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Chair: Mrs. Salma Zahid



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● (1305)

[English]

The Chair (Mrs. Salma Zahid (Scarborough Centre, Lib.)): I call to order meeting number four of the Standing Committee on Citizenship and Immigration.

Welcome, everyone. Good afternoon to some of you, and good morning to those of you who are joining us from the west coast.

First, I would like to read a health and safety notice, a reminder to all attendees in the room to physically distance themselves from others by at least two metres and to wear a mask unless you are seated and you are more than two metres from anyone else.

This is a hybrid meeting. Some members are appearing in person in the parliamentary precinct and the other members are appearing remotely. I remind all members to please speak at a pace slow enough for interpretation to keep up. The clerk will be tracking raised hands and keeping a list for the chair. All questions should be decided by a recorded vote except for those decided unanimously or on division. This is based on the order adopted by the House on September 23. The meeting is being webcast and is available on ParlVU.

Before we go into the scheduling issues for today, I would like to read a clarification in regard to in camera meetings of the subcommittee:

Thank you for the opportunity to clarify certain elements related to in camera proceedings. Members of the Committee asked if meetings of the Subcommittee on Agenda and Procedure are held in public by virtue of the motion the main Committee adopted regarding in camera proceedings.

For the benefit of members of the Committee the motion reads as follows:

“That any motion to go in camera be debatable and amendable; and that the committee may only meet in camera for the following purposes: to consider a draft report; to attend briefings concerning national security; to consider lists of witnesses; and for any other reason with the unanimous consent of the committee; and, that all votes taken in camera with exception of votes regarding the consideration of draft reports be recorded in the Minutes of Proceedings including how each member voted when the recorded votes are requested.”

By agreeing to this motion, the main Committee has decided to govern its in camera proceeding in a particular manner. However, its application to a subcommittee remains another matter.

House of Commons Procedure and Practice, Third Edition, at page 974 states:

“Once established, subcommittees carry out their own work within the mandate entrusted to them. They are free to adopt rules to govern their activities, provided these are consistent with the framework established by the main committee.”

Subcommittees on agenda and procedure are established primarily to relieve the main committee of planning and administrative tasks.

I wish to draw the attention of committee members to page 1088 of House of Commons Procedure and Practice, Third Edition, which states that:

“Subcommittees on Agenda and Procedure usually meet in camera.”

Subcommittees meet to plan the work of the main committee in a more informal and collegial manner. Based on the motion establishing it, a subcommittee can conduct its business as it sees fit so it can exercise its mandate efficiently and report a work plan back to the main committee for consideration.

For these reasons there is a long set of precedent for holding subcommittee meetings in camera and, as such, the Chair can use her discretion in determining whether subcommittee meetings commence in camera or in public.

Thank you.

That is just a little clarification I wanted to provide.

Today we had to do some juggling of the schedule to accommodate the votes scheduled for 2 p.m. with bells starting at 1:30 p.m. I'm hoping for your understanding and flexibility. It was my judgment that we did not have time to proceed with the first panel before the vote, as there are witnesses with important testimony who deserve a full opportunity for uninterrupted questioning by the committee. We will schedule this panel, and I will return to that in a bit once we go into the details.

● (1310)

We will suspend this meeting at the bells and return after the vote for the originally scheduled second panel of witnesses, for one hour at approximately 3 p.m.

Going forward, the committee will be meeting from 3:30 to 5:30. A agreement was reached between the whips, and the CIMM committee meetings will be on Mondays and Wednesdays from 3:30 to 5:30 p.m. while the House is in session. This will be in effect as of Monday, November 16. The clerk circulated that to all committee members, but I wanted to bring it to everyone's attention.

Next week, the committee can meet from 1 p.m. to 3 p.m. on Friday, November 13, if it wishes. I sent out an email to the members of the subcommittee asking them to let me know if that is the desire. Initially we were looking to see if the minister can come to that. The minister is not available on November 13, so if we decide there will be a meeting on November 13, it would be to continue our study on the impact of COVID-19 on immigration. We could choose to invite today's first panel to come back next Friday, November 13, or we could invite them during a regular Monday or Wednesday meeting. It is the will of the committee to meet next week, so I would like to have members' input on whether the majority of you, or all of you, agree to hold the meeting on November 13 to listen to witnesses.

I see a hand raised. Mr. Dhaliwal.

Mr. Sukh Dhaliwal (Surrey—Newton, Lib.): Madam Chair, I think it's a good idea because there will probably be votes in the coming weeks as well, because [*Inaudible—Editor*] scheduled now from 3:30 to 5:30, so it's a good idea to have a meeting next Friday.

When we were travelling on special meetings like this, in previous Parliaments, even when we were sitting in the House, we had an agreement at the international trade committee that particular meetings that were brought forward.... There were no motions being brought forward, as long as it was a productive meeting. I'm all for bringing in the witnesses only.

The Chair: I see Mr. Allison has raised his hand.

Mr. Allison.

Mr. Dean Allison (Niagara West, CPC): Thank you, Madam Chair.

I'm never in favour of meeting during a break week, but I certainly would have made the exception if the minister was able to meet. Friday, especially, is the worst time we can meet. It was the only time we were given this week, so we took what we could get. Going forward, as we move to Mondays and Wednesdays—that makes some sense—if we need to put in an extra meeting or go a little bit longer, I don't have a problem with that. Today may be a bit of a challenge because I know people have schedules, but I will defer to the committee. I think it's kind of tough. I also think it'd be nice to have the two panels together. Another day needs to happen anyway, so my thought is to try to keep those together.

Once again, if the minister were going to be here next week, I would certainly make the commitment on a Friday, but Friday is a tough day, especially in a break week. No minister is here. I'm personally not all that enthusiastic about trying to meet in a break week on a Friday afternoon with no minister.

Thanks.

The Chair: Ms. Dancho.

Ms. Raquel Dancho (Kildonan—St. Paul, CPC): Thank you, Madam Chair.

Just to build on some of the comments by my colleague, I guess we're talking about two scheduling issues today. I know the extension of an hour conflicts with quite a few of our schedules, so I would appreciate it if we could have the fulsome panel we planned for today. I'm happy to meet on another, additional day or to tack on an extra couple of hours to another committee meeting, but it's quite disruptive today, particularly with the short notice. That's one thing.

Next week, I know that members of the committee were keen to meet with the minister, but since he's not available and it is a constituency week, there are a number of constituency things we have planned in our communities. It's one thing to cancel them for a minister who is difficult to get to the committee, but it's another to continue with the study when we have obligations in our constituencies. I would just ask that we consider not having that meeting on Friday unless the minister is able to attend.

Thank you.

• (1315)

The Chair: Ms. Kwan.

Ms. Jenny Kwan (Vancouver East, NDP): Thank you very much, Madam Chair.

I guess disruptions from votes are going to happen quite regularly. What I'm worried about is that we will keep on losing time with our scheduled committee days. We have a variety of work that we need to get on with, so I am inclined to proceed today, if that is at all possible, to make sure that we don't lose both panels. At least we'll get one panel in.

I do have constituency calls and Zoom meetings lined up, but if we proceed that way, I'm going to get my staff to reschedule those to accommodate the work of the committee.

With respect to Friday, it's not ideal. Like everyone else, I think constituency weeks are precious time, but again, I recognize the work we have in front of us as a committee. We have this study. There are many other studies that I certainly would wish to move on with. I will also accommodate the Friday if the committee's going to proceed.

The Chair: We'll hear from other people, and then we can come to a conclusion.

Mr. Serré, you are next.

[*Translation*]

Mr. Marc Serré (Nickel Belt, Lib.): Thank you, Madam Chair.

[*English*]

I also have constituency appointments this afternoon. My preference, as Ms. Dancho mentioned earlier, would be to reschedule the two panels we had today for November 16. Because we don't have the minister next Friday, we do not need to have a meeting November 13. I agree with the two other comments made earlier.

The Chair: Next on the list is Ms. Martinez Ferrada.

[*Translation*]

Ms. Soraya Martinez Ferrada (Hochelaga, Lib.): Thank you, Madam Chair.

I know we will all be in our respective ridings during next week's parliamentary recess. I hope that just because we can't receive the minister doesn't mean we won't have a meeting on Friday. I think it's just as—if not more—important to hear from the witnesses than to hear from the minister.

If everyone wants a break next week, I have no problem supporting this request. That said, I would like us to be able to hear from the witnesses for at least one hour today. I believe that's what has been agreed to, but I would just like to make sure that everyone agrees that we will hear witnesses for one hour today and that those we haven't been able to hear from will be invited back, as soon as we know the dates of the next committee meetings.

[English]

The Chair: Ms. Normandin, please go ahead.

[Translation]

Ms. Christine Normandin (Saint-Jean, BQ): Thank you, Madam Chair.

Since everyone has added their two cents, I will too.

Personally, I've already made arrangements to be available both today and next Friday, should we decide to hold a meeting. I understand everyone's grievances, but I'm also concerned that we may not be able to make sufficient progress not just in this study but the upcoming ones as well. I'm thinking in particular of the workers' file, which will become more and more relevant as the crisis evolves.

I will make myself available, but I will bend to the will of the committee.

[English]

The Chair: Does anyone else want to proceed further? Okay.

I would like to go by the support of the majority of members. I think we have rescheduled the second panel for today, from 3 p.m. to 4 p.m., and we have the room available. The clerk has arranged that. The witnesses have been notified that the change is happening because of the vote. Hearing from the members, I think I would like that we proceed with the second panel. I would request that members make some arrangements today. I know that Fridays are meant for our constituencies, but what we have to do is also important. We can proceed with the second panel.

Hearing members about November 13, I think we can leave it. We won't schedule the meeting, based on the members' will that they don't want to have any conflicts with the work they have in the constituency.

Is it okay with everyone if we go ahead with today's second panel, reschedule the first panel—I will discuss with the clerk to see when we can invite the panel on the colleges and universities—proceed today after the votes, and not have a meeting on November 13?

Is it the will of the committee?

I see some heads nodding.

Some hon. members: Agreed.

The Chair: Okay.

Mr. Clerk, we will go ahead with the second panel. We will meet at around 3 p.m. I hope the votes will be done by that time. We will meet for the second panel, we will then not have a meeting on November 13, and then we will reschedule our calendar.

I understand that the minister is available to appear November 25 for one hour, followed by one hour with the officials.

Can I have a motion to invite the minister and the officials to appear [*Technical difficulty—Editor*]

A voice: So moved.

• (1320)

Ms. Jenny Kwan: I'm sorry, Madam Chair. Maybe it's just me, but I couldn't hear a thing you were saying.

Mr. Sukh Dhaliwal: It's the same here, MP Kwan.

Hon. Geoff Regan (Halifax West, Lib.): It's strange, but I can hear.

The Chair: I will repeat what I said.

I understand that the minister is available to appear before the committee on November 25 for one hour, followed by one hour with the officials.

Can I have a motion to invite the minister and officials to appear on the main estimates and the supplementary estimates?

Mr. Sukh Dhaliwal: Madam Chair, I will bring forward the motion to bring the minister and the officials on November 25 for two hours.

The Chair: Mr. Dhaliwal has moved that we invite the minister on November 25 for one hour, followed by the officials in the second hour.

Is that the will of the committee? Do I have unanimous support on that?

(Motion agreed to)

The Chair: We will invite the minister to appear before the committee on November 25.

For the information of members, the minister is also available to appear before the committee on December 2 for one hour, on the motion of Ms. Kwan, and we will schedule that meeting.

Ms. Jenny Kwan: Madam Chair, can I have some clarification?

The Chair: Yes, Ms. Kwan.

Ms. Jenny Kwan: Will officials also be coming for one hour after?

The Chair: Yes. That's one meeting. We will schedule one hour for the minister's appearance, followed by one hour for the officials.

Ms. Jenny Kwan: Fantastic.

The Chair: That will be for December 2.

Ms. Jenny Kwan: Thank you.

Mr. Marc Serré: Madam Chair?

The Chair: Yes, Mr. Serré.

Mr. Marc Serré: Are you aware of any other ministers coming three times to a committee in the last three months? That's really good.

The Chair: I have not checked on that. I can check. This is two times.

Hon. Geoff Regan: Madam Chair, maybe Dean could beg a cookie or two for him. That's always appreciated.

Mr. Dean Allison: It'll be a burger. It'll be a burger, Geoff.

Madam Chair, I just want to go back to Madame Martinez Ferrada's point. It's a terrible time slot, 3:30 p.m. to 5:30 p.m., given the fact that a lot of votes have been happening at 3 o'clock. I would just say that we may need to adjust our schedules accordingly and plan to go to 6:30 p.m. It may end up being 4:30 p.m. to 6:30 p.m.

I realize that the committees get in the habit of blocking times, but she has a bang-on point. We're going to have a lot of votes, and they seem to be at 3 o'clock. I say, just as a caution, for us as members to plan accordingly. Also, if you can get ahead of it, Madam Chair, to figure out that witnesses may need to be bumped, we'll have to adjust our schedules accordingly.

• (1325)

The Chair: Thank you, Mr. Allison. This is the agreement that I think all of the whips have arrived at, based on the availability of the rooms, keeping in mind the time differences in different provinces.

The spot that CIMM has been given is for 3:30 p.m. to 5:30 p.m. on Mondays and Wednesdays. I know, based on my personal experience in five years, what can happen, especially as we are coming to where we rise for the winter break.

We will see as we go what we can do because extending the meeting depends on the availability of the rooms, and because of this pandemic, the staff need extra time to clean the rooms. They need at least one hour before there can be another meeting. We will keep that in mind, and we will go every week and go by the day.

Is there anything else that anyone wants to add?

I will sum up the discussion that we had. We don't have unanimous consent to proceed with the meeting on November 13, so we will not have that. We will schedule our meetings as of November 16. Today we will not have the first panel, but we will have the second panel. The room is available from 3 p.m. to 4 p.m. We will reschedule the first panel.

The minister will be appearing before the committee for the main estimates and the supplementary estimates on November 25.

If there is no business, we will suspend and resume following the of the votes.

Mr. Sukh Dhaliwal: Is this a motion to adjourn?

The Chair: We are suspending the meeting until the votes have been completed.

Ms. Jenny Kwan: Madam Chair, before we suspend, are the link to check back into this committee and the password the same, or will we get a new link?

The Chair: I will ask the clerk to please clarify that.

Mr. Clerk.

The Clerk of the Committee (Mr. Leif-Erik Aune): The link that you have should allow you to re-access the Zoom call after you leave it—it's the same link, same password.

The Chair: Thank you, Mr. Clerk.

We will meet at 3 p.m. after the completion of the votes.

Thank you. The meeting is suspended.

• (1325) _____ (Pause) _____

• (1500)

The Chair: I call meeting number four of the Standing Committee on Citizenship and Immigration to order.

First of all, I want to thank the witnesses who are appearing before the committee today as we do our important study on the impact of COVID-19 on the immigration system. On behalf of the committee members, I just want to apologize to our witnesses for the scheduling issues. Because of the vote, we had to reschedule from 2 o'clock to 3 o'clock, so thanks for your understanding and for being flexible.

I welcome our three witnesses who are appearing before us today.

The first witness is Mr. Raj Sharma, managing partner at Stewart Sharma Harsanyi. Our second witness, also appearing as an individual, is Lorne Waldman, a lawyer with Waldman & Associates. We also have the Association québécoise des avocats et avocates en droit de l'immigration, represented by Mr. Cliche-Rivard, president, and Stéphanie Valois, administrator.

I welcome all the witnesses, who will each be given five minutes for their opening remarks, and then we will move to our round of questions.

With that, I would request that our first witness, Mr. Sharma, please start.

Mr. Sharma, the floor is yours.

Mr. Raj Sharma (Managing Partner, Stewart Sharma Harsanyi, As an Individual): Thank you, Madam Chair and committee members. It's my pleasure to appear before this committee again and to speak to you regarding the impact of COVID-19 on our immigration system.

COVID-19 has caused an unprecedented disruption to our immigration system. It is something completely new and completely unexpected, and it has impacted almost every line of business at IRCC.

IRCC was caught flat-footed, as were we all. Hundreds if not thousands of immigration and visa officers had to stop working or start working remotely. Visitor visa applications, biometrics, and medical examinations were all essentially eliminated for weeks and months. Visa application centres were shut down. Families have been separated, whether by borders or travel logistics or other conditions in other countries. Citizenship ceremonies and landings for permanent residents were put off. Language schools and other designated learning institutions are on tenterhooks. Thousands of international students are still trying to navigate this new landscape. There are significant delays in processing submitted applications including those submitted electronically for individuals within Canada. They are in limbo. One example of an impact is how this is affecting these individuals' eligibility for health coverage, even though they have what's called "implied status" in Canada. There was and continues to be massive uncertainty as immigration policy is being made almost daily via websites.

There are promising signs on the horizon, however. COVID-19 has led to changes in the way we hear cases. The Immigration and Refugee Board is Canada's largest administrative tribunal and it has a tradition of innovation and evolution. At the beginning of this pandemic, eligibility determinations, refugee hearings and appeals were cancelled and delayed. This included sponsorship appeals, which added to the grief and anxiety of those affected by the pandemic.

However, hearings have resumed, with health and safety protocols, at the refugee protection division, and most appeals at the immigration appeal division will be done remotely. All divisions of the Immigration and Refugee Board will need continued support. Eliminating in-person attendance could lead to a cascade of savings and increase access to justice.

COVID-19 has demonstrated the importance of front-line workers. During this pandemic we continue to exploit and put migrant agricultural workers and new immigrants in harm's way. Persons of colour and new immigrants are disproportionately affected by COVID-19 because they are also disproportionately on the front lines as health care workers and essential workers in transit and in meat and agricultural processing. These workers are not disposable. There should be greater employment mobility and a clear pathway to permanent residency for all essential and front-line workers irrespective of whether they are in so-called low-skill jobs. This change can be made easily through expanding the existing express entry system.

COVID-19 has taught us the importance of family reunification. The family class for parents and grandparents was slated to open in April and it was delayed. We were looking forward to this newest iteration of the program. It was, unfortunately, a little disappointing. It's a simple lottery draw, and one simple change could improve the program.

Last month I was on a CBC call-in show and Frasier, a big-game hunter from Lac La Biche, called in. He wasn't affected by the program, but he called in to tell us that if you're unsuccessful in requesting a big game hunting licence or a tag in a given year, you can build priority points so that when you try again, you can have a higher chance of being picked. This is someone who listened in for just five or 10 minutes, but who was able to identify a solution, the

weighted draw. A weighted draw should merit serious consideration for the next iteration of the parents and grandparents family class. Further, if we do want increased numbers, then we should consider increasing the age limit of accompanying dependants, which at present is set at a hard 22.

Crises can reveal not only existing shortcomings but also opportunities to accelerate change already in progress. IRCC has made great strides with electronic applications, and these should continue. Wet signatures and paper applications should not be required in 2020 and beyond. Hopefully there will be a silver lining, in the form of further common sense and logical enhancements to immigration processing, to this pandemic, which has wreaked so much devastation around the world.

Thank you for this work. I think there is great value in continued consultations with stakeholders. We can work together to increase value, decrease cost and identify and resolve inefficiencies.

Thank you. I look forward to answering any questions the committee may have.

• (1505)

The Chair: Thank you, Mr. Sharma.

Now we will move to our next witness, Mr. Waldman.

Mr. Waldman, welcome. The floor is yours. You have five minutes for your opening remarks.

Mr. Waldman.

Mr. Lorne Waldman (Lawyer, Waldman & Associates, As an Individual): Honourable committee members, I would like to thank you for this opportunity to appear before the committee.

The COVID pandemic has had a dramatic impact on all aspects of immigration program delivery and the clients served by the program. Foreign nationals in Canada are often facing lengthy delays and separations from their family members. Canadian citizens who are in relationships with foreign nationals find themselves separated from their partners at a time when they need their emotional support. IRCC must protect the safety of its employees and of Canadians by ensuring that the people who enter Canada do not pose a risk of bringing COVID into the country, but they must at the same time take into account the emotional needs of the Canadian citizens and foreign nationals who are in the country.

With this in mind, I have a few suggestions. First, IRCC should facilitate the reunification of partners and spouses of Canadian citizens and permanent residents who are being separated as a result of COVID. The pandemic has dramatically increased the processing time for spousal sponsorships, because immigration officers overseas are either closed or working at limited capacity. I'm aware that IRCC recently sent out instructions to visa officers to take into account dual intent, that you could be applying for a visa to come and visit your spouse and at the same time be sponsored by your spouse, but this doesn't go far enough, in my view. It still leaves a lot of discretion in the hands of visa officers to refuse visas and possibilities of coming into Canada of spouses who are being separated. Visa officers should be instructed to issue visas to spouses or partners of Canadian citizens or permanent residents who are seeking to be reunited with their spouses in Canada unless there are concerns that the person applying might be inadmissible.

Second, IRCC has recognized that although Canada needs to ensure it has sufficient immigrants to foster economic growth, and has set an ambitious quota for 2021, it will be extremely difficult for Canada to admit a large number of immigrants from outside of Canada due to the difficulties associated with processing applications during COVID. Minister Mendicino is indicating that he would consider programs to facilitate immigration for people already in Canada. I urge the committee to encourage the minister to aggressively consider this option. There are many non-immigrants in Canada who have the skills to be able to contribute to the economy. Indeed, many of them are already contributing. We should welcome these people who are contributing, regardless of their immigration status. I am well aware that officials in the past have resisted any kind of program that would allow for adjustment of status of asylum seekers or people without status, but given the current situation, given the contribution that foreign nationals are making now as many front-line workers, it is in the best interest of Canada, and would be a humane response, to give a pathway to permanent residence to people already in Canada who have shown that they are able to successfully establish themselves regardless of their status.

Third, to pick up on something the previous speaker said, I urge the committee to encourage IRCC and CBSA to enter the 21st century by further digitalizing the application process. COVID has forced us all to change how we operate. Until COVID, I filed paper copies of all records in Federal Court and submitted many of my applications to IRCC by paper processing. COVID has forced us all to adapt. I now do all possible filing electronically. To its credit, IRCC has been innovative in how it has responded to COVID, but much more can be done to digitalize the immigration process. Some of the changes forced on us by COVID have been positive, but there are still too many applications that IRCC requires us to file through paper application. IRCC must be encouraged to expand digitalization to ensure that the application process can be more efficient.

I look forward to answering any further questions you might have. Thank you for your attention.

• (1510)

The Chair: Thank you, Mr. Waldman.

We will now go to Mr. Cliche-Rivard.

Mr. Cliche-Rivard, will you be sharing your time with Ms. Valois? Okay.

You have five minutes for your opening remarks.

[*Translation*]

Mr. Guillaume Cliche-Rivard (President, Association québécoise des avocats et avocates en droit de l'immigration): Thank you very much, Madam Chair.

I would first like to start by thanking the committee for this invitation. We hope it will be the start of a long history of working together.

The Association québécoise des avocats et avocates en droit de l'immigration, or AQAADI, is a group of close to 400 lawyers who practise in all areas of immigration law, including refugee protection, and economic, family and humanitarian immigration.

Since 1991, so for almost 30 years, AQAADI has been taking a stand and intervening before various parliamentary commissions, but also before the Superior Court of Quebec, the federal courts and the Supreme Court of Canada. AQAADI is at the heart of all immigration discussions, and the various media constantly solicit its opinion.

As president of the association and on behalf of our vice-president of the humanitarian and refugee component, who is with me today, thank you for this opportunity to speak with you today.

First, I will talk about the problems with visas, mainly study permits, for people from French-speaking Africa.

I wish to raise before the committee the serious discrepancies in approval rates for temporary visa applications, such as study permits, work permits, or visitor visas, which affect people from French-speaking Africa, particularly those from the Maghreb.

This is what our access-to-information requests have allowed us to confirm for 2019. First of all, 77% of applications for study permits from Algeria were refused, while 93% of those submitted by citizens of France were accepted. The refusal rate was 36% for India and 15% for China. In contrast, the refusal rate was 44% for Morocco, 75% for Senegal, 86% for Chad, and so on.

As you know, many of these students are considering coming to Quebec and must first obtain a certificate of acceptance from that province. The Quebec immigration authorities, namely the Quebec department of immigration, francization and integration, have chosen to accept these future students in the province. In 100% of the cases, these students were chosen by Quebec. However, subsequently, a very large proportion of these applications for study permits are rejected by Immigration, Refugees and Citizenship Canada or by embassies abroad.

In March 2020, it was reported that only 10% of those who obtain a study permit go to Quebec, even though Quebec represents about 25% of the Canadian population. We are losing out and this situation must be remedied as quickly as possible so that Quebec receives its fair share of student immigration.

I will now turn things over to Ms. Valois.

• (1515)

[*English*]

The Chair: Ms. Valois, you are on mute.

Ms. Stéphanie Valois (Administrator, Association québécoise des avocats et avocates en droit de l'immigration): I'm so sorry. It happens all the time.

[*Translation*]

As for me, I would like to draw the committee's attention to the problems associated with family reunification, which is a cornerstone of Canada's immigration system.

Family reunification comes together in different ways. It can involve a Canadian or permanent resident sponsoring a spouse, but also refugees or humanitarian and compassionate refugee protection claimants applying to be reunited with their family members. Unfortunately, there are problems for each of these categories, and these problems have been exacerbated by COVID-19.

Anyone who wants to be reunited with close family members—spouses and children—are forced to wait years before receiving a decision, when the process is opaque and difficult to follow.

Family separation is particularly difficult and has a significant impact on these future Canadians. For example, a refugee protection claimant can easily wait more than two years before receiving a decision from the IRB. It's only after this decision that the individual can include their dependents in their residency application, which can also take two years to be processed and accepted. Who can imagine being separated from their children and spouse for all those years?

During this period, it is impossible for family members to come to Canada on any type of visa, since these applications are systematically rejected, despite the notion of dual intent recognized in the act.

We believe that the government has the capacity to make the process more humane, faster and more transparent—

[*English*]

The Chair: I'm sorry for interrupting, Ms. Valois, but your time is up. Maybe you will get an opportunity to talk more about it during the rounds of questioning.

For any witnesses who were not able to complete their testimony and want to submit something, you can send in a written submission to the committee and we will take it into consideration.

With this, I thank all the witnesses for their opening remarks. We will now move to the first round of questioning, for six minutes each.

Mr. Hallan, you have six minutes.

Mr. Jasraj Singh Hallan (Calgary Forest Lawn, CPC): Thank you, Madam Chair, and thank you to all of the witnesses for coming today and sharing your thoughts and experiences.

I want to touch on some of the points that some speakers highlighted. We know this pandemic has brought many things to light.

I was always taught that work is work. Work carries a lot of dignity and honour, and we should recognize people's work as such. Now, as to whether work is defined as “skilled” or not, we've seen throughout this pandemic that industries such as some of the ones that were listed—transport, caregiving, manufacturing and processing—carry so much importance. Before the pandemic, they sometimes weren't given the respect they deserved. We've learned that not only is this work important and considered front-line work, as some mentioned, but it's also essential and saves lives.

Often, these front-line workers are temporary foreign workers. Currently, though, there doesn't seem to be a proper pathway for them. These front-line workers are good enough to be our neighbours and provide essential services, but when it comes to many of the challenges around obtaining a PR, there are so many obstacles for them—

• (1520)

The Chair: Mr. Hallan, I'm sorry for interrupting. Can you move your microphone away from your mouth a bit? I think there is some buffering. The interpreters are having an issue.

Mr. Jasraj Singh Hallan: Is this better?

The Chair: Yes. Thank you.

Mr. Jasraj Singh Hallan: My question is for you, Mr. Sharma. By the way, that's a great-looking poster in the background there.

Given some of these challenges, in your own experience, what are some of these challenges these front-line workers are going through in obtaining PR status?

Mr. Raj Sharma: Thank you, sir.

In terms of permanent residency, the challenge is that the express entry or the federal immigration system prioritizes the economic class, and the economic class is restricted, more or less, to the so-called high-skilled individuals. Here, I just want to point out that in terms of “high-skilled” and “low-skilled”, I think the reality is that it's more like “low-wage” and “high-wage”. I think that's the actual discrepancy here.

The federal system is restricted to so-called high-skilled individuals in the national occupational classifications, NOC 0, A or B. A lot of these essential workers are in this no man's land of NOC C and D. You have transport drivers, for example. They're essential for logistics and our supply chain, but other than some select provincial nominee programs, they do not have access to a ready pathway for permanent residency.

Again, my concern is that we're treating these individuals—and I completely agree with you on the inherent dignity of work—like disposable workers, similar to what some of the Gulf States do, which is that they're good enough to come here and good enough to work here and contribute to programs they might not even have access to, such as EI or CPP, but then, at the end of their work, or whenever it's finished, it's just “go back home”.

I think that COVID-19 has exposed a moral obligation and responsibility. For whoever is taking care of us, we also should take care of them. I am proposing expanding the express entry to look at the NOC codes that these front-line essential workers are utilizing and allowing them a pathway to permanent residency.

Mr. Jasraj Singh Hallan: Thank you for that, Mr. Sharma.

Actually, that covered my second question, about what kind of pathway you see, theoretically, for them to obtain that status. Is there anything you want to add to that at all, in terms of that pathway?

Mr. Raj Sharma: Sir, in the past, pre-2012, there was a pass/fail Canadian experience class, again, restricted to skilled occupations, but the current system could easily be modified. Obviously this committee can't tell the provinces what to do, and different provinces will prioritize what they think is important.

I think it's a ready solution to use the existing express entry pathway, utilize those NOC codes and take care of those individuals who have been taking care of us.

Mr. Jasraj Singh Hallan: Thank you for that.

Mr. Sharma, recently we heard the Liberal government announce that it would be bringing in about 1.2 million immigrants over the next three years. Given that there are already so many international students and temporary foreign workers here, instead of this government trying to hit, let's say, unrealistic quotas, doesn't it make more sense for us that we go to the lower-hanging fruit such as international students or temporary foreign workers, who, as we have seen, are so essential, and make the pathway easier for them to obtain a PR status? The processing is already halfway there and given that there are so many closures of offices around the world, would this not be lower-hanging fruit to go after?

Mr. Raj Sharma: I would agree. You have hundreds of thousands of individuals in Canada as temporary foreign workers, irrespective of their NOC codes or skill or low skill. You also have, of course, hundreds of thousands of international students. They are, indeed, low-hanging fruit.

That would seem to be where we should put our attention; however, the system that is set up right now makes it very difficult even for a graduate of a three-year program in Canada—let's say, someone who is 22 or 23 years old. Even with one year of skilled work experience in Canada and with good English, that person will never hit the points required for selection under express entry.

For example, the last draw just a couple of days ago was in the 470s. That will take out the vast majority of international graduates with a two-year diploma.

• (1525)

The Chair: Sorry for interrupting you, Mr. Sharma, but your time is up. We will have to move to the next person.

Mr. Serré, you have six minutes for your round of questioning.

[*Translation*]

Mr. Marc Serré: Thank you, Madam Chair.

I would like to thank the four witnesses for their balanced approach to health and emotion, especially when it comes to family reunification. Initially, I wasn't sure what direction our discussion with four lawyers would take. In the end, I enjoyed the testimony.

My first question is for all the participants, but I will start with Mr. Waldman.

[*English*]

You mentioned the spousal reunification program. As I'm sure you know, last week we made some changes to the directives, giving the decision-making officers consideration of dual intent for spousal sponsorship applications.

Do you interpret this as a step in the right direction? What more can we do?

That's for Mr. Waldman and then for Mr. Sharma.

Mr. Lorne Waldman: I read the direction. Obviously it's certainly a step in the right direction, because otherwise many visa officers would refuse an application by a spouse outside of Canada to come to Canada and would say, “No, you're coming as an immigrant. You should do a sponsorship application and you won't get the visitor visa.”

Affirming the notion that there is dual intent is a step in the right direction.

Unfortunately, I think there is still a significant risk that in a lot of cases people will still be refused since it still leaves the visa officers with the discretion to say, “Well, I know there is dual intent, but I'm sure you're going to apply for that permanent residence when you get there and I'm not going to give you the visa.”

That might be okay if processing were taking six months or eight months but now, because of COVID, processing is taking double or triple that. I think in those circumstances the minister has to send a much clearer directive to visa officers. We don't want spouses to be separated for years; that's not acceptable. We need to make sure they get together quickly and if they can't be processed outside, then we should let them come and be processed inside, unless there are admissibility concerns.

Mr. Marc Serré: Thank you, Mr. Waldman.

Mr. Sharma, do you have anything to add?

Mr. Raj Sharma: I welcome the changes to regulation 179(b).

It's interesting. This is kind of like what's old is new again.

Many years ago before IRPA, there was something called a fiancé visa. Individuals were able to get engaged and then come to Canada. Perhaps there was some abuse there, and so there was a change there.

It's definitely a positive. I used to be an officer many years ago, and it was very difficult. The minister is going to put in the regulations. They can have their manuals. It's very difficult to curb officer discretion. I think perhaps it's a bit of a wait and see thing, but it's a very positive step.

Now the only issue is that if it gets refused, what can we do? All we can do is go to the Federal Court, which is kind of like using a hammer to kill a mosquito.

I do agree with Mr. Waldman that it's a very positive step, and hopefully there will be some manuals that follow that give officers some more guidance so that we can be assured that these applications are properly and substantively considered.

[*Translation*]

Mr. Marc Serré: Thank you.

Ms. Valois or Mr. Cliche-Rivard, do you have anything quick to add?

Ms. Stéphanie Valois: We welcome this measure, as well. However, the problem will always remain, in our view, when considering the extent to which the applicant has retained ties to their country of origin.

For example, in the case of a sponsored person who is thinking of coming to Canada, it is understood that the application for residency has already been approved at the first stage and has been in process for some time. We can therefore imagine that this person doesn't have any major plans in their country of origin. They probably haven't just enrolled in a three-year program of study, but may be studying English or French. What may be considered a positive element in a sponsorship application may be seen as a negative element by a visa officer regarding the person's intentions for Canada or their country of origin.

I agree with Mr. Waldman that there should really be the presumption that these visas should be granted.

• (1530)

Mr. Marc Serré: Great. Thank you very much.

Unfortunately, I have only a minute and a half left.

[*English*]

Mr. Sharma, you mentioned modernization, digitalization and biometrics.

The department has, especially with COVID now, realized the importance of this, but it's been an issue over the last 20 years, and I want to ask you, because you touched upon this a bit, in a minute or less here, what more we can be doing by IRCC to further digitize and modernize the system.

The Chair: Mr. Sharma, you have 15 seconds.

Mr. Raj Sharma: There have been great strides by IRCC to digitize, so APRs, applications for permanent residence, and express entries are already electronic.

As Mr. Waldman said, there are many applications that are not. We've already moved the TRVs, the temporary resident visas, online as well. We've moved most APRs online as well.

There are still paper applications for spousal sponsorship, and for humanitarian and compassionate applications.

There is probably a good 20% to 25% more that can be done here, but we've made good progress, I think, on digitization.

The Chair: Mr. Serré, you have 10 seconds.

Mr. Marc Serré: I want to thank the witnesses for their balanced approach and their continued offer to work with the federal government to improve this.

This is not an issue involving party lines. We have to do better, because this is the best country in the world.

Thank you for your testimony.

The Chair: Thank you, Mr. Serré. Your time is up.

Ms. Normandin, you have six minutes.

[*Translation*]

Ms. Christine Normandin: Thank you very much, Madam Chair.

I would like to thank the witnesses. What I've heard so far will already provide us with some good things to think about for the report we'll produce.

My questions will mainly be for Mr. Cliche-Rivard and Ms. Valois.

Could you tell us about the main reasons given when an application for a visitor's visa application is refused?

Mr. Guillaume Cliche-Rivard: Thank you very much for the question.

First of all, very often it's the links with the country of origin that are involved, as well as previous trips. The immigration officer's opinion is that the individual hasn't demonstrated that they will return to the country of origin at the end of the authorized period. This may be based on family ties, ties to the country of origin, employment prospects, or other socio-economic factors in the country of origin. This is essentially what immigration officers refer to when they indicate that, in their opinion, the individual isn't going to return to the country at the end of the authorized period.

Ms. Christine Normandin: When it's believed that an applicant won't return to their country after the expiry of the visa, do you think there are sufficient reasons for the refusal?

Mr. Guillaume Cliche-Rivard: Not at all. In this regard, Immigration, Refugees and Citizenship Canada or the embassy sends standard forms in which boxes are checked off. Essentially, there is nothing personalized. It's a laundry list, on which factors that apply or do not apply are checked off to explain the refusal. Details aren't given as to the evaluation criteria. If they make an access to information request, they will ultimately receive a response that will fit on a line or two at most, and that will be the personalized analysis of the refusal of their application. This is minimal compared to the time, energy and effort these people put into their applications.

Ms. Christine Normandin: Could we make a recommendation that the refusals be more justified?

Mr. Guillaume Cliche-Rivard: This would even be necessary, especially since the Supreme Court, in the Vavilov decision last December, determined that the agents' analysis really had to be followed, that is to say that its reasoning had to be followed. We're hearing more and more about cases going all the way to the Federal Court, where decisions are then overturned by the judges, who feel that the analysis isn't sufficient or sound enough.

From this perspective, having more justified decisions would benefit both the public system and the courts. Also, I think people would have a greater sense of justice if they at least felt that their case had been read, which is not the case for most people right now.

Ms. Christine Normandin: Thank you very much.

This brings me to my next question, which is precisely about the criteria that the government has just announced regarding the analysis of visa applications in the context where the applicant also has a sponsorship application under consideration. Among these criteria, we see that links in the country of origin and the fact that there is a sponsorship application must be considered. However, there are no details as to how these criteria will be analyzed or how they will weigh in the balance.

Would having more detail on how these criteria will be analyzed be of benefit to you as a lawyer or to the applicant when preparing visa applications? Would it help you write them better?

• (1535)

Ms. Stéphanie Valois: Allow me to answer that question.

Indeed, it is always difficult to prove an applicant's intention to come to Canada. In the absence of a clear procedure or instructions given to immigration officers, we fear the return of the old way of doing things, meaning refusing visa applications made by people who have an application for permanent residence under consideration.

At this time, it's almost impossible for a refugee protection claimant's family to visit them in Canada. Of course, the applicant can't return to their country of origin while their application for permanent residence is being processed. I've never seen a refugee protection claimant being able to welcome their children while their application is being processed. As I mentioned earlier, this can take years.

So we think there should be a positive presumption against the claimants. Unless there's a barrier or admissibility problem, factors related to the application for temporary residence should be positively considered.

Ms. Christine Normandin: Am I to understand that you would welcome, for example, a reversal of the burden of proof on visas?

Ms. Stéphanie Valois: Yes, that would be a great idea. At the moment, our experience with immigration officers isn't very positive. So the new criteria are welcome. However, they remain so vague that, in our opinion, the applicant's intention will always be evaluated in the same way, meaning the visa application will be refused, since the double intention is extremely difficult to demonstrate.

Ms. Christine Normandin: On the issue of the reversal of the burden of proof, we often hear from people with a sponsorship application under consideration that they don't want to risk damaging their sponsorship application by applying for a visa for which they would not meet the conditions.

Should this also play a role in facilitating the granting of visitor visas to people who are the subject of a sponsorship application?

Ms. Stéphanie Valois: Of course. In fact, when there is a sponsorship application, it must be demonstrated that the relationship is in good faith. In our view, it would be much easier to allow the person to come to Canada to join their Canadian spouse, so that they can see if the climate is right for them, understand how it works in Canada, consider employment or educational opportunities, and see if the relationship can actually work in the Canadian context.

Mr. Sharma was talking about the visa for fiancés, which we saw at the beginning of our practice. I think it's actually a good idea for applicants to let people come to Canada, pending the decision on the application for permanent residence. People won't risk losing the opportunity to—

[*English*]

The Chair: I'm sorry for interrupting, Ms. Valois, but your time is up. We have to move to the next person.

Ms. Kwan, you have six minutes for your round of questioning.

Ms. Jenny Kwan: Thank you very much, Madam Chair.

I'd like to thank all the witnesses for their presentations.

I want to pick up first on the thread around the issue of a special temporary residence visa for those with spousal sponsorship applications in place. Do you think the government should in fact bring in a special visa in this context, similar to that of a parent or grandparent super visa, if you will, so that people can get an extended stay while they wait for their application to be processed?

I'd first like to go to Mr. Waldman on this question.

Mr. Lorne Waldman: Yes, absolutely; I think that would be a very positive step. The super visa for grandparents has made it much easier for parents and grandparents to be issued visas, because the government has made it clear that this is the expectation. I don't see any reason why a similar type of visa could not be issued in the case of spouses. Right now, given the delays in processing due to the COVID pandemic, people are at risk of being separated from their spouses for years. This is completely unacceptable.

Short of making a very clear instruction, which could be done through, precisely, a special type of visa for spouses, the risk will always be there that for any spouse who applies for a visa, notwithstanding the instructions, the discretion of the officer will be such that they won't get it. That's not acceptable. People need the emotional support of their spouses in times of COVID. We see too many foreign nationals in Canada who are suffering from being separated from their loved ones. That has to be remedied.

• (1540)

Ms. Jenny Kwan: Thank you.

I'll ask the same question of Mr. Sharma.

Mr. Raj Sharma: I would agree, but only where there's a sponsorship application, so only where you have a permanent resident or a Canadian citizen who is seeking to bring their spouse to Canada. I would not extend that special visa, for example, to the spouses of students or individuals here on a temporary foreign work permit. Australia and New Zealand went through this issue about "IELTS brides" as well.

I would concur with Mr. Waldman: for permanent resident and Canadian citizen sponsors only.

Ms. Jenny Kwan: Thank you.

I'll ask the same question of Ms. Valois.

[*Translation*]

Ms. Stéphanie Valois: We agree with Mr. Waldman.

I also believe we must broaden the concept, because Canadian citizens and permanent residents of Canada are not the only people who might apply for family reunification. As I said earlier, refugees who are accepted may also request that their family come to Canada. It's not a sponsorship per se, but it is family reunification. In addition, some permanent residents can apply on humanitarian and compassionate grounds.

These individuals have waited a very long time to sponsor their families. It's extremely important that they be able to reunite with their family, at least temporarily, until they are granted permanent residence.

[*English*]

Ms. Jenny Kwan: Thank you so much.

I'll turn to the issue of dual intent and paragraph 179(b). It's true that on the government website there's a new posting that basically outlines dual intent and what it means. Really, that's how I see it; I don't see it as a directive in any way, shape or form. Therefore, it will still be very much subject to the interpretation and discretion of IRCC officials or agents.

If we know that dual intent is meant to allow for people to come and visit while the application is being processed, would it not make sense, really, in the case of those applications, for the government to suspend the use of paragraph 179(b) for spousal sponsorship?

Mr. Waldman, I wonder if I can get your thoughts on this.

Mr. Lorne Waldman: Yes, I agree. It seems to me we need to do everything we can to facilitate reunification of spouses in Canada. Notwithstanding the direction, there still will be discretion. I've seen the discretion exercised in very different ways by different officers. Some are very generous. Some might have a stricter interpretation. Obviously, that will result in spouses being separated from their family members, which is not acceptable at any time, but during a time of COVID, when people need the emotional support because we're so isolated, it's really completely unacceptable.

I would agree with you that the memo was a good first step, but it's not enough. We need to suspend any barriers to allowing spouses to be reunited with their Canadian permanent residents or citizens or refugees who are in Canada.

Ms. Jenny Kwan: Ms. Valois, the same question is for you.

Ms. Stéphanie Valois: Yes.

[*Translation*]

I agree with Mr. Waldman.

The issue of dual intent needs to be clarified in the policies, because in our experience, officers will [*Technical difficulties*].

[*English*]

The Chair: I'm sorry for interrupting. There is an interpretation issue. I've stopped the clock.

Ms. Kwan, you have 30 seconds after that, but let me get this checked.

Mr. Clerk, can you check to see if the interpretation is okay?

The Clerk: Madam Chair, I'm looking into it now. It might have been an Internet freeze in the connection, but please proceed.

The Chair: Ms. Kwan, you have 30 seconds.

Ms. Jenny Kwan: Thank you very much, Ms. Valois. I think the answer was yes.

I'm going to turn quickly to a different topic. For the people who are already here—migrant workers, as well as students—there was some talk about express entry. The government actually made a provision; the angels program for health care workers was applied. Should we not do the same for other migrant workers who are supporting Canadians, Mr. Waldman?

• (1545)

The Chair: You can have a quick five seconds.

Mr. Lorne Waldman: Absolutely. We should expand the program, as I said in my opening remarks, to all persons in Canada. That's the only way we're going to meet our quota in 2021, and it's the humane response.

The Chair: Thank you, Mr. Waldman.

The time is up. We will now move on to our second round of questioning.

Mr. Saroya, the floor is yours. You have five minutes for your round of questioning.

Mr. Bob Saroya (Markham—Unionville, CPC): Thank you, Madam Chair.

Thank you to all of our witnesses. They bring us a ton of wealth. I counted about 60 years of experience around this table, and I am looking forward to some of their guidance on this immigration file.

First, I would like to talk about family reunification. As you know, some of the biggest issues we have in our ridings are the immigration inquiries and immigration issues. I have two full-time people working on the immigration files, and it's still not enough.

One topic I'll talk about is what happened yesterday. Somebody came to see me, and his parents' application has been outstanding since 2013. Somebody called me last night from B.C. about a spousal application for his wife, which has now been outstanding for four years. Somebody called me earlier this morning to talk about a spousal application sent on March 18, 2020. They hadn't heard back. Can any of the witnesses guide us as to what can and should be done? When I came here in the seventies, this was a compassionate and wonderful country. What has happened to us? What do we need to do to be the old Canada and the beautiful country we have?

I have another question on the students as well. I'm hoping that I'll get another minute and a half to ask a second question. Thank you.

Anybody can take this, starting with Mr. Waldman, Mr. Sharma or anybody else.

Mr. Lorne Waldman: I understand your concerns. We see lots of very significant delays in the processing of applications, and that situation has only been exacerbated by what's happening with COVID.

People have talked for years about the need for some kind of ombudsperson to be able to take complaints and respond, because, really, when someone comes to me and they have a delay, all I can do is write a letter, and it goes into a black box somewhere. We don't know who's going to respond or if there's going to be a response. The only other option is going to the courts, which, as one of the previous witnesses said, is like a hammer to solve a problem.

I think the government needs to consider the possibility of creating some kind of ombudsperson who could receive complaints when there are these unreasonable delays in processing of applications, and who could ensure there's a quick response so that it doesn't fall only on members of Parliament to be doing that work. Basically what happens is that I send my clients to you, because you're the best way to get a response.

Mr. Bob Saroya: If I can say this, COVID started that month, and the applications I'm talking about are from 2013 and 2012. If you see two people working full-time.... By the way, for the 2013 application, I checked with the ministry over and over again and got the same recycled answer.

Mr. Sharma, do you want to add something, please?

Mr. Raj Sharma: I agree with Mr. Waldman that perhaps an ombudsman is what's required. I don't think MP resources should be utilized to do status checks.

With regard to what Mr. Waldman's reference to the court, that's called a mandamus application. Our office probably files about 50 or more mandamus applications per year. Again, that is a very, very harsh use, and a disproportionate use, of court time just to move a file along. I mean, these individuals have paid their fees. They've

put in a complete application. They deserve an answer on their application.

Again, I don't think mandamus is appropriate. I don't think an MP office sending inquiries is appropriate. There has to be a third way.

Mr. Bob Saroya: Would anyone from Montreal or Quebec City have anything to add on that?

Mr. Guillaume Cliche-Rivard: Yes. Thank you.

We used to have terrible delays. It got to be better in the outland sphere. We had 12 months inland. There was a big difference between where the file was filed, from Paris or from India. We used to have double delays, depending on the offices. We've gotten it to 12 months for all offices, but now we're going to 16 months and 17 months for some files. Of course, this has all been exacerbated.

This is only for the family class. In Quebec we speak about almost three years, or two and a half years, to process economic class applications. It's taking more and more time. It's more and more difficult for families.

Thank you.

• (1550)

Mr. Bob Saroya: I have another question for you especially. Students get approved by the universities or schools or whatever. They get selected. They pay the fees. They buy the airline ticket. Then they get rejected by the immigration department or whoever rejects them. I've had tons of these calls in the last couple of years. Is there anything that you or anyone else can suggest to the government, when somebody is selected by a school—

The Chair: Mr. Saroya, your time is up. You already reached five minutes; maybe next time.

I just want to remind all members and witnesses to please direct their questions through the chair. Thank you.

Ms. Martinez Ferrada, the floor is yours for five minutes.

[Translation]

Ms. Soraya Martinez Ferrada: Thank you, Madam Chair.

First of all, I'd like to thank all the witnesses for being with us today.

As you mentioned in your presentations, the pandemic has caused significant disruptions in the operations of the system, whether at Immigration, Refugees and Citizenship Canada offices or elsewhere in the world. To this day, some offices remain closed or are not operating at full capacity.

We continue to work with our partners to facilitate the safe resettlement of refugees. Among others, we are working with the UN Refugee Agency and the International Organization for Migration.

With a view to supporting activities within our borders, we have also made some changes at the Immigration and Refugee Board. In particular, we have worked with the IRB to resume in-person hearings using new virtual procedures. We have already started doing that, as you know.

We have also made some changes with respect to biometrics, for example. In addition, we have done a great deal of digitization in some areas. You mentioned a few of them as well.

Do you feel these changes to the processes are useful? I imagine that your answer will be yes. In your opinion, should we plan to make some of these adaptations permanent? What other adaptations should we do?

My questions are for Mr. Cliche-Rivard, Mr. Waldman and Mr. Sharma. I'd like brief responses from each of them.

Mr. Guillaume Cliche-Rivard: Thank you very much for your questions.

Some very good things have indeed been done in biometrics. Where I see a small issue right now is with the processing times for work permit applications from inside Canada, especially for refugee protection claimants. Right now, even though the application process is fully computerized, it takes six months to get an answer, whether you have implied status, you are having your status restored or you are waiting for a permit. It should be noted that when renewing a permit, both claimants and businesses have a hard time understanding the question of implied status. Because of this, people often lose their jobs. This should be addressed as a priority. We have no valid reason for taking six months to renew a work permit within Canada. That's the downside at the moment.

[English]

Mr. Lorne Waldman: If I understood your question, I think we can focus on some of the positive things. As Mr. Sharma and I both said in our opening remarks, there's been a major move forward in digitalization. I think that's extremely positive, and I think that the more we move forward with that the better it will be. I would encourage the government to, as Mr. Sharma said, digitalize the entire process.

There are other innovations. For example, they're landing people without interviews now. There were things that were obvious that they didn't do because they felt that there was a need to see each person in person, but now they've done away with that.

I think the government needs to look at all the different steps of the process, determine what needs to be done and eliminate those steps in the process that don't need to be done in person and can be done through emails or through digital processes. That will make the system much more efficient and will benefit everybody. Most importantly, it will benefit the clients who suffer from the delays when processes have to be done in person or through interviews.

• (1555)

Mr. Raj Sharma: From my point of view, I agree with Mr. Waldman in terms of innovations such as landing via email. You don't need to do that in person. Let's continue that. In terms of refugee notification eligibility, let's have whoever issues eligibility issue the work permit. There's no reason why refugee claimants

should be waiting months to get a work permit out of an inland office.

Number two, for anyone who's here, such as these post-grad work permit holders, we are prejudicing their applications for permanent residence under the provincial nominee program because they don't have their status document. My own receptionist applied in June for a post-grad work permit and we still don't have it. We must prioritize individuals who are already here. This implied status is wreaking havoc on their lives and their access to health care coverage and—

The Chair: You have 30 seconds left.

Mr. Raj Sharma: Again, it's common sense. Issue the work permit when there's a determination of eligibility for the refugee claimant inside Canada.

The Chair: Ms. Martinez Ferrada, you have about 10 seconds.

[Translation]

Ms. Soraya Martinez Ferrada: How much time do I have left, Madam Chair?

[English]

The Chair: You have 10 seconds.

Ms. Soraya Martinez Ferrada: Oh my God. Okay.

[Translation]

Last week, Minister Mendicino tabled a report indicating that 63,000 people who had temporary permits were granted permanent residence, which is an all-time record.

I would have liked to hear what the witnesses have to say about that.

[English]

The Chair: Ms. Martinez Ferrada, your time is up. I'm sorry for interrupting, but your time is up.

Ms. Soraya Martinez Ferrada: I know. I'm sorry.

The Chair: We will now move to Ms. Normandin.

Ms. Normandin, you have two and a half minutes for your round of questioning.

[Translation]

Ms. Christine Normandin: Thank you very much, Madam Chair.

I'd like to come back to an issue brought up at the beginning that is also part of our study, namely, international students.

I have heard the numbers. They said that 100% of rejected applications had initially been approved by the Quebec government. The federal government rejected 77% of the applications from certain countries.

Is it fair to say that the federal government is hurting Quebec's desire to have a qualified workforce that is educated here?

I'd like to hear some comments on this.

Mr. Guillaume Cliche-Rivard: Thank you for the question.

They are two separate things. That's not 100% accurate.

However, we have a problem indeed if 10% of study permits granted are for Quebec, while Quebec makes up 25% of the population.

To apply federally for a study permit, you must first have a Quebec acceptance certificate, or CAQ. Therefore, you absolutely need Quebec government approval.

Because the Canadian government doesn't accept all applicants who have Quebec government approval, it means that more of them should probably be accepted.

Ms. Christine Normandin: That brings me to my next question: what could the federal government do to support Quebec's efforts to retain these students?

Often, the federal government will not grant permits for fear that students will not return to their country once they have finished their studies. But Quebec wants them to stay.

What could the federal government do to better align itself with what Quebec wants when it comes to international students?

Mr. Guillaume Cliche-Rivard: It could do the same as we do with dual intent. We need to accept that people have the dual intent to get an education and obtain permanent residency. Quebec has selection programs for its local workers and students. The Quebec experience program comes to mind. If we accept that a Quebec graduate can obtain a Quebec selection certificate, we must accept that they will inevitably become a permanent resident.

Much like we are amending subsection 179(b), we should also change our approach to our foreign students and workers so they can come out and say they want to obtain permanent residence and the Quebec selection certificate.

Ms. Christine Normandin: I know I don't have much time left, but I'm going to ask another question anyway.

Should we make it easier for people who are here on a study permit to get a work permit, especially in the context of the pandemic, when students may not be able to study?

Mr. Guillaume Cliche-Rivard: During the COVID-19 crisis, IRCC lifted the 20 hour per week cap for those who work while they are in school. That could be reviewed. Some international students need money and have to work a bit more. As long as you make your studies your main occupation, you could work more without necessarily—

[*English*]

The Chair: Sorry for interrupting, Mr. Cliche-Rivard, but the time is up. We will have to move to our next person.

Ms. Kwan, you have two and a half minutes for your round of questioning.

Ms. Jenny Kwan: Thank you, Madam Chair.

I'd like to ask Mr. Waldman a question relating to the parents and grandparents sponsorship program. The government has reverted

back to a lottery system after 10 months of people waiting. From that perspective, many people were impacted, and already, as it is, the processing is going to be delayed. I wonder whether or not the government should change the program entirely and simply allow people to apply for parent and grandparent sponsorship, and process them in the order in which they come in, instead of using a quota, which is the way it's being done right now.

• (1600)

Mr. Lorne Waldman: Well, I agree with you that the system has to be changed. I'd have to think about whether the idea you proposed would be the best solution. You have to recall that when we had that type of system years ago, the backlogs got to be so huge that people would file their sponsorship and it would take two years for them to be processed, and then another four or five years for the parents' applications to be processed overseas, so there was delay built into the system.

Let me just say that there are better ways of doing it. As Mr. Sharma suggested, there are ways of doing weighted lotteries. There are also other things that could be done. We have to be creative, because the reality is that there's more of a demand for parents and grandparents to be sponsored than there are spaces in the system. There are other options. For example, we could create special types of visas. We could create a special work permit type of visa for parents to come to Canada to take care of their grandchildren, which would allow them to get into the health care system and allow them to be here but not be permanent residents. We have to be creative in finding solutions that allow us to get our parents and grandparents into Canada but without that filling the whole immigration quotas.

I agree with you that it's a problem. I don't think what the government did was right. It was disappointing. They should have come up with some more innovative solutions. Hopefully, next year, they will.

Ms. Jenny Kwan: Yes, or alternatively, they could put more resources into IRCC to process and to set standards in processing so that people don't have to wait five years or 10 years to actually get their applications processed.

I want to quickly turn to another issue, and this is with the graduate students whose work permits are about to expire now. They are—

The Chair: Sorry, Ms. Kwan, your time is up. Sorry for interrupting.

We will end the second round.

Because of the time constraints, we will have Mr. Hallan and Mr. Dhaliwal for two and a half minutes each, and then we will end today's panel.

Mr. Hallan, you are next. You have two and a half minutes. The floor is yours.

Mr. Jasraj Singh Hallan: Thank you, Madam Chair.

I'd like to pose an open question to each of the witnesses. As I said before, we heard from the Liberal government that 1.2 million immigrants is its quota to meet over the next three years. Given that there's a pandemic and that we see processing offices all over the world shut down and that biometrics aren't able to be done and medicals are delayed, what does each of you think about whether this quota seems realistic? Does it just seem out to lunch?

The Chair: Mr. Hallan, who are you directing the question to?

Okay. It's to Mr. Cliche-Rivard.

Mr. Guillaume Cliche-Rivard: I agree, and I think we have many workers here who could be regularized. I think if we expanded the pandemic program and the guardian angel program, if we could include more NOC on it, if it were not limited to the health sector and it included more people, I think we would get to our targets if we regularized more people who we already have here.

Thank you.

Mr. Jasraj Singh Hallan: It's an open question to all of you.

Mr. Lorne Waldman: I agree with that. It seems obvious that the only way we're going to be able to meet our quota for 2021 is by looking at the resources in Canada, regardless of whether they're in status or out of status. If they're working and they're contributing, we should be encouraging them to apply and facilitating their immigration to Canada.

Mr. Raj Sharma: I would agree with Mr. Waldman and Mr. Cliche-Rivard. It's low-hanging fruit, in that they're already here. Processing in Canada is relatively unaffected, as opposed to processing in other countries. Prioritize everyone who is here first.

I don't know whether the targets can be hit or not. I'm not a policy guy, and I'm not within the department, but I think it's certainly possible. There's certainly great potential to prioritize those individuals who are already our neighbours and are already contributing toward this society.

The Chair: You have 20 seconds, Mr. Hallan.

Mr. Jasraj Singh Hallan: Ms. Valois, what are your thoughts on that?

Ms. Stéphanie Valois: I totally agree. For example, the pandemic worker program was not enforced. We have lots of clients who are ready to apply for permanent residency on that basis. We're still waiting for the program to start.

The Chair: Thank you, Ms. Valois.

Mr. Hallan, your time is up.

Mr. Dhaliwal, you will be the last person. The floor is yours for two and a half minutes.

• (1605)

Mr. Sukh Dhaliwal: Thank you, Madam Chair.

Mr. Saroya said that we have top knowledge on this panel here. I won't be able to explain the mess Jason Kenney created over the years when he was the immigration minister, and is creating now as the premier of Alberta. I am getting hundreds of calls from there. However, I want to tell you what the Liberal government has done. In the parental category, the wait time was reduced from 72 months to 22 months. For the spousal cases, it went from 24 months to under 12 months. As well, 26% of the migration we got came as family class. If we look at temporary workers, 75,000 temporary workers were given a path to immigration, which comes to 22%.

Instead of answering my questions now, I would ask the panel members if they could provide us with some tangible input on how we can improve on, number one, the PGP. We talked about the weighted draw. I'm wondering what thoughts Mr. Waldman and Mr. Sharma have on that so that we can put them into the report. The second one is about a clear pathway to permanent residency, because there is also a petition going on now.

On those two issues, I would like to hear from both Mr. Sharma and Mr. Waldman on what can be done. If they can't cover it in two and a half minutes, I would like them to present it in written form.

Mr. Lorne Waldman: Mr. Sharma, go ahead.

Mr. Raj Sharma: Thank you, Mr. Waldman. Usually I would defer to you, but I think you and I are in agreement.

The weighted draw is a very, very simple suggestion. It can be easily implemented. A lottery is a lottery, which means that theoretically someone can apply for five years or 10 years and never be selected.

Mr. Waldman's other suggestion I would have to endorse as well. There are different types of visas. We can get creative. Look, we have to balance competing considerations, which is that there are simply not going to be enough seats, let's say, given our numbers. Demand will always exceed resources. That being said, Canada's approach, if you look internationally in terms of parents and grandparents, is better than the U.K.'s and better than Australia's.

The Chair: I'm sorry for interrupting you, Mr. Sharma, but the time is up.

With that, today's meeting comes to an end.

To the witnesses, on behalf of all members of the committee, thank you for your flexibility and understanding of our having to go to vote and to move this panel. We really appreciate your input as we continue our study. If you want to submit something for the consideration of the committee, feel free to send it in a written submission. We will take it into consideration as we come to the drafting of the report.

I want to thank everyone for being here today.

With that, the meeting is adjourned.

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