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Chair: Mrs. Salma Zahid



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• (1105)

[English]

The Chair (Mrs. Salma Zahid (Scarborough Centre, Lib.)): I call this meeting to order.

Welcome to meeting number 13 of the House of Commons Standing Committee on Citizenship and Immigration.

Given the ongoing pandemic situation and in light of the recommendations from the health authorities as well as the directive of the Board of Internal Economy on Thursday, November 25, 2021, to remain healthy and safe, all those attending the meeting in person are to maintain two metres of physical distancing. You must wear a non-medical mask when circulating in the room and it is highly recommended that the mask be worn at all times, including when seated. You must maintain proper hand hygiene. Please refrain from coming to the room if you are symptomatic.

For those participating virtually, I would like to outline a few rules to follow.

You may speak in the official language of your choice. Interpretation services are available for this meeting. You have the choice at the bottom of your screen of floor, English or French. If interpretation is lost, please inform me immediately and we will ensure interpretation is properly restored before resuming the proceedings.

When you are ready to speak, you can click on the microphone icon to activate your mike. I'll remind you that all comments should be addressed through the chair. When you are not speaking, your mike should be on mute.

With regard to a speaking list, the committee clerk and I will do the best we can to maintain a consolidated order of speaking for all members, whether they are participating virtually or in person.

Before we start the meeting, we have some administrative matters.

First, I would like to bring to the attention of all members that you have all received a copy of the draft report on recruitment and acceptance rates of foreign students. Please note that we will begin report consideration on Thursday, March 31. As we are a paperless committee, should you require paper copies for any reason, please arrange for your office to print the report for you. No paper copies will be distributed during the meeting.

Second, in the last meeting Mr. Genuis requested time in committee business to discuss his motion on notice. Following his re-

quest, 30 minutes have been allocated for committee business in the meeting on Thursday.

With that, pursuant to Standing Order 108(2) and the motion adopted by the committee on February 1, 2022, the committee is resuming its study of differential outcomes in Immigration, Refugees and Citizenship Canada decisions.

It is my pleasure to welcome the witnesses to today's meeting.

In our first panel we are joined by MD Shorifuzzaman, regulated Canadian immigration consultant from Guide Me Immigration Incorporated, and Gurpartap Kals, immigration consultant from Kals Immigration.

We are also joined by Siham Rayale, director of foreign affairs, and Nadiya Ali, diversity, equity and inclusion specialist, both from the National Council of Canadian Muslims.

On behalf of all the members, I would like to welcome our witnesses appearing before the committee today. All the witnesses will have five minutes for their opening remarks, followed by rounds of questioning.

We will start with MD Shorifuzzaman.

Mr. Shorifuzzaman, the floor is yours.

The Clerk of the Committee (Ms. Stephanie Bond): Madam Chair, I believe we should go to the next witness. He's having connection issues.

The Chair: Okay, we can go to Gurpartap Kals, immigration consultant from Kals Immigration.

Mr. Kals, you can please begin.

Mr. Gurpartap Kals (Immigration Consultant, Kals Immigration): Thank you, Madam Chair.

Thank you for having me here today and giving me this opportunity to represent the issues faced by immigrants in the Canadian immigration system, which I would like to bring up in today's meeting.

To begin, the processing time for applications that have already been submitted under the provincial nominee program is taking much longer than that of new potential applications. For example, the current processing time for future applicants under the provincial nominee immigration economic category is only 15 months, whereas applicants who have already applied under this category are stuck in the backlog. Their current processing time is 25 months; it takes two years and one month before they hear the decision.

My recommendation is that IRCC allocate more resources towards clearing the backlog of PNP applications already standing in the queue rather than putting focus on new applications, in order to manage the processing time in an effective and better way.

The other issue, to my knowledge, is that the processing time for applications from certain countries takes too long compared to those from other countries. IRCC is giving preferential treatment to some applications based on the origin of that application. This pending backlog includes major programs, such as work permit, visitor visa, super visa and nanny or caregiver applications.

For example, the processing time or wait time for super visa applications from Australia is 106 days, whereas the same application from Pakistan has a wait time of 456 days. That is almost one and a half years of wait time before they hear any decision on their application. These significant gaps in wait times are very damaging, given that a super visa application exists to help you join aging parents or grandparents.

In my recommendation, the government and IRCC should be more diligent in allocating resources to lessen processing times and treat every application equally in a fair and non-discriminatory way, regardless of the point of origin of that application.

Another concern is that some applicants are being misguided and left confused due to communication gaps between the customer service agents and the immigration officers at the IRCC office. The IRCC office might send out multiple requests to an applicant to pay biometric fees, even after they've already been paid by the applicant. When contacted, the customer service representative at the IRCC office assures the applicant that they do not have to redo their biometrics. But the applicant might still receive another request to undergo biometrics, with the warning that their application will be revoked in 30 days. Such situations escalate their stress levels and affect their livelihood, and result in added unnecessary workloads at their MP's office.

My recommendation is that IRCC should take necessary measures to lessen the communication gap between their different departments, so that it can better serve the potential immigrant population and keep immigrants' faith in Canada's immigration system.

The next thing I want to talk about is the frequency of work permit refusals. These are significantly higher at some visa application centre offices compared to other VAC offices worldwide, and that is impacting a range of industries. For example, in the year 2018, the VAC office in Chandigarh, India refused 66% of all work permit applications received, whereas in Sydney, Australia the refusal rate stayed at only 17%.

Due to these high refusal rates, employers are forced to hire employees from certain countries, leaving other suitable workers behind. Some employers hire from those countries, but they have to wait a long time before an employee can report to their work location. Some applicants in this category have successfully gained employment in Canada by navigating through the complex hiring system. Unfortunately, their work permit applications are refused by IRCC for a very generic reason. Due to the prejudiced treatment of those applications, the Canadian economy is hurting, but it also raises serious concerns about the working procedures and the policy implementation structure of IRCC.

• (1110)

My recommendation is that IRCC should follow its own mandate and apply the rules of procedural fairness throughout the decision-making process—that is, providing applicants with a fair and unbiased assessment of their application and providing a meaningful opportunity to receive a response to their concerns about their application, not only on paper but also in practice. Time is very precious, and it is important that IRCC give out decisions in a timely manner without being prejudiced.

Thank you.

The Chair: Thank you, Mr. Kals.

Now we can proceed to Mr. Shorifuzzaman.

Mr. Shorifuzzaman, please go ahead.

Mr. MD Shorifuzzaman (Regulated Canadian Immigration Consultant, Guide Me Immigration Inc.): I'm still struggling with the microphone.

• (1115)

The Chair: We will suspend the meeting for a few minutes so we can check the connectivity of the other two witnesses.

• (1115)

(Pause)

• (1115)

The Chair: I call the meeting back to order. We will first of all go to Ms. Rayale, director of foreign affairs, from the National Council of Canadian Muslims.

Ms. Rayale, welcome. You will have five minutes for your opening remarks. Please begin.

Dr. Siham Rayale (Director, Foreign Affairs, National Council of Canadian Muslims): Thank you, Madam Chair and members of the committee, for the opportunity to offer our thoughts on—

[Translation]

Mr. Alexis Brunelle-Duceppe (Lac-Saint-Jean, BQ): Madam Chair, I have a point of order.

I cannot hear the interpretation.

It is now working. Thank you.

[English]

The Chair: Ms. Rayale, please continue.

Dr. Siham Rayale: Again, thank you, Madam Chair and members of the committee, for the opportunity to offer our thoughts on this study.

My name is Siham Rayale and I am the director of foreign affairs at the National Council of Canadian Muslims. I am joined today by Nadiya Ali, the diversity, equity and inclusion specialist for the council.

The NCCM has a long-standing record of participating in major public inquiries, intervening in landmark cases before the Supreme Court of Canada and providing expert advice.

To dive right in, the findings outlined by the Pollara report, which the committee has already seen, are troubling and point to evidence of racism directed at IRCC's racialized employees. These are concerns that we hear at NCCM from federal workers and from immigrants and refugees constantly.

We make the following four recommendations.

First, we recommend that IRCC conduct, on an annual basis, regular reviews like the Pollara report to end bias and systemic racism. Specifically, we also request that the audit require that nobody uses Islamophobic documentation in the determination of files.

Second, we recommend that IRCC enshrine the principle of treating all equally. That must mean that everyone currently in Ukraine, for example, deserves fair and equal treatment, and those who are non-Ukrainian nationals do not deserve to be set aside in favour of white Ukrainians.

Third, we recommend that IRCC expedite refugee claims based on prior commitments, specifically toward Afghan refugees, as well as Uighur refugees.

Last, we recommend that IRCC ensure that employee affinity or resource groups are institutionalized with adequate resources to support employees.

We make this submission to the respected members of the committee during strange times. For decades, diverse Canadians have raised the flag that our immigration system fundamentally treats racialized people differently. Now, Canada is saying the quiet part aloud in its response to the horrifying situation in Ukraine.

Canada has established the Canada-Ukraine authorization for emergency travel that eliminates normal visa requirements and does not specify a limit to the number of Ukrainian nationals who can apply. Any undocumented person in Ukraine or person without Ukrainian citizenship is left without protection. The IOM estimates that could number up to 60,900 people, mostly from South Asia and Africa. What this has resulted in is a two-tier refugee admission process that prioritizes white Europeans and that leaves racialized groups in danger. It's a good thing that Canada is safeguarding those at risk in Ukraine who are Ukrainian nationals, but war does not discriminate based on the colour of skin.

We cannot stop the systemic discrimination at IRCC when we are entrenching policies of marginalization at a time when people need us the most.

The issue before the committee of deferential outcomes grows more serious as the IRCC relies increasingly on technology to address growing backlogs of refugee admission cases. With the use of technology during the immigration intake process, IRCC risks entrenching inherent biases and flattening the refugee experience to misleading statistics.

Recent evidence already points to factors like systemic racism being a significant issue with AI algorithms. To address the concerns raised in the Pollara report, we recommend that regular audits like the Pollara report become part of a regular, annual, internal review process directed at decision-making surrounding refugee and immigration cases, including an examination of sources cited by the IRCC to inform that decision-making.

For example, in the past, the IRB has relied on documents produced by well-known Islamophobes like Daniel Pipes or Tom Quiggin. This is a practice that must immediately end.

Regular audits would also involve continued and thorough examination of IRCC's exploration of AI in its decision-making. We know this is an issue that is already being considered by another committee, and we are in support of such a study.

Afghan and Uighur refugee applications must be processed with as much expediency as those from Ukraine to heed the Pollara report recommendations concerning differential outcomes for refugees of colour and from the global south. Canada has a duty to advance its commitment to Afghan refugees. Not doing so would signal to the international community that we are a country that does not adhere to our international commitments. We must also develop a pathway for Uighur refugees fleeing genocide to come to Canada more easily.

We recommend that IRCC adopt legislation that requires a zero-tolerance policy regarding racism and hate. We further recommend that the new ombudsperson's office dedicate appropriate resources to implementing and supporting the establishment of what we are calling employee affinity or resource groups, otherwise known as ERGs.

● (1120)

ERGs are employee-led voluntary groups not tasked with committee work but to cultivate an informed space and foster a coming together of individuals with shared lived experiences. Given the challenges at IRCC with employees feeling marginalized—

The Chair: I'm sorry for interrupting, Ms. Rayale. Your time is up. You will get an opportunity in the rounds of questioning to talk further.

We will now proceed to Mr. Shorifuzzaman.

Mr. Shorifuzzaman, you have five minutes for your opening remarks. Please begin.

Mr. MD Shorifuzzaman: Thank you, Chair and members, for giving me the opportunity to share my thoughts.

I have narrowed down my whole discussion into three different groups. In my experience with—

• (1125)

[*Translation*]

Mr. Alexis Brunelle-Duceppe: I have a point of order, Madam Chair.

I am sorry, but our interpreter is letting us know that the sound quality is not good enough for interpretation.

[*English*]

The Chair: Okay.

I'll suspend the meeting and ask our technical support to look into this.

• (1125)

(Pause)

• (1125)

The Chair: We will resume the meeting.

Mr. Shorifuzzaman, please continue.

Mr. MD Shorifuzzaman: Thank you.

I have a few concerns about the family class. As the other member explained—

[*Translation*]

Mr. Alexis Brunelle-Duceppe: Madam Chair, I have a point of order.

I think we will have to postpone Mr. Shorifuzzaman's attendance to a later meeting, as the sound quality is not good enough for the interpreter to do their work.

[*English*]

The Chair: Okay. So there is no interpretation. Thank you.

Mr. Shorifuzzaman, I'm really sorry about that. The sound quality is not good, so interpretation can't be done. Can you please submit your submission in writing to the clerk of the committee so that it can be circulated to all the members? Otherwise, the clerk will check with you on whether we can invite you to some other meeting.

Is that okay?

Mr. MD Shorifuzzaman: Yes. Absolutely. Thank you so much.

The Chair: Thank you, Mr. Shorifuzzaman.

We will now proceed to our round of questioning. We will begin with Mr. Hallan.

Mr. Hallan, you have six minutes. Please begin.

Mr. Brad Redekopp (Saskatoon West, CPC): Madam Chair, I believe I will be going first today.

The Chair: Okay. Please go ahead, Mr. Redekopp.

Mr. Brad Redekopp: Thank you.

Thank you to the witnesses for your presentations. That was great.

Mr. Kals, it's good to see you. You're from my home riding of Saskatoon, so I appreciate your perspective. You gave some great examples there about the different treatments that we see between the different ethnic or racial groups. That's exactly what we're looking for here at the committee today. I trust that the analysts took note of your examples. Hopefully, they'll be in the report.

I want to follow up with you on processing times for the various employment streams. Last week I asked the associate deputy minister from IRCC why it takes about two years for nannies to come from the Philippines under the temporary foreign worker program versus only four days for, say, a public relations person. She didn't have a good answer.

What are some of your experiences on these different employment streams and the differential treatments when it comes to people's ethnicity and their race?

Mr. Gurpartap Kals: Yes, there is differential treatment on this aspect for the different employment streams by the feds and the provincial governments. Once a provincial government nominates a person for a work permit to come to Canada and join an employer, the feds take about two years before they finalize their decision on the work permit. Let's suppose there's an applicant from India. There's a refusal rate of about 83% in the New Delhi office. But if a person or an applicant is applying from Australia, the refusal rate is only 34%, as I mentioned in my opening remarks.

There is differential treatment. This is affecting not only the Canadian economy but also our economy in Saskatchewan, at home in Saskatoon. Employers are unable to find the employees they need for justifiable employment, and they want to grow their businesses.

So there are different ways, but the federal and provincial governments need to coordinate with international offices on how they can overcome the gap in processing times. There's a huge gap in how they treat these different applications.

• (1130)

Mr. Brad Redekopp: Thanks.

You mentioned, Mr. Kals, some of the employment issues in Saskatoon. Obviously when employers can't find the people they need to work in the jobs that they have this causes a great problem.

What is the detrimental effect on businesses and the economy in Saskatoon when these hurdles are put in place by IRCC? Can you describe that a little bit more, please?

Mr. Gurpartap Kals: Yes. Due to these hurdles, the effect on businesses not only in Saskatoon but all over Canada would be a very damaging effect on the economy of our country just due to high refusal rates, especially from certain countries. Employers would be unable to hire qualified employees for their workload, for the employment opportunities that they have here in Canada to grow their businesses. That would result in fewer jobs and a declining economy, not only for the immigrants, but for all over Canada.

Mr. Brad Redekopp: As I've been an MP for a few years now, I've done a lot of work reaching out to the newcomer communities in the riding, and a common thread that I find among newcomers is they really want to make Saskatoon a better place. Yet, they do face racism from the things that they've told me, and they often face it from the government.

You've worked with lots of immigrants, not just when bringing them into Canada, but actually once they're here in Canada. Can comment on some of the differential treatments that happen to them from the government once they're actually here in Canada?

Mr. Gurpartap Kals: On that note, in my personal experience I have not faced anything like that, where they would face racism while they are in Canada, but they do on their applications when they apply to immigrate or work in Saskatchewan or any other province in Canada. The racism exists in how they process their applications differently, depending on the applicant's region or ethnic group. I haven't seen anything like that at the provincial level, but I have been seeing this at the federal level.

Mr. Brad Redekopp: Do you feel the racism that you are speaking about from some of these foreign offices is coming from the system that they're using? Is it coming from the specific people in those offices? Do you have any comment on that?

Mr. Gurpartap Kals: In the system itself they have started using technology to process the applications. I'm not into technology much, but I see the same people who are coding and embedding those codings into the system to process the applications. They may take into account those factors, and if so, this may affect the outcome of the application.

Mr. Brad Redekopp: One of those things that we've experienced, at least in Saskatoon, is the CBSA. They're the agency that carries out deportation orders for IRCC, and I've had to intervene directly in some cases where it seemed like they were not being reasonable. Do you have any experience with CBSA and how that relates to the IRCC and maybe racism that you might see there?

Mr. Gurpartap Kals: Fortunately enough I have not had any bad experiences with the CBSA working style up until now, but I cannot say that with the way things are going right now.... I may see a few in the future, and then I would like to comment on that again.

Mr. Brad Redekopp: Excellent. We're done.

The Chair: Thank you.

We will now proceed to Mr. Ali.

Mr. Ali, you will have six minutes for your round of questioning. You can please begin.

Mr. Shafqat Ali (Brampton Centre, Lib.): Thank you, Madam Chair, and thank you to all witnesses for being here.

Ms. Rayale, you were not able to complete your opening statement. I think your time was up. Can you please complete that? I think there were just a few more sentences left.

• (1135)

Dr. Siham Rayale: Thank you for the opportunity. You're right. I had said most of what we wanted to get across, but we wanted to emphasize that given the challenges that IRCC employees are facing, and the marginalization and disturbing reports that have come out because of the Pollara report, we saw the need for ERGs, which are employee resource groups, as a way to ensure that the system can fix itself, and where employees at IRCC can also benefit from being in spaces that we consider safe for them.

Mr. Shafqat Ali: Okay. That's great. Thank you so much.

My question is to Ms. Nadiya Ali. As you know, Pollara Strategic Insights conducted a qualitative survey at IRCC and found experience of racism in the department.

While IRCC has taken steps to address the issue raised by the Pollara report, in your opinion what further steps should the department take to address this issue?

Ms. Nadiya Ali (Diversity, Equity and Inclusion Specialist, National Council of Canadian Muslims): In terms of the jumping-off point for us, we do recognize the work that has been done with the recent release of the diversity and inclusion strategic plan, but in many ways, the work requires us centring on the folks who are experiencing it, who are on the receiving end of the racism and marginalization, and really thinking about what it means to centre on those folks.

Per our recommendation, employer affinity or resource groups are meant to do that work. They're meant to start thinking about what it means to centre on those folks who are on the receiving end of the racism and discrimination and what other solutions we can cultivate beyond what's been laid out in the strategic plan.

Mr. Shafqat Ali: Thank you.

Either you or Ms. Rayale can jump in on this question.

What grounds or barriers are applicants facing that might contribute to their being denied visas? How can we find a constructive solution to address those differential outcomes?

Nadiya or Ms. Rayale, can you hear me?

Dr. Siham Rayale: We can. Thank you for that.

Mr. Shafqat Ali: I have limited time, so if you have no response, I'll move on.

Mr. Kals, do you want to respond to this?

Mr. Gurpartap Kals: Yes. As Ms. Rayale mentioned in her earlier speech, that Pollara report should become an annual report audit process within IRCC to address those racist issues in the system, and the setting of an ombudsperson who looks after the appeals that have been brought up or the problems that are occurring within the system so that somebody is there to address those issues and provide solutions to them.

Mr. Shafqat Ali: Thank you.

Ms. Ali, are there any particular countries or areas from which, in your experience, applicants for immigration to Canada are most likely to be impacted by Islamophobia?

Ms. Nadiya Ali: My apologies. I think Dr. Rayale is best to take that.

Dr. Siham Rayale: I can certainly take that question. Part of our submission outlines how IRCC makes its decisions by sourcing information and websites from known Islamophobes. Much of that work targets Muslim-majority countries, including Afghanistan, Pakistan, Syria and Iraq.

Fundamentally, our push is to suggest that whatever has come out of the Pollara report, the glaring experiences of racism as well as the racist comments directed at certain country-of-origin files impacts those country-of-origin files and many of them are Muslim-majority countries.

I should add Nigeria to the list as well.

• (1140)

Mr. Shafqat Ali: Thank you.

Could you share any of your experience with the committee, any story of individuals who have been denied entry to Canada and have had an application refused, and commonly stated reasons for their application refusals?

Dr. Siham Rayale: Unfortunately, at NCCM, we don't work directly with immigration or refugee intake processes, but we do consultations with communities that are affected.

When we talked to the Afghan community, for example, when the 40,000-refugee commitment was made, we started hearing from the outset that there were processing and bureaucratic issues that delayed priority groups from being able to access it in terms of their claims being brought forth.

The Chair: Thank you.

We will now proceed to Mr. Brunelle-Duceppe.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: Thank you, Madam Chair.

I want to thank the witnesses who are joining us today. They will help us write our report and make recommendations as part of this extremely important study.

Ms. Rayale, I would like to come back to what you just said.

During this study, a witness, Mr. Christian, recently told us when talking about racism at IRCC that a cat is a cat, even if talking about it is uncomfortable. No one in this committee is comfortable with racism—that goes without saying—but we must be able to call

it by its name. Right now, IRCC is talking about unconscious biases.

Do you think there is racism at IRCC? If so, should we call it by that name?

[*English*]

Dr. Siham Rayale: Yes, we should be using the word “racism”. We can define what kind of racism it is. Anti-Black racism, Islamophobia and anti-Semitism are very common forms of racism directed at particular groups.

My colleague, Nadiya Ali, also directly works with IRCC and other federal agencies to look at these issues, so I'll refer to her on some other strategies.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: Thank you.

So you're telling me that, to address an issue, we must be able to call it by its name. I think we agree on that.

Mr. Kals, you said earlier that the Canadian economy was suffering because of prejudicial treatment of some applicants.

So while Canada is suffering from a significant labour shortage, is it not counterproductive for discrimination to exist or for applications to be treated differently? Canada needs people who want to come work here.

For many people, immigration is one of the solutions to the labour shortage. Isn't what is currently happening counterproductive? What do you think?

[*English*]

Mr. Gurpartap Kals: There is a worker shortage in Canada in every province that we are witnessing and reading about in the reports. If that shortage has to be addressed there's only one way. The immigration system has to be polarized or made in a better way so that every application is treated equally without prejudice about the point of origin of that application.

I work very closely with the provincial nominee programs. Once an employer here nominates a person to be in Canada and join their workplace, the responsibilities lie with the federal government to issue them the work permit.

However, if you see the reports and data of different VACs around the world, there is a huge difference in the refusal rate of different countries. As I mentioned, the New Delhi office in India has a refusal rate of 66% compared to Australia at only 17% refusal. Therefore, a person who's applying from India may have hurdles that Australians would not have.

This is impacting the economy back here because employers won't have their people from India. Now they have to pick and choose where they should be getting their employees from.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: Thank you very much Mr. Kals.

Ms. Ali, you have not yet commented. You may not be able to answer my question, but I would like to hear your opinion.

A number of witnesses have told us that the proposal to create the position of immigration ombudsman would change a lot of things at IRCC. It would help better protect applicants, and IRCC officers would know that an independent body is overseeing their work, in a way. Right now, there is no independent body at IRCC to deal with litigation.

Wouldn't the creation of the position of immigration ombudsman be a good thing, in your opinion?

• (1145)

[English]

Ms. Nadiya Ali: The short answer to that is yes.

The full answer is that in many ways, the way we thought about the potentiality of employee resource groups is connected to this ombudsperson. What does it mean to create safe, inclusive spaces? Having a person who independently focuses on that will open up different avenues and take the conversation to another level.

Tying in what you said earlier, in many ways having a person who does that work will be able to explicitly tackle what needs to be tackled through an anti-racist perspective. Explicitly naming the work that needs to be done is the real work of anti-racism, not unconscious bias.

[Translation]

Mr. Alexis Brunelle-Duceppe: You are basically saying that it would be good to create an ombudsman's office where a number of people work, but that the ombudsman should have the power, resources and money needed to do their job. A position of ombudsman should not just be created to improve the image; its creation must lead to something concrete.

Is that indeed what you are telling us?

[English]

Ms. Nadiya Ali: That's exactly what I'm saying: a well-resourced office has the ability to move things forward.

[Translation]

Mr. Alexis Brunelle-Duceppe: Thank you very much, Ms. Ali.

Testimony has shown us that there is outright discrimination at IRCC. It must be called by its name. It affects many people, in a number of countries. This has not been discussed a lot, but it affects African francophone students, among whom the refusal rate is very high.

Unfortunately, I am out of time, but I may have an opportunity to come back to this.

Thank you, respected witnesses.

[English]

The Chair: Thank you, Mr. Brunelle-Duceppe. Your time is up.

We will now proceed to Ms. Kwan.

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

Thank you to the witnesses for their presentations.

I want to follow up on a question to Ms. Ali. Based on the Polara report, it was indicated by staff who did the interview that those racist attitudes could have an implication for refusal rates. When you look at the refusal rates for certain countries—particularly from African countries from the global south—it really does indicate that there's a huge discrepancy in terms of approvals and rejections.

I'd like to ask what your thoughts are on this concern playing out with the racist attitudes that are embedded within IRCC, for some of the processing officers, and the end result of the refusal rates. Given this reality, what recommendations do you have for the committee to address this concern?

Ms. Nadiya Ali: In many ways, building from what was discussed earlier, the big piece is racism moves across levels. There's the interpersonal dimension, there's the institutional dimension that creates the policies and programs, and then there's the systemic dimension all stacked on top of one another. Thank you for bringing up this piece where the report did clearly show how these different dimensions, layered to such an extent, impact application refusal in a real way, not only from the attitude level, but also thinking about what systems are in place to be able to disrupt that, disrupt the attitude-driven racism.

Part of our full recommendation that we want to submit includes a focus on how we are approaching the training and anti-racism education being delivered to employees, managers and staff. Across the board, how are we thinking about that education and training, and do the education and training move to such an extent that we're covering those various grounds so there's an accurate foundation of understanding of how racism operates on multiple levels, including individual beliefs and attitudes?

Ms. Jenny Kwan: Should IRCC be ensuring that race-based data be collected and made public? Until we actually get to the depth of the issue, we won't actually really know how deep the problem is.

• (1150)

Ms. Nadiya Ali: Yes, I would completely agree with that. In many ways, the way these conversations move is with continuous research. The research and data collection has to move in tandem with the work of implementation and developing systems and strategies of intervention and combatting racism.

I would completely agree. Race-based data and continuous research and auditing will be necessary for this work to have a real footing.

Ms. Jenny Kwan: One of the issues that has been raised with respect to the ombudsperson is for the government to put forward an independent ombudsperson to review the policies and their implementation within IRCC so that we can get at the details and the implications of what policies may even exist that are discriminatory and biased.

Would you support the call for an independent ombudsperson to review the policies of the government within IRCC?

Ms. Nadiya Ali: Yes, and in many ways that review taking on an explicit kind of anti-racist and anti-oppressive lens is the way to really move this conversation forward.

Anti-racism work requires audits and reviews across the board, including which policies are [*Inaudible—Editor*] and taken for granted and move as an everyday practice when they're not effectively audited and reviewed regularly.

Ms. Jenny Kwan: One of the issues that surfaced is that the government uses e-tools, as they call them—spreadsheets, if you will—to help them with processing. In other instances, they use AI systems.

If the people who are creating these e-tools or these AI systems have discriminatory or racist attitudes, would it not be the case that those tools that the IRCC utilizes to process applications will also potentially have embedded racist points of view that would impact the decision-making in the process?

Witnesses are calling for the government to do an independent audit of these e-tools and AI systems. What are your thoughts on that?

Dr. Siham Rayale: With respect, I can certainly answer that.

Yes, countless studies have shown that the development of algorithms to support AI are biased because the individuals behind the development of these systems themselves come with their own belief systems, values and perspectives.

We can't see AI as less biased than the individuals themselves. Rather, we need to see them in tandem with one another and recognize that anyone who is developing AI systems is oftentimes reflecting their own world views or beliefs in that as well.

An independent review of that is necessary. We would certainly welcome that.

Ms. Jenny Kwan: I want to touch on a last issue.

You opened your comments to say there is differential treatment in the government's special immigration measures for Afghans versus the ones for those in Ukraine.

Can you advise if you are saying that the government should immediately have the immigration measures for Ukraine apply to Afghans as well?

Please give just a quick yes or no answer because my time is up.

Dr. Siham Rayale: Yes.

The Chair: Thank you.

Now we will go to our second round of questioning. Based on the time, we will have three minutes each for Mr. Benzen and Ms. Kayabaga and then 90 seconds each for Mr. Brunelle-Duceppe and Ms. Kwan.

Mr. Benzen, you can please begin. You will have three minutes.

Mr. Bob Benzen (Calgary Heritage, CPC): Thank you, Chair, and thank you, witnesses.

I'd just like to follow up on some of the questioning we just heard.

Last week we had a professor here, Gideon Christian, from the University of Calgary. He was talking about the AI. He has documentation that says the IRCC is actually using AI to automate visa approvals and there are plans to use AI to also automate visa re-

fusals, without human review at all. It's just the AI making a decision.

Can you comment on that? I assume you would be against that and that you would want some human interaction in making these decisions. Is it yes or no, in terms of the human interaction part of that?

Dr. Siham Rayale: Yes, absolutely.

There has to be human oversight for AI algorithms. Somebody has to be a part of the processing piece. We can't leave AI to do the work independently because these systems themselves don't function as accurately as we would like.

On top of that, the refugee experience is so diverse across so many different communities. The consequences of visa refusals based on a broad set of criteria without taking into account certain nuances.... For example, if the criteria is mothers and children before young men, for example, AI can't understand where vulnerabilities exist. In some instances, particularly in conflict contexts, young men are targeted significantly for their ethnic background or for other issues that affect their identity.

I think leaving it to AI independently leaves a lot of room and expands the window on bias.

• (1155)

Mr. Bob Benzen: Mr. Kals, do you have any thoughts?

Mr. Gurpartap Kals: If somebody is embedding the code and their belief system is racist, we cannot take care of one set of belief systems. I think proper training procedures would help up to a certain point. Human oversight is necessary for AI systems, but we always need a fair audit process to address these issues.

Also, we need data and research to be published publicly on IRCC. The data for the different VACs all around the world were published under 2016. After 2016, we had to make a special request to get the data on how many refusals have been done in different VACs.

Yes, we need a proper training mechanism for the people who are dealing with AI outcomes. To oversee those oversights, we need measures and a system to take care of this.

Mr. Bob Benzen: Thank you.

The Chair: We will now proceed to Ms. Kayabaga.

Ms. Kayabaga, you have three minutes.

Ms. Arielle Kayabaga (London West, Lib.): Thank you, Madam Chair.

I'd just like to thank the witnesses for being here and, given that I only have three minutes, I'm going to go really quickly on my questions.

I just want you to know, Ms. Rayale and Ms. Ali, that I also believe that AI, generally speaking, can be very discriminatory. It really does depend on the algorithm and who's setting the algorithm. It's important for us to talk about who's behind the algorithms behind AI, but I'm curious to know if you're aware that, after we collect information through AI, through IRCC, it is also reviewed by people. I think someone said Mr. Christian mentioned this last time. He did mention that he's aware of that. I wonder where we would then target our work to make sure that it's not discriminatory. What kind of work can we do on that?

Could you comment on the algorithm and where the dissension really needs to happen to make sure that it does not continue to be discriminatory?

I'll go to both of you.

Dr. Siham Rayale: Yes, really quickly, thank you for that, and I think the first point of contact should always be a person. It should be a visa processing person. I think AI in many ways, algorithms aside, works better in the host country as they are able to do that sort of final check of approvals as opposed to being the first line of assessment. I'll turn it over to my colleague, Nadiya, if she has any further comments.

Ms. Nadiya Ali: I would just echo what Dr. Rayale said about the first line of contact and thinking about the intervention points across the journey [*Technical difficulty—Editor*] and contact and review needs to happen, so it's a multipronged review.

Ms. Arielle Kayabaga: Both of you agree with me that the algorithm, who sets the algorithm and who's behind that is really important.

You did talk about the ombudsperson. Quickly, in my last minute, can you be specific on what roles you would want this person to take in IRCC?

Ms. Nadiya Ali: At least at a high level, I think the focus of that role ideally would be one overall to ensure the safety of racialized communities. What does that mean internally? How do we create safer spaces, safer and enabling workspaces? For all, that looks like developing ERG affinity groups, that looks like thinking about what anti-racism education looks like, and also looks like what review, research and data collection regularly look like. I'll just leave it there.

• (1200)

Ms. Arielle Kayabaga: Quickly, since Madam Chair has not stopped me, you did talk about having regular reports through IRCC that basically would give us an idea of what's going on.

Madam Chair, I know my time is done, but can I get a submitted response to my question on how IRCC can continue to build on these reports and make sure that we get that in our emails, please?

The Chair: Yes, your time is up, but I'll request that the witnesses please submit the answer to this question to the clerk of the committee, and that will be circulated to all the members.

Thank you.

Now we will proceed to Mr. Brunelle-Duceppe for one and a half minutes.

Mr. Brunelle-Duceppe, please begin.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: Thank you very much, Madam Chair.

Mr. Kals, in one of your answers, you referred to IRCC's opacity. We may be talking about processing delays, about the department stopping its services to applicants during the pandemic, or the opacity of the Chinook system, which was previously discussed.

How opaque is that department? Why do you think it is so opaque? What benefits could the department get from greater transparency?

[*English*]

Mr. Gurpartap Kals: The advantage is that, if the IRCC is non-racist and non-discriminatory in applying its policies and measures, we would see a difference in the economy here in Canada. If employers hired the people from different countries following an unbiased process by the IRCC, we would see no shortage of employment in Canada. That would automatically boost our economy here in Canada.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: Ms. Rayale, do you think IRCC is too opaque? Is it lacking transparency?

[*English*]

Dr. Siham Rayale: Yes, there isn't enough transparency. I think transparency should be embedded throughout all the internal review and audit processes.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: Thank you, and I thank all the witnesses.

[*English*]

The Chair: We will end our panel with Ms. Kwan.

Ms. Kwan, you will have 90 seconds. You can please begin.

Ms. Jenny Kwan: Thank you.

Within IRCC, what's come to light, for example, is that an Afghan student who might be in a third country at the moment makes an application for a student visa to Canada, and they get rejected. Why? The reason is the official says they don't believe they will return to their home country.

This response to me is almost asinine, but that's the reality of what people are faced with. From that perspective, where IRCC has these strange policies in place and does not take into consideration the current realities of what's going on, how should the government address this?

My question is to both Ms. Ali and Ms. Rayale, please.

Dr. Siham Rayale: This is further evidence of the disconnect between certain government policies and the commitment to bring in a certain number of refugees and the inability, the bureaucratic and administrative gap, to be able to do that. In between all of that are decision-makers who, frankly, aren't working with accurate information. Any conclusion that's drawn about the state of affairs in Afghanistan and the ability for those who have already fled to return safely and to believe that they won't be targeted is frankly false. I think there has to be a greater conversation and exchange of information between decision-makers and those who are on the ground.

Canada has made a commitment, so it's time we follow through.

Thank you.

The Chair: With that our panel comes to an end.

On behalf of all the members, I really want to thank Mr. Kals, Ms. Rayale and Ms. Ali for appearing before the committee today and providing important input in regard to the study we have undertaken.

With that, I will suspend the meeting for a few minutes so the sound checks can be done for the witnesses for the second panel.

The meeting is suspended.

- (1200) _____ (Pause) _____
- (1205)

The Chair: I call this meeting back to order.

Good afternoon, everyone.

I would like to welcome our witnesses for this panel. We are joined by Arlene Ruiz, licensed and regulated immigration consultant and recruiter from Alexene Immigration & Employment Services. We are also joined by Craig Worden, president of Pollara Strategic Insights. Our third witness for today is Christian Blanchette, president of Université du Québec à Trois-Rivières.

I would like to welcome all the witnesses. They will have five minutes for their opening remarks, and that will be followed by a round of questioning.

We will start with Ms. Ruiz.

Ms. Ruiz, you will have five minutes for your opening remarks. You can please begin.

- (1210)

Ms. Arlene Ruiz (Licensed and Regulated Immigration Consultant and Recruiter, Alexene Immigration & Employment Services Inc): Good morning, Madam Chair. I appreciate being here today.

My name is Arlene Ruiz and I am the founder and owner of Alexene Immigration & Employment Services based here in Saskatoon. I am a licensed and regulated immigration consultant and recruiter and work with a lot of foreign nationals who intend to come to Canada to study, to work, to become PR, and ultimately become Canadian citizens.

Being in this line of duty, I am often on the receiving end of the frustrations of clients when things don't go as anticipated. Although some of the reasons are understandable, there have been cases where the decisions of IRCC do not make sense and reasons for refusal are completely illogical.

Where I see some of the systemic discrimination, it's more with the IRCC's use of the system called Chinook. The overall refusal rate for 2020 was 53%, compared with 34% in 2018, with sharp increases in refusal rates for the largest countries with students coming to Canada.

As an example, the study permit refusal rate for India has increased from 34% in 2018, to a staggering 57% in 2020.

This is very concerning and, as an advocate for my clients, it is difficult to make people understand some of the basis for refusals because I, too, quite often do not understand how IRCC comes up with their decisions. We see this system mostly applying to India's and China's nationals. Although this system was put in place in 2018, IRCC was not very transparent about this. Quite often, you would only know that the Chinook algorithm was used if you requested an ATIP.

The issue I am having is with the lack of transparency from IRCC, which leads me to believe that this is a form of systemic discrimination. The IRCC needs to be held to a higher accountability by way of transparency.

Chinook was introduced in March of 2018 and refusal rates increased significantly. Study visa refusal rates jumped from 34% in 2018 to 40% in 2019. Furthermore, refusal rates have increased from 40% to 53% in 2020. Most of the refusals are just getting a template message, which may totally be unrelated to the person's case. Even though IRCC has emphasized that Chinook is not an AI system, I beg to disagree.

The other point that I would like to bring up today as part of my observation for the Pollara Strategic study is that it is clearly apparent as well that there is systemic discrimination with the way the IRCC is handling the issues with Ukraine versus the refugees from Afghanistan. I would like to believe that Canada is a country that promotes diversity and inclusion, however, I feel as though Ukrainians are being given favourable treatment in comparison to the Afghan nationals.

Is Canada helping Ukrainians in their desperate time of need because they happen to look like us or dress like us or pray like us, or do we reserve our help exclusively for them while denying the same help for others?

There seems to be a double standard in our country's international response, but if it was really about humanity, then they would treat all of those trying to escape violence equally.

I would also like to highlight issues that surround those who have applied under the caregiver pathway. The higher percentage of the applicants under this pathway are from the Philippines, but the processing time has been an extensive amount and because of the lengthy processing, the majority of the applicants' relationship stresses...are often causing breakdowns in their relationships, with marriages falling apart, children reaching the age of majority and all other cases. In some other cases, employers either have already passed away—and I have personally heard and witnessed some of this—or the person to be cared for has already reached the age where care is no longer needed, as in the case with child care providers.

• (1215)

While other application streams require higher urgency, my recommendation is for IRCC to allocate more resources to facilitate the speedy processing of applicants who are often left out. They feel they are being pushed to the back burner. They feel neglected and unimportant.

Thank you.

The Chair: Thank you.

We will now proceed to Mr. Worden.

Mr. Worden, you will have five minutes for your opening remarks. Please begin. The floor is yours.

Mr. Craig Worden (President, Pollara Strategic Insights): Thank you.

Good day to all members, witnesses and observers of the committee's proceedings.

Thank you for inviting me to appear on behalf of Pollara Strategic Insights to answer your questions about the research project we conducted on behalf of Immigration, Refugees and Citizenship Canada, IRCC, in the first quarter of 2021. It is an honour to participate in the committee's important work, and I hope that I can be of assistance.

Since the committee members have already read our research report, and I have only five minutes, I'll provide a quick summary of objectives, methodology and the key findings of the study.

In 2020, IRCC conducted an employee survey that revealed that significant proportions of racialized employees consider racism to be a problem within the department. Pollara was not involved in that research; however, we were contracted by IRCC to conduct focus groups to gain greater insight into the perceptions, attitudes and experiences underlying these survey results.

The primary objectives of the focus group study were to gain insight into the impacts and nature of the racism that was witnessed and experienced within the department; identify strengths and failings of the anti-racism mechanisms currently in place; and gather input into the creation of programs and policies that would be effective at dealing with racism at IRCC and its impacts.

In order to accomplish these objectives, from March 18 to March 26, 2021, we moderated 10 two-hour online focus groups and in-depth one-on-one interviews among a cross-section of 54 IRCC employees from various levels of the organization. Participants

were chosen from among those who, when completing the survey in 2020, had indicated a willingness to participate in a follow-up study, as well as those who expressed interest in participating in these focus groups from an internal call-out to volunteers within the department. Participants included both racialized and non-racialized employees, and employees in various roles and sectors of the department.

We structured many of the 10 groups into like audiences, with four groups dedicated to hosting only employees identifying as Black, one group hosting employees identifying as South Asian and one group hosting employees identifying as East Asian, or the individual communities that comprise those ethnocultural or racial categories. We also included groups that hosted employees representing a range of different racialized backgrounds and one group among non-racialized employees.

Due to the qualitative and opt-in nature of the study, results cannot be deemed representative of the IRCC workforce as a whole or specific cohorts within it. The findings are directional and indicative, rather than statistically significant and representative and definitive. However, the value of qualitative research lies in the in-depth explorations of attitudes and experiences among key audiences.

Briefly, the overarching key findings were that focus group participants had witnessed or experienced a large number of experiences of racism within the department. Focus group participants also believed that there must be racial bias and discrimination in the delivery of the department's programs, policies and client service, with particular references to case processing.

Participants also painted a picture of an organization fraught with challenges at the level of workplace culture that included unchecked racism, insufficient guidelines or training for reporting and handling reports of racism, and a deep imbalance in racial representation among management that is seen to impede progress on preventing and ending racism at IRCC.

Given these experiences, participants expressed skepticism about the department's anti-racism initiatives, suggesting that bold, decisive actions were necessary in order for employees to be convinced that management was sincerely committed to progress and results.

Thank you for listening to my high-level summary of our research project. I look forward to your questions.

The Chair: Thank you, Mr. Worden.

We will now proceed to Mr. Blanchette.

Mr. Blanchette, you have five minutes for your opening remarks.

• (1220)

[Translation]

Mr. Christian Blanchette (President, Université du Québec à Trois-Rivières): Thank you, Madam Chair.

Distinguished members of the committee, on behalf of the Université du Québec à Trois-Rivières, I sincerely thank you for the opportunity to speak to our situation, and to the challenges and pitfalls UQTR is facing in its international recruitment efforts.

I hope my testimony will help you, on the one hand, shed light on a situation that is raising many questions, and on the other hand, get the full measure of the consequences differential outcomes can have in the decisions of Immigration, Refugees and Citizenship Canada, or IRCC, on our university, on our region and on the tremendous potential of a generation of talented young people who want to study in French at a Canadian university.

There are rankings we don't want to top. In February, an article in *Devoir* provided a list of universities with the highest IRCC refusal rate of international students admitted. For school years 2019, 2020 and 2021, the UQTR topped the list by a wide margin when it comes to refusal rates of study permit applications.

I will give you the numbers because they speak for themselves: 78% refusal rate in 2019; 88% in 2020; 79% in 2021. The Quebec average varies between 39% and 48%. Without burying you under the statistics, I would like to present five facts and figures that will help you quickly understand the repercussions of the current situation on the UQTR.

Between 2014 and 2021, the UQTR had a 142% increase in international student enrolments. If we narrow the search down to the African pool, the increase is 280% for the same period. In the fall of 2019, the weight of Africa at the UQTR was set at 65% of newly enrolled international students.

That weight is the most significant among the institutions of the Université du Québec network, and, across Quebec, new enrollees from Africa account for only 18%. So francophone African countries make up an extremely large recruitment pool for our university.

However, over the past three years, for each student who manages to get a study permit and start a bachelor's degree in Trois-Rivières, nine get a refusal.

Can you imagine what it is like to put in the effort and investment in human and financial resources only to obtain such frustrating results, both for us and for the candidates? That frustration also stems from the reasons used for the refusals, even a failure to respond in some cases. Three main scenarios are among the reasons for refusals IRCC provides.

The first reason provided is that the application is being refused because the officer is not convinced that the applicant will leave Canada after their stay.

The second reason is the officer's not being satisfied that the applicant's study program proposed is reasonable relative to their previous studies and career path, as well as relative to other local education opportunities.

The third reason concerns evidence of financial ability and relevant requirements, which, it should be pointed out, vary by country.

There is inconsistency, unfairness and notorious contradiction between what elected officials and the state are saying in terms of welcoming and integrating diversity and the decisions made by public servants and machinery of government officials. The state, the government and the country want to welcome and retain talent, but the system is refusing to do so.

Let's remind ourselves that the university is a very important vector of integration that promotes the retention of those individuals in our regions once they have completed their degree.

I will add that access to higher education is a very important issue, especially for the youth of African francophonie. Neither Quebec nor Canada has the luxury to refuse those educated and skilled individuals.

For university regions such as Mauricie, Lanaudière and Centre-du-Québec, that flow of talent is as important as hoped for. For us, it is a matter of dynamism, vitality and sustainability of development, be it social, cultural, industrial, scientific or simply human.

Thank you.

[English]

The Chair: Thank you.

Thanks to all the witnesses for their opening remarks.

We will now proceed to our round of questioning.

Mr. Hallan, you will have six minutes.

Mr. Jasraj Singh Hallan (Calgary Forest Lawn, CPC): Thank you, Madam Chair.

Thank you to all the witnesses.

My first question is for Ms. Ruiz. I will say that we do share the frustration, especially with some of these rejection rates. I know that you are boots on the ground, so you deal with these people and their emotions hands-on. I can only imagine, with the backlog that is growing, how things are really frustrating for you.

We're talking about racism, and we're not seeing very many results right now. Do you feel that racism plays a role in this mounting backlog we are seeing at IRCC right now, and how so?

• (1225)

Ms. Arlene Ruiz: I believe it plays a major role. I'm not going to say that a lot of the reasons are mostly because of racism, but I believe it plays a major role. The number speaks for itself. The rate of refusals speaks for itself. It's undeniably standing there, right in front of our very own eyes.

You are right. It's very difficult for immigration consultants when we have to go back to our clients and say that, unfortunately, the application has been refused. Quite often, we will make an ATIP request, but that, too, takes a very long time to get a response.

There are all those factors. I'm looking at the numbers. I believe it plays a major role in the mounting backlog. It is definitely affected somewhat by racism.

Like I said, I'm not going to say a lot of it is because of racism, but I would definitely say that it contributes to it.

Mr. Jasraj Singh Hallan: You touched upon caregivers. In a minute, could you sum this up?

We've seen this program. It seems like it's failing because there's no action being taken on it. We know there are so many people, especially from the Philippines, who are looking for caregivers from there.

Can you please elaborate a bit more on some of the hardships that your clients—I imagine most of them are from the Philippines—are facing because of these backlogs, delays and complete ignorance of that program?

Ms. Arlene Ruiz: A lot of my clients feel that they are neglected.

As an example, I have somebody who just got her permanent residency, but that took 11 years. The marriage, unfortunately, fell apart. The first time she applied, it was refused, and then I stepped in and helped her. Even the second time around, it took at least three years. Is that acceptable? No, and especially not when you see families falling apart.

Let us remember that the number one pillar of Canadian immigration is family reunification. Is it materializing? If you were to ask me, in advocating for those caregivers, I would say no.

The other thing I should point out is about employers. I have clients who have been waiting for a number of years. IRCC has implemented a change in the caregiver program and committed to 12-month processing, but 12 months later, no one has been able to come on a work permit. Is that acceptable? No, and especially not in the case of somebody who is quadriplegic. Is it fair for employers to wait that long? No.

I speak very passionately about the caregivers, not solely because they are from the Philippines, as I help clients from all walks of life. In advocating for caregivers and employers, it isn't fair.

Mr. Jasraj Singh Hallan: Absolutely. I fully agree with you on that.

We've seen this issue with Chinook. We're hearing about an undertone of racism and a failure to move on the algorithms. What are your concerns with the AI system right now?

Ms. Arlene Ruiz: My concern with the AI system is, first of all, that the first-line approach as far as receiving the application goes should be a person. It should be a human being looking at those applications, not an AI system. An AI system would not be able to see a vulnerability where it exists. Putting in that human perspective is always a good idea. Have a person looking at the application first and assessing the eligibility, rather than the other way around. The AI system is definitely not working, as we have seen with the staggering increase of the refusal rate. I am very deeply concerned by its use.

Also, the AI system was created by a group of IRCC employees, so they come with their own belief systems. I always wonder if it is affecting the way the algorithm is set up. It's possible.

That's my biggest concern with that.

Mr. Jasraj Singh Hallan: Thank you so much for your answers.

My next line of questioning will be for Mr. Worden. After your report came out.... There was an anti-racism task force that was struck two years ago. We've seen through witness testimony in this committee that not a single person has been reprimanded or fired to date for any of the disgusting acts of racism. In fact, last week, we found out that managers who were being racist towards employees even got bonuses. It seems like there's a lack of discipline.

Do you feel that lack of discipline or no one being reprimanded? How can that be addressed? How can we address the racism that's happening?

• (1230)

Mr. Craig Worden: I do have to stick to what we heard in our research efforts. We actually heard a number of suggestions from the participants.

One of them—and I heard it in the previous panel—was to institute a permanent anti-racism ombudsman that had resources and teeth. That was a definite response that we heard from the respondents.

We also heard that more accountability was needed—that you needed to create a system for reporting incidents and providing feedback anonymously.

The Chair: Mr. Worden, I'm sorry for interrupting. The time is up for Mr. Hallan. You'll get an opportunity to speak further as we go into our round of questioning.

We will now proceed to Mr. Dhaliwal.

Mr. Dhaliwal, you have six minutes.

Mr. Sukh Dhaliwal (Surrey—Newton, Lib.): Thank you, Madam Chair.

Madam Chair, my first question is for Mr. Worden.

According to this study, IRCC's mandate was a key factor in employees feeling devoted and gratified in their profession.

What would you recommend going forward to ensure long-term progress against microaggressions and other forms of micro levels of racism at IRCC?

Can you pinpoint key elements of IRCC's mandate that employees, specifically the employees from visible minority communities, consider imperative in their role at IRCC?

Mr. Craig Worden: Thank you.

We definitely heard loud and clear from the focus group participants that they were attracted to work at IRCC because they had a passionate alignment with the mandate of IRCC. Many of the employees at the junior levels are a product of immigration, whether as a first- or second-generation Canadian. They came to IRCC with a lot of excitement, passion and empathy to fulfill the department's mandate.

When they've witnessed racism, bias and discrimination within the department or in terms of how its policies are executed, it's led to a fair bit of demoralization and disappointment.

We did hear from them—and this sort of follows up on the previous question as well—recommendations in terms of accountability, such as creating a system for reporting incidents and providing feedback anonymously, creating a permanent anti-racism ombudsman, and having a better commitment to training both senior and junior employees in anti-racism and intercultural competency, so they know what is wrong and inappropriate and what is right and appropriate in their interactions with both employees and client groups. That is something they saw as severely lacking. There are really no processes in place in a real, effective way to report on these instances or to take action on them when they do, or to do so in an accountable way.

They do want to see a greater encouragement of each employee to be responsible to speak up when they hear racist, discriminatory or microaggressive utterances or activities at the workplace in an effort to create a better corporate culture at IRCC.

They also would like to see changes to how hiring and promotions are done at the department. That includes eliminating this notion of “best fit” because best fit often ends up being defined by someone who is not racialized and they tend to look for people more like them.

This is a big problem and it relates to what we heard loud and clear from focus group participants. It is that this is a very diverse workforce, but the diversity in the workforce at IRCC tends to be in the junior rungs or relegated to operational sectors within the department. As you go up the ladder at IRCC, it is far less diverse and that is seen to be a problem. That needs to be changed as well in order to bring about change within the department.

They wanted to see candidate searches for management positions extended to cities with more diverse populations, with compensation for relocation where necessary.

They would also like to see the creation of a mentorship system to help racialized employees navigate the path to promotion.

Another recommendation was to create clear objectives for promoting racialized employees throughout their organization and to incentivize management to achieve these objectives.

Those are many—but not all, by any stretch—of some of the concrete recommendations we've heard from the focus group participants.

• (1235)

Mr. Sukh Dhaliwal: Thank you very much.

Madam Chair, my next question goes to Christian Blanchette. It's not only an issue that you face in Quebec. In fact, when I talked to the B.C. francophone association, they found the same issue—it's really hard to attract and retain francophone immigrants outside of Quebec. What are some of the tangible steps that government can take to attract and retain francophone immigrants outside of Quebec?

[*Translation*]

Mr. Christian Blanchette: I think it is important to properly support francophone communities outside Quebec and, more importantly, to create in those communities a vibrant environment of life in French. I think communities and universities with francophone Canadian diversity are facing the same challenges as us when it comes to file processing. However, they have an even more significant difficulty to address, that of better integrating francophone students. Their community's vitality depends on that.

[*English*]

Mr. Sukh Dhaliwal: Thank you.

The Chair: Your time is up, Mr. Dhaliwal. We will now proceed to Mr. Brunelle-Duceppe.

Mr. Brunelle-Duceppe, you have six minutes.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: Thank you, Madam Chair.

I want to thank the witnesses who have made the effort to come testify before the committee today as part of this extremely important study.

Your testimony will help us write a report and make recommendations. Thank you for that.

Mr. Blanchette, it was not your last name that spoke to me, although I do like it, but rather the fact that we are experiencing the same thing in the Saguenay—Lac-Saint-Jean riding I represent. The acceptance rate is only 40% at the Université du Québec à Chicoutimi and 29% at the Université du Québec à Rimouski.

You just told us that the acceptance rate is 21% at the UQTR, while it is 90% at McGill University. That is a significant discrepancy. We see that francophone students from Africa are being discriminated against. We know how that impacts their life. We are talking about broken dreams for those young people whose application is refused. You talked a bit about repercussions for Quebec society. When they complete their studies, those young people get a Quebec diploma. They speak French and have created a social circle for themselves. Some of them have probably already been approached by employers.

I would like you to tell us more about the impact that refusal rate has on your educational institution. I think it would be important for the committee to know how much and in what way this affects you.

Mr. Christian Blanchette: All universities must engage in international recruitment, as diverse views help conduct better research and create better training for Canadian and Quebec students. Universities are very rigorous in the analysis of files. We have grids and analytical tools that enable us to gauge the quality of students' initial training and to determine whether they could complete their studies at our university.

The fact that our universities must process a tremendous number of files to be able to welcome one student is a significant weight. The challenge of recruiting in French is much bigger for universities in our region. That is the case across Canada and, most certainly, in Quebec. The differences between McGill University and the UQTR or the UQAC, which you pointed out, are due to the fact that the recruitment pools are completely different. Anglophone universities do a lot of recruitment in India, and China and in Asia, where the acceptance rates are 90%. There is an absolutely phenomenal discrepancy.

Of course, we welcome students from Europe, which doesn't really lead to issues, but, at the UQTR, we first target the African pool, as we operate only in French. So that has a major impact.

We are making significant efforts to identify strong candidates in Africa. The analysis of their file requires a lot of work, but the outcomes are very disappointing. Nevertheless, we are managing to welcome an increasing number of those students.

• (1240)

Mr. Alexis Brunelle-Duceppe: Earlier, during your presentation, you talked about the dual intent issue. Those young people are invited here and an insinuation is made that there will probably be work for them, given the significant labour shortage Quebec is facing. But, at the end of the day, an officer announces to them that their application is refused. They are told we are concerned they won't return to their country. There is a fundamental contradiction there.

Mr. Christian Blanchette: Public policy, both federal and provincial, is inconsistent. We want to attract immigrants, but there is total inconsistency in what the government or IRCC are doing. Why is one of the refusal criteria the immigrant potentially not returning to their country after their studies, when we want them to come live here? When I heard about that, I told myself that it was too shocking to be right and true. But that is really happening.

A candidate who comes to study in Quebec or in Canada will spend three or four years learning how our country and our society work. That will improve their ability to integrate into society. Those students' academic path is a success factor in their integration. The federal government or IRCC should use that vector or that immigration channel or path to ensure immigrants' effective and successful integration.

Mr. Alexis Brunelle-Duceppe: A witness spoke earlier about IRCC's opacity and a lack of transparency throughout the process. That may be an aspect that can be worked on to advance things. As a college president, you would be happy if IRCC was more transparent in the process.

Mr. Christian Blanchette: It is a bit insulting for us and for all universities that IRCC is telling students that their past training is inadequate. We have the expertise required to determine that those candidates meet the requirements of a Canadian university, which also apply to Canadian-born students. To resolve the opacity issue, universities would need to be able to speak to someone about file processing.

Mr. Alexis Brunelle-Duceppe: That is exactly where I was going with this.

Mr. Christian Blanchette: However, there is no one to talk to right now. That creates problems for Canada's entire university sector.

Mr. Alexis Brunelle-Duceppe: So that would be one of your main demands.

Mr. Christian Blanchette: Exactly.

Mr. Alexis Brunelle-Duceppe: You would like to be able to talk to the department to find out why that is how things are done.

Mr. Christian Blanchette: We would like to be able to call someone to discuss that.

Mr. Alexis Brunelle-Duceppe: Exactly. Thank you very much, Mr. Blanchette.

[*English*]

The Chair: Thank you, Mr. Brunelle-Duceppe.

We will now proceed to Ms. Gazan.

Ms. Gazan, you have six minutes.

Ms. Leah Gazan (Winnipeg Centre, NDP): Thank you so much.

It's such an honour to be sitting on this committee today for this very important topic.

My first question is for Mr. Worden.

I'm very pleased that we are addressing what many people have been speaking about, which is the level of racism at the IRCC. This is a critical study.

I know in your report you pointed to specific examples, including from some respondents who noted widespread internal references to certain African countries as "the dirty thirty" and stereotyped Nigerians as particularly untrustworthy.

Of course, those stereotypes and comments are unacceptable and completely abhorrent and deeply troubling.

In light of this, do you support the creation of an ombudsman position at the IRCC to act as an independent oversight, and what do you see this position's mandate would be?

• (1245)

Mr. Craig Worden: I really do need to speak from the perspective of the research participants, the folks who volunteered to participate in the focus groups rather than my own personal opinion. That's what we do in the world of research.

I would say that there was strong... Not only was establishing just such an ombudsman suggested by many participants, but it was supported by many participants as well.

Along with that was the emphatic requirement that this role be permanent, that it have teeth, that it can hold people accountable, that it can protect those who come forward and take action on what they come forward with.

Right now the perception in the department is that there is really no clear process to report complaints about instances of racism that is effective and that holds people accountable and protects those who come forward. They see a new ombudsman being established as solving that problem.

Ms. Leah Gazan: Building on the very clear, systemic racism at the IRCC, one of the other things you noted in your report was racial bias in hiring. We know that it's not just for individuals who need access to the immigration system; racial bias extends even further to the hiring practices.

What changes do you feel need to be made to make sure that this kind of racial bias in hiring is thwarted?

Mr. Craig Worden: On that front, what we heard from research participants—apologies if I'm repeating myself—was that they wanted to see this concept of “best fit”.... We were unsure of whether this was an official or an unofficial requirement when considering hiring and promotions at IRCC. It was believed that it was a concept that had great influence over hiring and promotion; whether this person would be a “good fit” for the department or the unit within the department.

The problem with that is that most of the senior staff tend to be non-racialized, and they will tend to hire and promote those who are non-racialized as well.

Ms. Leah Gazan: Yes. It sounds a bit like groupthink to me.

My last question is for Ms. Ruiz. You indicated that you did not see the Chinook as an e-tool, as the government calls it, but as an AI software. What makes it an AI and why is this problematic?

What should be done with the software tools like this to avoid discrimination? It seems like at the IRCC, it's not only people who discriminate; even the tools that they put in place discriminate.

Ms. Arlene Ruiz: IRCC indicates that it's not an AI system, but I strongly believe that it is. The algorithms are set up so that applications are assessed in bulk, from what I understand about this system. There is clearly a big problem with that, because, as I mentioned earlier, I strongly believe that applications—as they come in—should be assessed by a human. This Chinook system was created by a group of IRCC workers who have come with their own beliefs. I think that has largely influenced how these applications are assessed.

There has to be a clear transparency from the IRCC with this system. You cannot even find out the result or the details of the refusal unless you request an ATIP. That's very troubling and time-consuming.

I have submitted ATIP requests for a number of my clients and it takes a good chunk of time—

• (1250)

The Chair: I'm sorry for interrupting, Ms. Ruiz. Your time is up.

We will now go to our second round of questioning. We will have three minutes each for Mr. Genuis and Ms. Lalonde, and one and a half minutes each for Mr. Brunelle-Duceppe and Ms. Gazan.

Mr. Genuis, you have three minutes.

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): Thank you, Madam Chair.

Thank you to the witnesses today in the first and second panels.

It seems to me that there are certain respects in which our immigration system discriminates on the basis of income quite transparently. In fact, it's by design, where people who don't have enough money to pay for their needs while they're here as a student might not be able to come. It seems that the assessments they make about whether someone's likely to return home are also based on income.

I'd like to hear the witnesses share a bit about how we can disaggregate discrimination on the basis of income and discrimination on the basis of race. In some of the country comparisons we're doing, there are differences of race and religion, but there are also differences of income level. It might be more useful to look at comparisons between countries of similar cultural, racial or religious makeup, but with significant differences in income, and see how those played out.

I'd be curious for any of the witnesses to comment on this. How can we disaggregate questions of discrimination on the basis of income from discrimination on the basis of race or religion?

[*Translation*]

Mr. Christian Blanchette: Mr. Genuis, it can be very difficult to do that.

I'll give you an example.

There's a requirement that candidates from Africa provide their biometric data before their applications can be processed. These candidates have to travel across almost the entire African continent, just to reach the one service centre where they can get their biometric information. That continues to be a fundamental barrier to accessing Canada, whether you're wealthy or you have limited means.

It would be inconceivable that here in Canada, there would be just one service centre, located in Toronto, where people could go to get their biometric data. It's a situation that can have repercussions, and it can create cultural, ethnic or economic bias.

[*English*]

Mr. Garnett Genuis: Did the gentleman from Pollara want to weigh in on that?

Specifically, what I'm trying to understand is how we can identify the presence or magnitude of racial discrimination when it's mixed in with other data points. One way might be to compare outcomes for, let's say, Brazil and Cuba. They have different income levels, but they are ethnoculturally similar. Maybe we can compare wealthier Muslim-majority countries in the Middle East with less wealthy countries.

Can we find out more about the magnitude of racial and religious discrimination by those kinds of comparisons?

Mr. Craig Worden: The previous witnesses' comments are spot on. It's hard to disaggregate these things. From the perspective of our research study, that was outside of our scope. We were speaking to employees about their experiences and their opinions about instances of racism within the department as employees but also in terms of the execution of policies.

The impact and the relevance of income didn't really come up—

The Chair: I'm sorry for interrupting, Mr. Worden.

The time is up for Mr. Genuis.

Ms. Lalonde, you have three minutes.

[*Translation*]

Mrs. Marie-France Lalonde (Orléans, Lib.): Thank you very much.

Thank you to all the witnesses here today.

My question is for Mr. Worden.

It seems to me that data privacy is an important aspect of this research. Whenever I participate in this type of study, I'm told not to worry, that my identity will be kept confidential.

• (1255)

[*English*]

A fundamental pillar of public opinion research is to maintain the anonymity of participants. It's a success of any research company and it protects the privacy of the respondents so that they do not reveal any information that can identify them.

Can you speak to the importance of maintaining anonymity when it comes to public opinion research?

Mr. Craig Worden: Absolutely. It is the core principle of all research that we do at Pollara and within the industry at large. The promise of anonymity is one that we make to all research respondents and it is held sacred. It is something that we are absolutely committed to, and we were in this study.

When writing up the report for this, our moderators were quite careful. There were some things we simply couldn't include in this report, because they might reveal the respondents' identity, so we were very careful with how we wrote up this report.

[*Translation*]

Mrs. Marie-France Lalonde: You're suggesting that if the data were requested, it might call into question the promise of confidentiality and raise concerns.

[*English*]

Mr. Craig Worden: That's right.

We would never share anything. In fact, these focus groups were not recorded. All that we have are the moderator's notes, and we are not sharing the moderator's notes. All that we are reporting or sharing is the actual report.

[*Translation*]

Mrs. Marie-France Lalonde: Thank you very much.

Mr. Blanchette, there were indeed a lot of very troubling aspects, and I think we mentioned them in our other motion concerning international students.

Could you tell us more about the discrepancy between what we're hearing from politicians and what public servants are actually doing when it comes to processing student visas?

Mr. Christian Blanchette: At the federal level, they say that our immigration policy is a way to address the labour shortage, that our demographics are such that we won't be able to fill the labour gap here in Canada, that Quebec has an extremely low level of unemployment and that regions like Trois-Rivières are at full employment.

So even though public policy is that immigration is the solution, there's—

[*English*]

The Chair: I'm sorry for interrupting, Mr. Blanchette. The time is up for Ms. Lalonde.

We will now proceed to Mr. Brunelle-Duceppe for one and a half minutes.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: Thank you, Madam Chair.

I want to thank all the witnesses for being here, since this will be my last chance to speak to them.

Mr. Worden, what I understand from what you said is that there might be people working at IRCC who are racist, that we're aware of it, but that nobody is being disciplined.

Is that what we should infer from what you said?

[*English*]

Mr. Craig Worden: We heard from the focus group participants that they witnessed reports of racism and they felt that these people they had reported on never received permanent or very stringent punishment for their actions.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: Thank you, Mr. Worden.

Ms. Ruiz, I don't have much time left, but I'd like to ask you a question.

Some say that there were already biases before Chinook was implemented, that racism was already an issue at IRCC and that when Chinook was put in place, the racism problem was crystallized, or even amplified.

Do you agree with that?

[*English*]

Ms. Arlene Ruiz: Yes, I do. I think the number speaks for itself. The staggering higher rate of refusals is a true indication of that, in my opinion.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: When we talk about artificial intelligence, maybe we should just drop the word “intelligence”. I say that because right now, people are suffering as a result of this software that was put in place by the Government of Canada.

I'd like to thank all the witnesses, who were fantastic. Their testimony will help us write this report and make our recommendations.

Have a nice day, everybody.

[*English*]

The Chair: Thank you, Mr. Brunelle-Duceppe.

We will end our panel today with Ms. Gazan.

You have one and a half minutes.

• (1300)

Ms. Leah Gazan: Thank you so much, Chair.

We've heard very disturbing testimony. It's not shocking, unfortunately, but it's certainly very disturbing. Witnesses at the committee have suggested that there should be a further study to follow up with some of the disturbing findings, to probe deeper into the concerns that have been raised and to come up with a list of calls for action.

My question is for Mr. Worden.

If the committee is able to get the government to do this, would Pollara Insights be able to conduct a follow-up study in response to this recommendation?

Mr. Craig Worden: Absolutely, yes.

Since we were able to do it last time, we know that we could absolutely implement a similar research process in terms of recruiting and bringing people into the process to continue discussing things with them.

Ms. Leah Gazan: I asked that because we have so many immigration cases that come through my office in Winnipeg Centre with some of the most disturbing treatment of constituents in my riding by the IRCC.

It seems to me that we not only have to delve deeper into the systemic racism in the IRCC, but also have calls for action to provide a path forward.

Would you agree with me?

Mr. Craig Worden: Yes. I think it's important to continue to research and investigate this process as it unfolds. As you go forward with recommendations, you see if they're implemented and how they're being implemented.

The Chair: With that, our panel comes to an end.

On behalf of all the members of this committee, I want to thank all three witnesses for appearing before the committee today. Your input is really very important as we go into the drafting of this report and making recommendations.

Is it the will of the committee to adjourn the meeting?

Some hon. members: Agreed.

The Chair: The meeting is adjourned.

Thank you.

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