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Filipino widow-nanny wins right to stay

Federal Court sets aside Immigration Canada deportation ruling

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A Filipino nanny ordered to leave Canada after her husband died hugged her lawyer Friday after a judge told her she could stay here.

"Thank you very much," a joyous Lolita Handsaeme said, kissing her lawyer.

At a news conference later, the Philippine consul general in Edmonton blasted immigration officers in Calgary who ordered Handsaeme to leave Canada in April 1994.

Edward Handsaeme, a cattle farmer who lived near High River, sponsored the woman from within Canada after the two were wed in February 1993.

But immigration refused to process the sponsorship application after learning of his death in November of that year.

The case attracted the attention of church groups in High River, and also the Philippine consulate.

WIDOW WINS CASE

Filipino Lolita Handsaeme, 52, met her future husband Edward, a farmer in his 70s who lived near High River, through an international dating service. They corresponded for three years.

They were married in February 1993. Days later, a spousal application was made and approved in principle.

That November, Mr. Handsaeme died of a stroke. In April 1994, his wife was told that because her sponsor had died, she had to leave Canada by August.

The decision was appealed to the Federal Court of Canada. On Friday, Associate Chief Justice James Jerome set aside the earlier decision. It's expected Handsaeme will get landed status within months.



Consul General Victoriano Cui decried what he called the "over-anxious" attitude of some immigration officers who he said try to have deportations on their records.

"What is disgusting, annoying, is that she was made to suffer for about a year before this decision

came. They should be more compassionate."

Immigration officials could not be reached for comment.

In his ruling, Federal Court of Canada Associate Chief Justice James Jerome set aside the immigration decision and ordered the department to process Hand-

saeme's application for landed status.

Lawyer Shirish Chotalia applauded the ruling, saying it tells immigration officials in such cases to be more compassionate enforcing the Immigration Act.

Most immigrants in the same circumstances leave because they don't have the resources to wage a costly legal battle, Chotalia said.

According to court documents, Immigration officials took steps to remove Handsaeme after they were contacted by her in-laws the day after her husband's death.

Handsaeme died without leaving a will. His estate is worth about \$205,000.

In a court affidavit, she said family members offered her \$30,000 and a plane ticket to return to the Philippines.

Last fall, after winning the right to work in Canada, Handsaeme began working as a nanny in High River.

She receives about \$340 a month from the Canada Pension Plan as a surviving spouse.