

House of Commons
Standing Committee on Citizenship and Immigration

The impact of COVID-19 on the Immigration System

Policy Brief
submitted by

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Background information:

There are many complaints I have heard about the immigration process, how inconsistent information from the web site versus information / replies from immigration staff; how staff are unhelpful, and how frustrated applicants and families get. The fact that we are in the middle of a pandemic is not helping. We realize COVID-19 becomes a natural and common excuse on a lot of things that “cannot” be done in time within the government. Below are only a few examples listed in related to the IRCC.

Examples:

Here are some of the cases I have heard from my contacts:

1. Mr. W has submitted an outland family sponsorship (Family Class) in supporting his wife’s Permanent Residence (PR). The application was delivered to the Case Process Centre in Sydney, Nova Scotia via courier in the beginning of March 2020. There was no Acknowledgement of Receipt (AoR) from IRCC until the sponsor emailed IRCC for an update. The sponsor has also requested Global Case Management System (GCMS) Notes¹ to track application status but it was never done, IRCC had actually used its power to extend the report delivery date from 30 days to 90 days. Even after the 90 days have reached, the sponsor only received an email reply acknowledging the report was overdue due to the limited operation of visa offices during COVID.

All required requests (i.e. Biometric tests - completed in September 2020; Medical exam - completed in October 2020, and Police Certificate - delivered to Sydney Office via courier in December 2020) were completed on time. In addition, Mr. W has put forward his Mandatory Provident Fund (mandatory pension fund in Hong Kong) withdrawal statement to prove he will be leaving Hong Kong permanently and he has also renounced his Chinese nationality at the Hong Kong Immigration Department (now in Hong Kong as a Canadian citizen).

When the one year service commitment processing time² has reached, the sponsor requested their application to be expedited due to their involvement during the anti-extradition bill amendment movement in Hong Kong.

Despite the IRCC has announced its priority in handling cases involving Hong Kong residents (including Family Sponsorship), the visa office in Ottawa denied there were additional measures in urgent processing of PR applications³. Now Mr. W’s application is still being processed without any progress.

2. Mr. L is a Hong Kong resident at the age of 66 with chronic diabetes and high blood pressure. His daughter is a Canadian permanent resident. In light of the implementation of the National Security Law in Hong Kong, the primary caretaker of Mr. L has left Hong Kong for safety and freedom. As a result, it is necessary for him to come to Canada to live with his

¹ A software used by IRCC for processing immigration and visa applications for applicants around the world can track their applications. <https://www.gcmsnotes.ca/track-gcms-notes-application/>

² The sponsor received an email reply from IRCC stating that “rest assured that IRCC is committed to reviewing most spousal sponsorships applications within a 12-month time frame.” Service standards can also be found on IRCC’s website. https://www.canada.ca/en/immigration-refugees-citizenship/corporate/mandate/service-declaration/service-standards.html#family_sponsorship

³ In the same email response from the Ottawa Visa Office states that “While no additional measures for urgent processing are available at this time...”

daughter. Mr. L received his eTA on June 16, 2020. An additional email was sent from IRCC on July 2, 2020 stating that immediate family members of a Canadian permanent resident are exempt from travel restrictions. Although the IRCC listed all the conditions needed for the exemption in the email, there is no instruction on the application procedure. After numerous research on the application procedure, Mr. L communicated with the IRCC via the case specific enquiry web form. With multiple rounds of enquiries via the web form, the applicant finally received the exemption of travel on September 16, 2021, i.e. 3 months after the eTA was granted. Due to the need of caring, the applicant's daughter-in-law has to travel from Canada to Hong Kong, in the middle of the pandemic, to be his primary caretaker during that period of time.

3. Dr. J is currently a permanent resident residing in Ottawa. She mailed her completed citizenship application package to the Case Processing Centre in Sydney, Nova Scotia via courier on June 19, 2020. There was no Acknowledgement of Receipt (AoR) from IRCC even after the applicant emailed IRCC for an update in August. The acknowledgement was only sent to the applicant in November 2020.

The last update the applicant received in January 2021 was the IRCC just started processing her application. According to the IRCC website, they are currently finalizing the applications received between March 31 and April 6, 2019⁴. This indicates that the IRCC has failed to meet the service standard (12 months) on "grant of citizenship" applications for more than 12 months⁵.

Becoming a Canadian citizen (grant of citizenship)

Last updated: March 24, 2021

We're still accepting new applications for citizenship.

We're currently finalizing most applications we received between

 **March 31 and April 6, 2019** 

If your application is [complex](#), it may take us longer to process it.



Due to COVID-19

- we can't process applications normally and can't give accurate [processing times](#) for most types of applications
 - if you contact us, our Client Support Centre agents do **not** have additional information on processing times
- we can't give you more information than what is already available in the Client Application Status tool

4. Ms C, a permanent resident, submitted her application package for citizenship on June 10, 2019 by Canada Post, after living in Montreal for more than 1,095 days. She received the Acknowledgement of Receipt (AoR) and the Discovery Canada shipment notice in less than 2 months (August 27, 2019). She then noted that her application was under process on October 15, 2019, and received a notice that her citizenship test was scheduled on November 11, 2019. On December 4, 2019, she received the pass results on both citizenship test and interview. The decision made (DM) on January 2, 2020; and the invitation of Oath ceremony and 1st Oath ceremony were arranged on December 2, 2020 and March 13, 2020

⁴ Application status can be checked under "where we're at with processing during the pandemic" on <https://www.canada.ca/en/immigration-refugees-citizenship/services/application/check-status.html>

⁵ Service standards on citizenship applications can be found on IRCC's website. <https://www.canada.ca/en/immigration-refugees-citizenship/corporate/mandate/service-declaration/service-standards.html>

respectively. The above process on the application of citizenship seems smoothly and predictable. However, due to COVID-19 the ceremony was cancelled from March 12, 2020 without any further notification on the arrangement and that's when her nightmare started. On May 25, 2020, Ms C sent her first email to IRCC enquiring about the rescheduling of the Oath ceremony. One hour later, she received a reply from IRCC: "be patient in a challenging time." On June 21, 2020 (Sunday), she sent a second email to IRCC again, and she received a reply from IRCC on the next working day with the same answer: "be patient in a challenging time." On July 14, 2020, a third email was sent to IRCC asking for the rescheduling of Oath ceremony and also emphasizing that some people (Ms C is aware of) had completed the process of Oath ceremony even without any notification of invitation on the Oath ceremony during the lockdown period. She didn't receive any reply from the IRCC on this email so she sent a fourth email to IRCC again on August 14, 2020 - resulting in no replies from any IRCC staff.

Getting really frustrated and depressed, she insisted on sending out a fifth email to IRCC on September 11, 2020. She finally got a reply from IRCC one week later (September 17, 2020), with the invitation of the Oath ceremony arranged on September 21, 2020 via Zoom. Eventually, Ms C completed the procedure via electronic Client Application Status (eCAS).

To summarize, the duration of the application of citizenship of Ms C took her 13 months, experienced lack of any definite arrangement, and did not even get much response from IRCC during the whole process.

5. Mrs Y, a Canadian citizen, applied to sponsor her spouse Mr. Y in Hong Kong, to Canada. The sponsorship application was submitted over 18 months ago but it has not been approved, even though Mr. Y had submitted all the necessary documents including medical examination, biometrics and criminal check, IRCC was not able to process the application due to COVID-19. The case is still stalled at the Case Processing Centre in Nova Scotia. Even worse, the officers have not been responding to requests from a Regulated Canadian Immigration Consultant. At least 5 times, the consultant tried to reach out with no response. The situation is giving immense stress to the couple as it is unfair to them on the delaying of the process. They are now considering moving to the UK instead due to the current chaotic political situation in Hong Kong and abandon the application.

Further to the problematic cases above, recent grads looking to apply for an open work permit under "Temporary public policy to exempt certain Hong Kong residents from work permit requirements"⁶ are required to show a job offer when they apply for an open work permit. They cannot get into the country unless they have the work permit as they cannot get that at the port of entry. Knowing how hard it is to get a job even for new immigrants who are already in the country, this policy seems that it is only there for showing, instead of a practical policy that can be implemented easily.

During my conversation with fellow Canadians when I was preparing this policy brief, another issue was brought to my attention that the Canada Border Services Agency (CBSA) is not letting approved

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<https://www.canada.ca/en/immigration-refugees-citizenship/corporate/mandate/policies-operational-instructions-agreements/public-policies/hong-kong-residents-open-work-permit.html>

and exempted permanent residents come into the country during the pandemic. This was actually also reported by the media⁷.

Conclusion and Recommendation:

Both IRCC's processing service standards on family sponsorships and citizenship applications are 12 months from the date applications with complete information and supporting documents are submitted. As mentioned above, COVID-19 seems to become a convenient excuse for delays in processing.

Looking at the IRCC's website (see footnote 5), the target for service standards set on meeting those standards are 80% on both but the actual performance in 2019-2020 were just 77% and 65% respectively, and this is included time before the pandemic.

The delay in processing on the granting of citizenship is very concerning. Note that citizenship is needed to be able to vote, delaying the granting of citizenship is actually a violation of qualifying citizens' right to vote in federal, provincial or territorial and local elections. Not to mention the Ontario election will be held next year and likely, the federal election will be held soon enough.

Where the processing performance under Federal Skilled Worker Program (via Express Entry) is alarmingly low, although this is not a focus on this particular policy brief, it is worth mentioning as this is part of IRCC's services and it needs to be addressed.

IRCC is technically the face of our country as everyone who comes into Canada deals with IRCC first. The way IRCC functions now affects the overall image of Canada and it needs to be improved. IRCC should hire more staff if there is not enough manpower to upkeep the demand. Especially when we will be accepting more immigrants and processing more work permits under the new temporary public policy for Hong Kong residents. Knowing that there are many Canadians out of jobs because of the pandemic, IRCC should move forward to hire staff and make sure proper service is being offered to the mass.

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Financial advisor since 2003 and has been working with a wide range of Canadians, some of whom are immigrants of diverse origin. Sadly many of them had similar frustrations when they shared their communications and encounters with the IRCC. The Torontonians HongKongers Action Group has been organizing events since June 2019 in Toronto to raise awareness and support for the pro-democracy movement in Hong Kong sparked by the proposed amendment to the extradition bill to China. Lee is one of the conveners of the group.

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⁷ "Why not us?": Many approved permanent residents still not allowed to travel to Canada - CIC News, March 5th, 2021
<https://www.cicnews.com/2021/03/why-not-us-many-approved-permanent-residents-still-not-allowed-to-travel-to-canada-0317381.html>