

## Judge grants deportee right to appeal in federal court, urges return of work permit

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A former nanny from the Philippines who was ordered to leave Canada after her daughter was deemed mildly retarded scored two major victories Thursday in federal court.

Evelyn Encila, who came to Edmonton five years ago, was ordered to leave in May, after her application to immigrate here with her family was refused.

On Thursday, Justice Frederick Gibson granted Encila the right to appeal that decision in federal court. It will be several months before that appeal will be scheduled.

Gibson also granted Encila the right to remain in Canada until her appeal is heard. She had been scheduled for deportation this month.

Encila has been unable to earn a living since the Department of Citi-

zenship and Immigration suspended her work permit in May.

Gibson ruled that he did not have the jurisdictional power to grant Encila a new work permit.

But he strongly suggested that the Immigration Department do so immediately and criticized it for withholding a permit to this point.

"I am not sure what social or economic policy purpose is being served, while this matter is before the courts, of making (her) a pauper ... other than to squeeze her out of Canada administratively where it has not proved possible under law."

After the hearing, Karen Granoski, manager of the Edmonton office of Citizenship and Immigration, said the office intends to issue Encila the necessary work authorization.

Encila has been relying on community groups, led by the Alberta Association for Community Living, for her legal and living expenses.