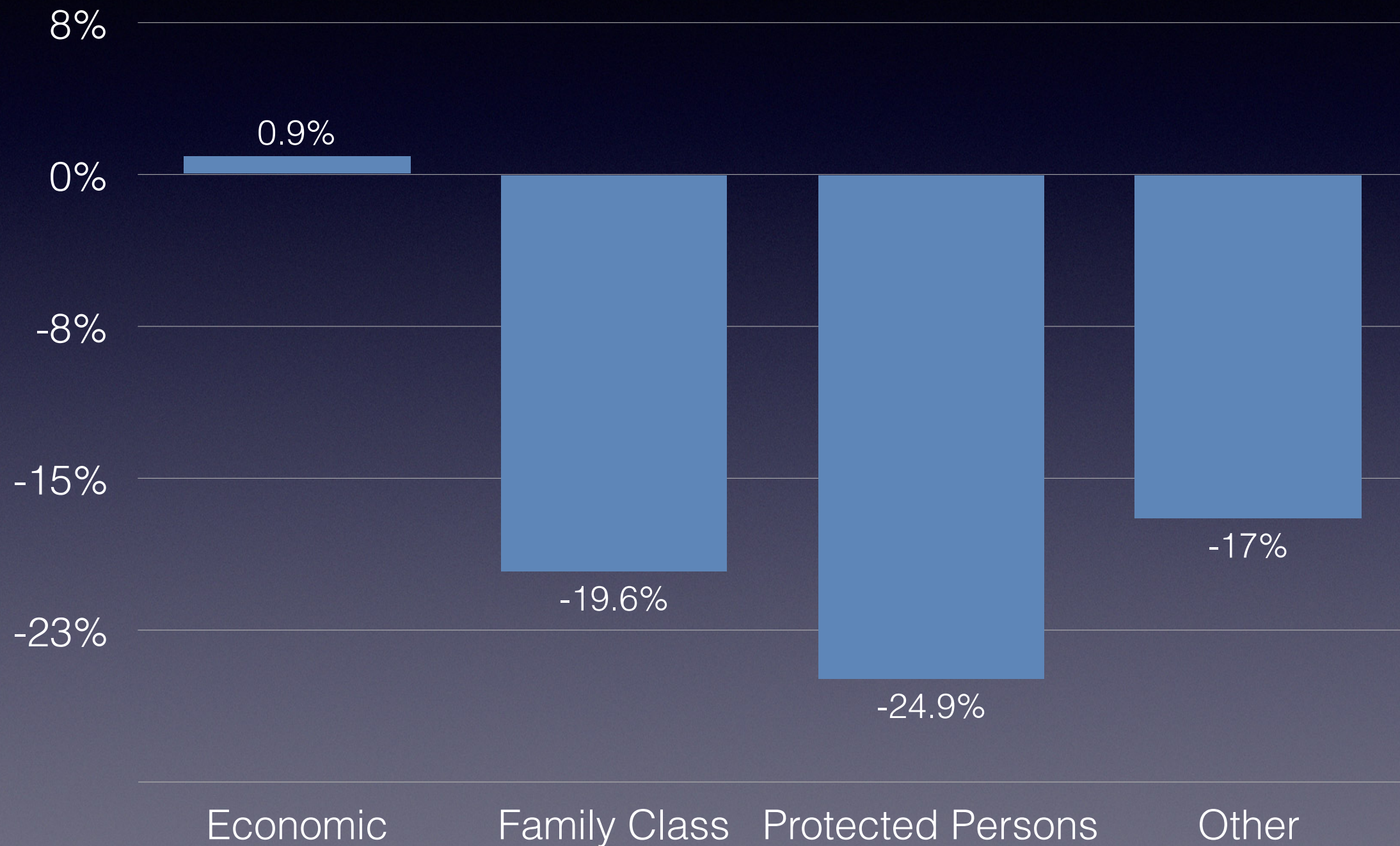
Language Assessment

Type of Assessment 2013-15



Impact by Immigrant Class

Percentage Change New Citizens
2010-15 Compared to 2005-9

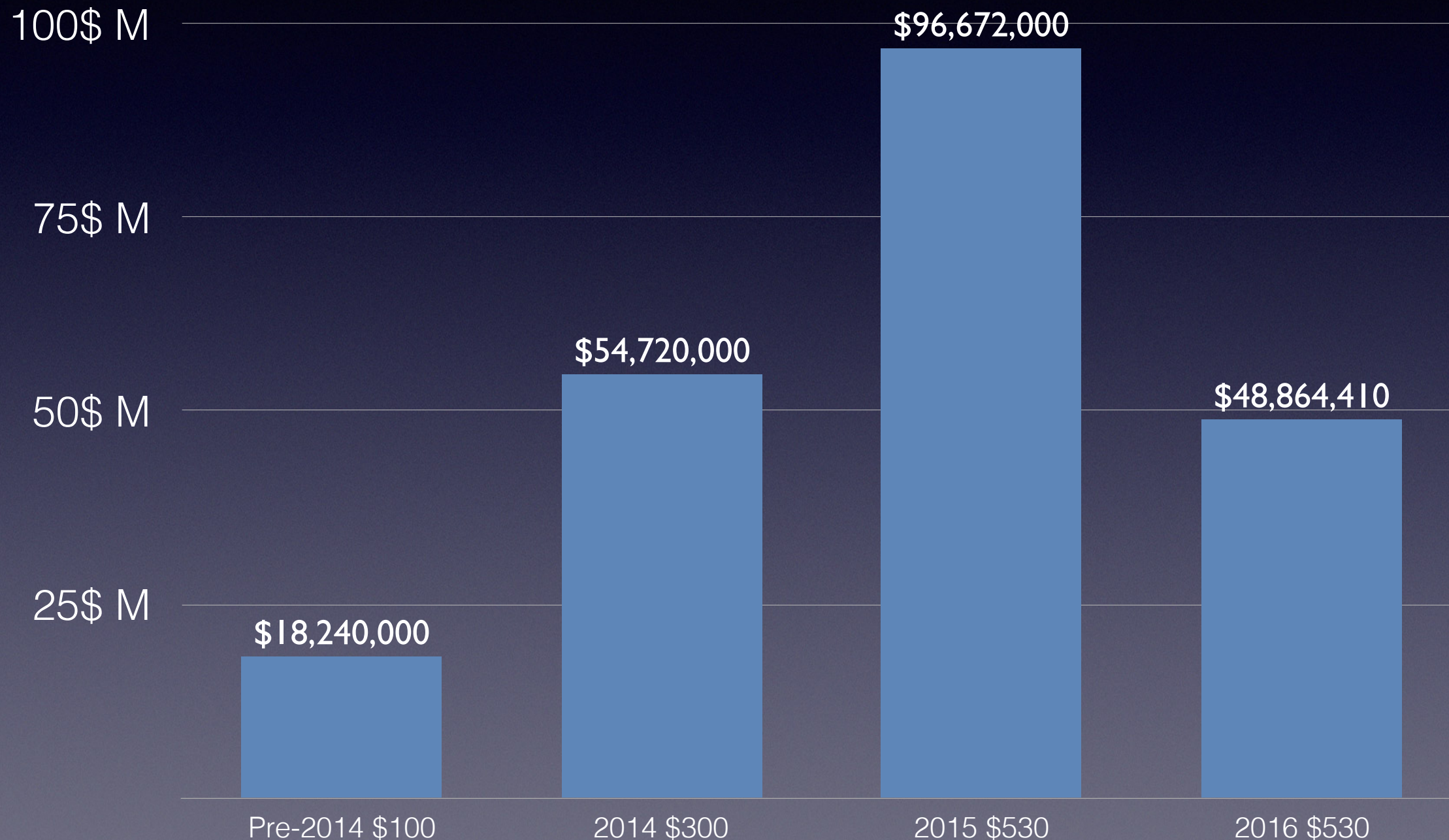


Fees — Major barrier

- User fees exemption to reduce scrutiny
- \$100 to \$300 (Feb 2014) to \$530 (Jan 2015)
- Language pre-assessment costs (~ \$200) for 20 percent of applicants
- Dramatic decline in applications — 50 %

Adult Processing Fee Revenues

IRCC assumes no decline — 182,400 adult applications
(Canada Gazette)



Fee Recommendations

1. Reduce processing fee of \$530 to \$300, abolish right of citizenship fee of \$100, consider partial waiver for refugees and low income immigrants;
2. Review impact of cost of language pre-assessment (about \$200), develop lower-cost alternatives;
3. Ensure that revisions to *Discover Canada*, and related materials written in plain language (CLB-4), focus-group tested;
4. Consider dedicated citizenship preparation classes targeted towards groups having difficulties;
5. Set meaningful naturalization benchmark rate: 75 percent take up citizenship within six- to eight-years;

Senate Committee Fees Observation

- **2017:** The committee also notes that citizenship application fees are rising at an accelerated pace. In February 2014, an individual application fee cost \$100. Today, the cost is \$530. This is more than a 500 per cent increase. There is an additional \$100 right of citizenship fee. Altogether, the cost to acquire citizenship for a family of four with two minor children is \$1,460. When extra costs such as language training and testing are taken into consideration, the costs are much higher. High citizenship fees can present a significant financial burden to potential applicants, and could act as a barrier for traditionally low income groups such as those with disabilities, single mothers and minorities. To ensure that potential applicants are not barred from citizenship based solely on their income, the committee advises the government to consider lowering these fees.
- **2014 C-24:** Since citizenship application fees can be onerous for low income families the Minister should consider creating a procedure of reducing or waiving fees for low income permanent residents that are applying to become citizens.

Observations & Policy Questions

Competitiveness

| Country | Residency | Fee CAD | Rate | MIPEX |
|-------------|--------------|---------|------|-------|
| UK | 5 years | \$2,024 | 66% | 60 |
| Netherlands | 5 years | \$1,190 | 78% | 66 |
| USA | 5 years | \$950 | 60% | 61 |
| Canada | 3 of 5 years | \$630 | 92% | 67 |
| New Zealand | 5 years | \$441 | 78% | 71 |
| Germany | 8 years | \$355 | 61% | 72 |
| Australia | 3 of 4 years | \$285 | 83% | 69 |
| France | 5 years | \$76 | 62% | 61 |

MIPEX 2015 Indicator is 'Access to Nationality'

Naturalization Rate OECD 2015 Integration Report (10 years plus, NZ 2012 Report)

Fees as of Feb 2017

Overall

- Conservative integrity improvements with Liberal facilitation measures
- Restoring equal treatment for Canadians and dual nationals
- Common language on 'real and meaningful' commitment to Canada
- Declining naturalization rate
- Proposed no limits for non-resident voting

Policy Questions

Citizenship

- Balance between presence and mobility? Between meaningfulness and instrumental citizenship?
- Does naturalization matter?
- Should fees be based on cost recovery or mix of private and public interest considerations?
- What percent of immigrants expected to naturalize within what period of time?
- What voting rights should non-residents have?

Andrew Griffith

Email: agriffith232@gmail.com

Twitter: @andrew_griffith

LinkedIn: [andrewlgriffith](#)

Facebook: Andrew Griffith C&M

Blog: www.multiculturalmeanderings.wordpress.com

Books: lulu.com

