

# Nanny starts legal battle to stay put

## Cancer risk cited in deportation bid

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An Edmonton nanny wants a judicial review of the Public Security Department's refusal to let her become a Canadian out of concern her breast cancer may recur.

Celia Felipe, 44, has been told she must leave Canada by Sept. 29 or risk deportation. The reason is that the Alberta government wants to avoid the cost of treating her if her cancer reappears.

She arrived from the Philippines three years ago to work as a live-in nanny for a Wetaskiwin nurse. Breast cancer was diagnosed four months later and she received chemotherapy and radiation treatments at the Cross Cancer Clinic.

When she was re-examined six months ago and again a week ago there was no sign of breast cancer. But doctors working for the federal Public Security Department say it could recur and therefore she is "medically inadmissible."

Edmonton lawyer Shirish Chotalia filed an application Friday in the Federal Court of Canada for a judicial review. It's hoped it can be heard before Felipe has to leave.

A committee of six Edmonton-area women has been lobbying to have her allowed to stay in Canada. They obtained letters of support from most of the 39 non-government female MPs.

But Public Security Minister Doug Lewis said in an Aug. 25 re-

ply to the lobbyists that Felipe must return home because she would be a burden to Alberta taxpayers if she needs more cancer treatment.

"She has received thousands of dollars of medical care," he said.

"It is our opinion that all cancers have the potential to recur and, accordingly, a person is deemed to be medically inadmissible for several years following successful treatment."

"As you are no doubt aware, the provision of health care is a provincial responsibility and the enormous costs are borne by the provincial taxpayers and by subscribers to provincial health plans.

"We must ensure that the admission of immigrants does not adversely affect the health-care needs of Canadians.

"Several provinces, including Alberta, have indicated concerns over the growing costs of treating immigrants, in addition to costs in general."

But Geraldine Bailey of the Save Felipe lobby group says that argument could be used to halt immigration.

An immigrant could require expensive care if involved in a car accident or for heart disease, she says.

Denying Felipe admission because of a remote possibility that her cancer will flare up is inhumane and discriminatory, she says.