

# Immigrant widow can stay in Canada

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After a 14-month battle with the federal government, a Filipino widow living in Cayley won the right Friday to stay in Canada.

The Canadian government agreed with Lolita Handsaeme's lawyer that the death of her husband, who was also her sponsor, was not sufficient grounds for deportation and dropped its fight in Federal Court.

"I feel very happy. I can stay now," said Handsaeme, 52, from her Edmonton lawyer's office. "(The dispute) was very difficult for me."

Lolita met Edward Handsaeme through a matchmaking agency and came to live in Cayley, about 65 kilometres south of Calgary, in 1992. But 10 months into their marriage Edward died of a massive stroke.

With the immigration process in the early stages and the government upset that Lolita did not report her husband's death, she was ordered deported in April 1994. But Friday's decision clears the way for her to gain landed immigrant status and eventual Canadian citizenship.

"She's gone through an emotional roller coaster with the death of her husband," said her lawyer, Shirish Chotalia. "She wanted to stay in Canada and be near the gravesite."

Chotalia argued there is no provision in the Immigration Act for deportation in the event of a sponsor's death or a breakdown in the relationship although the act allows a sponsor to support a second immigrant if the first one dies.

"We hope that (Handsaeme's case) has broad policy ramifications by saying to immigration officers, 'Do not be over-zealous,'" said Chotalia.

But Richard Huntley, investigation supervisor and acting manager of the Immigration Department's Calgary office, said any new rules regarding the death of a sponsor would have to come in the form of a law change.

This case is not likely to change Canada's immigration policy.

"I've been in this office 15 years and this is only the second time I've seen a sponsor die in the immigration process," said Huntley.

In the event of a sponsor's death, the policy is to review the immigrant's right to stay on humane and compassionate grounds before seeking deportation, he said.

"It's not like that (review) was lacking or missing in this case," said Huntley. "It was done."

Meanwhile, Handsaeme, who lives alone while receiving a widow's pension, faces another legal fight. Her husband died without a will and his \$250,000 estate is in trust while she and his children from two previous marriages contest it.