

Deepan Budlakoti's Story, a timeline.

1985 Deepan's parents arrive in Canada as private household help – gardening, cleaning and cooking – for the Ambassador of India.

1989 Both parents stop working for the Embassy in the months before Deepan's birth.

17 October 1989 Deepan is born in Ottawa; he is issued an Ontario birth certificate.

1992 Deepan's parents apply for permanent residence for themselves and Deepan; permanent residence is granted to all three later that same year.

1996 and 1997 Parents apply for and receive Canadian citizenship for themselves. They do not apply for Deepan because their understanding at this point, based on what they have been told, is that Deepan is already a citizen because he was born in Canada.

1997 Deepan is added to his mother's Canadian passport as a Canadian-born child; this confirms the family's understanding that he is a citizen.

2003 Deepan's parents apply for a Canadian passport for him; the passport is issued, stating that Deepan's nationality is Canadian.

2003 Deepan has problems with his family, he runs away, gets into trouble with the law and comes under Children's Aid Society. He becomes a ward of the state.

2006-2009 Deepan reconciles with his family and returns to live with them before moving out on his own. He completes several technical training programmes, works in construction and even runs his own construction business.

December 2009 Deepan is convicted of break and entry and sentenced to four months, in addition to one month pre-trial detention, and a year probation.

May 2010 Government officials suddenly inform Deepan that he is not a citizen. They assert that his parents were employed by a foreign diplomat when he was born, which under Canadian law means that he is not automatically Canadian even though born here. He may therefore be considered 'inadmissible' to Canada under immigration law that effectively punishes immigrants twice for the same crime. Deepan suddenly faces deportation from the only home he has ever known.

October and December 2010 After re-scheduling the inadmissibility hearing several times, the government withdraws its request for a hearing; officials are confused about Deepan's status and particularly why he has a Canadian passport. After looking into the issue, government officials decide, based on a highly technical reading of the law and a biased interpretation of available evidence, that Deepan is not a citizen and that his passport was issued in error.

December 2010 Deepan is convicted for transfer of firearms. In fact, it was a case of entrapment: the person who asked a friend of Deepan's to procure and sell him two hunting rifles turned out to be an undercover cop. At the same time, Deepan is convicted of trafficking drugs; although in fact he took no part in the drug transaction, he pleads guilty because legal costs of defense are too great. Deepan is given a total of three years in jail on top of eight months pre-trial detention.

May to December 2011 For each of the two sets of convictions, the government reports Deepan for inadmissibility; the inadmissibility hearings take place in June and December and in each the same IRB Commissioner, Louis Dubé, issues a deportation order. Deepan files an appeal for the first deportation order. Although he is not eligible for an appeal for the second order, his lawyer files an application to the Federal Court for a judicial review of that order.

January 2012 Deepan's appeal of the first deportation order is rejected on the grounds that the Immigration Appeal Division does not have jurisdiction.

May 2012 The Federal Court of Canada refuses to review the second deportation order.

November 2012 The response on Deepan's Pre-removal Risk Assessment is negative.

December 2012 Deepan is due to be released from prison on parole. During his prison sentence, he has worked part-time, finished his high school and applied to university to study a programme called law and justice. His assessment by prison authorities is very positive and they are prepared to release him on a very light parole plan, indicating their confidence in him. However, instead of being released, he is detained under immigration law and sent to Toronto West Detention Centre. Successive IRB commissioners uphold his detention: first finding that he is a flight risk; later that he is a danger to the public, despite the highly positive prison parole assessment.

March 2013 Indian authorities inform the CBSA that India will not give Deepan a travel document. Deepan attempts to find out what is going on, but India refers him to Canada, while CBSA refuses to give any information about its discussions with India about him. However, it appears that India does not consider him to be a citizen either. Although it is possible for children of Indian-born people to get citizenship, they have to register the child within the first years of a child's life, which was not done in Deepan's case.

10 April 2013 When it becomes clear that India will not issue a travel document any time soon, Deepan is finally released from prison. However, he is released under strict conditions: a 9am to 9pm curfew except under accompaniment by parents, biweekly signing at CBSA, performance bond and deposit, live with parents, no work unless he manages to receive a work permit. He remains in limbo.

September 2013 Former High Commissioner of India writes letter stating that Deepan Budlakoti's parents did not work for him in any capacity after June 12, 1989.

October 2013 Deepan's legal team file a Federal Court application to ask the court to force the government to give him a work permit; work permit received 12 days later after application is filed.

March 2014 Deepan is denied funding from legal aid; legal aid says he has already maximized his legal aid allowance.

May 2014 Deepan is informed that OHIP (medical coverage in Ontario) will not cover him in his current status. Deepan appeals this decision.

June 2014 Deepan files a motion for an injunction with the Federal Court against the Immigration Refugee Board (IRB) to have his arduous conditions removed. In particular, Deepan hopes to be able to live on his own (without a mandatory residence requirement). However, this hearing is cancelled as Deepan is informed that his Federal Court application (his Charter challenge, which should settle the underlying questions) will be heard on Monday, 16 June.

June 2014 Federal Court hears Deepan's charter challenge, asking the court to order the government to recognize his citizenship.

January 2015, Deepan was granted a one-year work permit. It took him six months to get it, during which time he was not able to work (and of course he is not eligible for social assistance). He will have to reapply when it expires.

February 2015, Deepan had a hearing to decide his eligibility for health coverage. No results yet.

March 2015, Deepan was denied a detention review hearing when he applied to alter his conditions. He has applied again so that he can challenge his conditions.

In April 2015, Canada finally gave the UN its submissions on Deepan's file. UN decision is pending.