

Minister's concession on the credible basis test. Instead, the Refugee Division member and the adjudicator sign off the file based on the written material and the claimant does not need to appear in person. There are technical reasons why this procedure may not be possible for all groups of claimants, but, if in the government's opinion it is acceptable for group one, at a minimum it could be adopted for those in group three. A paper review for those within the approximately 13,000 cases in this group whose credible basis will not be contested would considerably expedite the process, leaving the oral hearing for those cases where it was clearly needed. The Committee therefore recommends that the Minister seriously consider this change in procedure for group three.

Even for claimants in groups two and four, it may also be possible to eliminate the oral panel hearing for those claims in which the Minister does not contest the credible basis. The Committee realizes that this issue presents some legal difficulties, (as it does as well for groups one and three), but urges nevertheless that the Minister seriously explore the possibility.

VOLUNTARY DEPARTURE

As part of the process of dealing with the refugee claimant backlog the government has encouraged people to depart voluntarily. If they do so before the credible basis hearing, they are given a letter of introduction to the visa office in their country of origin and are guaranteed an interview if they submit an application to come to Canada as an independent immigrant. Unfortunately for the program, not many people have accepted the offer. As of the end of the third week in November, only 685 people out of 10,434 who had been interviewed (approximately 6.5%) had voluntarily left. Of that number, over 60% were Portuguese claimants who may be expected to benefit from the Commission policy that permits employment validation for those in the construction trades.

It is easy to see why voluntary departure is not popular. Independent immigrants are subject to the points system. Central to that system is the requirement that an applicant either have an occupation specified on Canada's list of occupations deemed to be in demand in this country, or possess a validated job offer from a Canadian employer. Validation means that the employer has established to the satisfaction of a Canada Employment Centre that no Canadian is available to do the job. Without points in either of the above categories, the applicant cannot succeed. Thus, a letter of introduction will be of little use to most refugee claimants. Clearly, the employment validation available to many Portuguese claimants on the basis of their particular line of work is a successful incentive.