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Chair: Mrs. Salma Zahid



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• (1555)

[English]

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

Welcome to meeting number 36 of the House of Commons Standing Committee on Citizenship and Immigration.

Today we're continuing our study on application backlogs and processing times.

I would like to welcome our witnesses for today. Each witness will have five minutes for their opening remarks.

Today, we are joined by three witnesses. We are joined by Chantal Desloges, senior partner at the Desloges Law Group. She is not a stranger to this committee. She has been here a few times. Welcome. We are also joined by Mark Ballard, vice-chairperson of Syria-Antigonish Families Embrace. Our third witness for today is Vilma Pagaduan, a settlement counsellor representing The Neighbourhood Organization.

Welcome to all our witnesses. Each one of you will have five minutes for your opening remarks.

We will start with Ms. Desloges. You have five minutes for your opening remarks. Please begin.

Mr. Tom Kmiec (Calgary Shepard, CPC): I have a point of order. I'm sorry for interrupting the witness.

I believe the Standing Orders require us to elect a new vice-chair.

The Chair: I apologize to the witnesses. We have to do some routine proceedings. We have some new members in the committee. I will take a moment—I should have done that before—to welcome them.

I would like to welcome Mr. Tom Kmiec to the committee. Mr. Larry Maguire, welcome back to CIMM. Welcome, Mrs. Gallant.

We need to elect a new vice-chair, as Mr. Hallan, who was the vice-chair, is no longer part of the committee.

Madam Clerk, please conduct the election for the vice-chair of this committee.

The Clerk of the Committee (Ms. Stephanie Bond): Thank you, Madam Chair.

Honourable members of the committee, I must inform members that the clerk of the committee can only receive motions for the

election of vice-chair. The clerk cannot receive other types of motions, cannot entertain points of order, nor participate in debate.

Pursuant to Standing Order 106(2), the first vice-chair must be a member of the official opposition.

I am now prepared to receive motions for the first vice-chair.

Mr. Tom Kmiec: Madam Clerk, I would like to nominate Brad Redekopp.

Mr. Sukh Dhaliwal (Surrey—Newton, Lib.): I'll second it.

The Clerk: It has been moved by Mr. Kmiec that Mr. Redekopp be elected as first vice-chair of the committee.

Are there any further motions?

Seeing none, is it the pleasure of the committee to adopt the motion?

(Motion agreed to)

The Clerk: I declare the motion carried and Mr. Redekopp duly elected first vice-chair of the committee.

The Chair: Thank you, Madam Clerk.

I congratulate Mr. Redekopp on being elected as the first vice-chair of this committee. It was a very hard-fought election. It has always been great having you at the committee, and I look forward to working with you as the vice-chair of this committee.

We can begin with our witnesses. I'm sorry for the delay.

Please begin, Ms. Desloges. You have five minutes for your opening remarks.

Ms. Chantal Desloges (Senior Partner, Desloges Law Group, As an Individual): Thank you, Madam Chair.

Good afternoon, and thank you for the opportunity to speak to you today.

As a lawyer specializing in immigration law for more than 25 years, processing delays have been a thorn in my side for virtually my entire adult life, but I have never seen the situation this bad.

The impacts of delay that I have seen personally in my own practice over the last few years have been heartbreaking—marriages breaking down, two-year-old children who have never met their fathers, clients having mental breakdowns and experiencing financial ruin.

I'd like to focus today on identifying two causes and two solutions. To put it in a nutshell, my view is that two of the biggest causes of processing delays and application backlogs are, number one, outdated and ineffective IT systems and, number two, a culture of secrecy.

Decades of lack of investment into IT infrastructure by governments of both political stripes left IRCC very flat-footed when the pandemic hit. With all the technology available to us today, there simply was no effective emergency plan put in place to deal with the work-from-home situation, no effective plan put in place for how to interview applicants remotely.

To its credit, IRCC is now pushing toward online processing, which is very laudable. However, it seems that every new online system is full of glitches, to the point where we lawyers are actively resisting the move to mandatory online processing because, frankly, it is nothing short of a dumpster fire. It is characterized by disappearing data and almost daily system-wide crashes. We can surely do better.

IRCC's culture of secrecy is another major factor. My colleague Kareem El-Assal testified about this before you recently, and I can only say that I agree with him in his comments on the lack of transparency.

Let me show you how secrecy breeds delay through a very typical example that happens in my office every day. A file has exceeded its processing times, and we don't know why. Government instructions tell us to send a web form inquiry. We do it, but either it doesn't get answered at all, or we get a nonsense response that tells us nothing, usually more than four weeks later, which is way too late to be useful. Then that forces us to go and bother the good folks at the case management branch. Sometimes that works, and sometimes it doesn't.

Then we have to bother you, members of Parliament, which, again, sometimes helps and sometimes doesn't. Then we're forced to bother the Access to Information Office. That takes months, which doesn't really help us. As a last resort, we're then forced to go to the Federal Court and bother the Federal Court and the Department of Justice through litigation.

You can quickly see how this goes exponential very fast, and it ends up making a lot more work for everyone, including IRCC. It's a waste of valuable resources at every level. If we could just get a clear reply the first time, we wouldn't have to do any of this.

My colleague Mario Bellissimo testified in front of this committee in May, and he proposed the idea of an ombudsperson. I certainly support that idea, but wouldn't it be nice if we could simply communicate with one another clearly and on time so that we didn't need one?

Even if all of these problems could be fixed overnight, what do we do with this massive backlog? Two things I think could give immediate relief.

First, switch all non-security-related interviews to video. It should be the default. That way, officers in any location in the world could conduct interviews without being limited by geography or logistics. If the refugee protection division can make life-and-

death decisions on credibility assessments judged by video, surely we can manage administrative interviews in the same way.

Second, take all of the borderline cases and simply waive the interviews and push those cases through, in the interest of getting through a large volume of cases quickly. Yes, that will mean that a few people will get through the system who shouldn't have, but frankly, at this point it is the cost of doing business because the damage that's being imposed by the backlog far outweighs any potential damage that could be caused by the odd person who gets erroneously approved.

In closing, I would also encourage a closer look at what did work. For example, humanitarian and compassionate processing actually improved during COVID. It's the only line of business I'm aware of that got faster instead of slower. I want to acknowledge them for doing an excellent job during very difficult times. What did they do differently? Looking at examples of success like that could yield some helpful clues for all of us.

● (1600)

The Chair: Thank you.

We will now proceed to Mr. Mark Ballard, vice-chairperson, Syria-Antigonish Families Embrace.

You have five minutes for your opening remarks. Please begin.

Mr. Mark Ballard (Vice-Chairperson, Syria-Antigonish Families Embrace): Thank you, Madam Chair.

Thank you for the opportunity to speak in front of the committee.

One thing you should know is that our group is a SAH and a constituency group based in Antigonish, a small group of 12 volunteers. We've brought in 23 Syrian families or assisted in their settlement, and continue to do that. We've also assisted in starting the Afghan process as well.

What we're finding with regard to the application processing—and we would like to table a recommendation for dealing with the backlog of application processing—is that there is a huge problem with consistency. We've had issues in the recent past where it's taken five months to simply achieve a G number, which is the starting process for a refugee to be put into the system and be worked upon. This happened just last week, and we put in the application successfully in May. This is something that we really see needs to have focus; it needs to have more people to process, and more funding in the actual processing of the paperwork.

The second recommendation—I think we've heard it already—is communication. The policy, processes and standards that we see need to be focused on, need to be enhanced. We see that there's a huge amount of anxiety that gets built up with refugee families, with family reunification, with the SAHs and support groups that are trying to bring people into Canada. The families and the refugees are in untenable circumstances. We have the same issues. We find that we go to ROC-O, and we get some information—we may or may not. It may be value-added, or it may not be. We are asked to reach out to embassies, which more often than not do not respond, or when they do, it's a canned response.

Then it leaves us going to the member of Parliament. In our case, we're lucky it's the minister's office, and we work through that process to try to expedite some of these communication issues. It's ongoing. We've had a situation where a family had a house rented for them for at least 10 months—everything was in order, we were told—and we had to give up the house because of the huge cost of donated dollars to maintain this house. The family just came in last year, and it was two years ago that we had to give up that house.

The final recommendation that we look at is to try to look at a rural resettlement model. We are the only rural SAH in Nova Scotia, and we continue down the road of challenging aspects of resettlement in Nova Scotia. We see that the funding is metro-centric—or I should say it's based upon the urban centres—and we really struggle with that form of funding. ISANS, the Nova Scotia immigration services, is 75% federally funded, and we've tried to have people come to Antigonish to support our region, but it's not happening. We've developed a rural model that we've presented to the minister, as well as to the local MLA and municipal folks, to try to look at the situation so that we can be less reactive—which is what we are all the time, it seems, now—and more proactive in supporting English language, medical, employment and settlement.

These are the recommendations that we would like to put forward. Thank you for taking the opportunity to listen today to SAFE.

• (1605)

The Chair: Thank you, Mr. Ballard, for your opening remarks.

We will proceed to Ms. Vilma Pagaduan, settlement counsellor from The Neighbourhood Organization.

You have five minutes for your opening remarks. Please begin.

Ms. Vilma Pagaduan (Settlement Counselor, The Neighbourhood Organization): Thank you so much for inviting me. Good afternoon, everyone.

The processing times for all immigration programs have consistently been updated by the IRCC, but the caregiver program's processing time has never been updated. This indicates that the caregiver program is not a priority and is being disregarded. Equity should be the goal in this case.

I would like to recommend that IRCC consider issuing an open work permit for all those applications that have been sitting in the system for years and years. Canada needs caregivers now. In order to reduce the processing time, let the caregiver come to Canada as a

permanent resident. Forcing caregivers to be tied to one employer creates opportunity for exploitative working conditions.

I would also like to recommend that IRCC look into the express entry program. Modification of this express entry program will make it possible for caregivers or migrant workers who are also working in the greenhouses across Canada to have a route to permanent residency. In the introduction of the TR to PR pathway last year, most of the international students were able to apply for the PR, but not the caregivers and the migrant workers working in greenhouses. It was because of the COVID-19 restrictions during that time. Community centres, libraries and organizations like ours were closed because of the restrictions. Opening a new or similar TR to PR pathway will give them an opportunity to apply for PR.

For caregivers applying for permanent residency, the English-language proficiency and university degree criteria should be eliminated, or at least reduced to CLB level 4 and secondary education. Caregivers, once in Canada, will gain their English proficiency. IRCC officers should also consider or accept the band score of CLB level 4 once that band score is achieved. It doesn't matter if it isn't a perfect equivalency. We've seen a lot of refusal. Even though the applicants met the CLB level 5 band score, they were still refused because they did not meet the perfect equivalency of CLB level 5.

I would also like to recommend that IRCC create a specific PR portal for the caregiver program. For consistency in their assessments, make sure that the officers are trained in this program and are familiar with it. In order to fill out information, increase the number of characters in the boxes in the PR portal. Enhance the portal's uploading system, which now rejects files because they are too large or do not support the IRCC tech system.

I would also like to recommend regularization for all migrant workers and caregivers. Create a unique humanitarian scheme where caregivers or migrant workers who might not be eligible can apply for permanent residency. Reduce the demands and create an amnesty program for them.

I would also like to recommend that IRCC remove the cap per program for the home support and home child care programs, or at least increase the number of PR applications for caregivers within the immigration levels.

I would also like to recommend removing the two-year work experience requirement through the caregiver program. No other economic program stream forces people to work for two years before they can obtain permanent residency. The program should be more equitable for our immigration stream, including the caregiver program.

Recognize, also, the importance of the work done by caregivers and avoid labelling them as low-skilled workers. Caregivers are those individuals who look after the most important people in our lives: our parents, our children. They are highly skilled in soft skills and so they must be a top priority in the immigration industry.

I would also like to strongly recommend that IRCC provide outright an open work permit for the principal applicants and dependants who are also applying from outside Canada.

• (1610)

I would also like to recommend the elimination of LMIA processing if the applicant is in Canada and applying for a renewal of a work permit. Most of the caregivers who are not able to provide new LMIA's to renew their work permit are losing their status.

The Chair: Vilma, could you please wind up?

Ms. Vilma Pagaduan: Okay.

This is because most of the employers are not willing to pay for another LMIA. If the IRCC could eliminate the second LMIA processing, it would be a lot easier for caregivers to renew their work permits and be able to work legally in Canada.

Thank you.

The Chair: Thank you.

We will now proceed with our round of questioning. Our first round will be for six minutes.

Mr. Redekopp, you have six minutes for your round of questioning. Please begin.

Mr. Brad Redekopp (Saskatoon West, CPC): Thank you, Madam Chair.

I'd like to thank all the witnesses for being here today and for sharing their stories with us.

I want to start with you, Ms. Desloges. You used the interesting phrase of "dumpster fire" when you were referring to the IT infrastructure underfunding. You talked about online "glitches". Could you give us a bit more detail on the online glitches? You said you've gone so far as to not want to use the system because of it. I'm curious; maybe you could expand a little bit more on why.

Ms. Chantal Desloges: Sure. Basically, there's a multiplicity of different online systems and different portals that you have to use to upload applications nowadays. They're very buggy and very glitchy. Whenever you try to upload an application, not only do you have, as one of the other witnesses talked about, very small file sizes that cause you to spend hours decreasing the file so that you can actually upload it, but you also have timeouts and system crashes. You get 30 minutes into uploading something and all of a sudden all of your data disappears.

It's very common and it's across the board. All of the lawyers are talking about this problem. It's at the point now where an organization I'm involved with actually started a Twitter campaign to tell the government that it's unfair to expect us to go to a mandatory online system—

The Chair: I'm sorry for interrupting, Ms. Desloges. The bells are ringing.

We have 30-minute bells ringing for a vote. I need unanimous consent to continue the meeting, or we can stop. If everyone is voting online, we can stop five minutes before and allow every member to cast their vote.

• (1615)

Mr. Tom Kmiec: Madam Chair, no. You need unanimous consent. I decline to give unanimous consent.

The Chair: Okay.

We don't have unanimous consent. We will have to stop the meeting here, as the bells are ringing.

Ms. Jenny Kwan (Vancouver East, NDP): Madam Chair, I just want to ask a quick question of the clerk.

The Chair: We don't have unanimous consent to continue the meeting. As the bells are ringing and as I don't have unanimous consent to continue, we will have to stop the meeting and come back once the members have voted.

The meeting is suspended. We will come back after the vote is done.

• (1615)

(Pause)

• (1705)

The Chair: I call the meeting back to order.

We were in the round of questioning when the meeting was suspended and Mr. Redekopp was asking the questions. We were at one minute and 19 seconds.

We will resume, Mr. Redekopp.

Mr. Brad Redekopp: Thank you, Madam Chair.

Just for clarity, are we going to continue the full hour? Is that the plan?

The Chair: Yes, we will begin this round of questioning. I will check with the clerk as to how long we have the facility available for. We will try to complete this one hour with the witnesses.

Mr. Brad Redekopp: Okay. That's fine.

The Chair: Please begin. You were at one minute and 19 seconds.

Mr. Brad Redekopp: Thank you.

Ms. Desloges, you were just talking about the glitches and some of the frustrations that you were having. Was there anything else? You were cut off mid-sentence, so pick it up there and we can go from there.

Ms. Chantal Desloges: I was nearly finished, but I wanted to give you some examples of things that happen regularly.

You'll be prompted in one of the online forms to hit a button, and that button doesn't exist; applications that you've uploaded simply disappear; you're unable to log in to various portals for weeks, or in some cases even more than a month. To top it all off, lawyers are not allowed to access some of these portals, so if a client has a problem or runs into difficulty, they are not allowed to ask their own lawyer to help them, which is ridiculous.

There's no effective means of communication for troubleshooting issues. Sometimes you end up going on Twitter to try to find some help with the electronic problem that you're having.

Mr. Brad Redekopp: Is there any mechanism for you to feed that back to the department of IRCC? If so, have they responded in any way?

Ms. Chantal Desloges: I do have some colleagues from various lawyers' organizations who do give feedback to IRCC. They keep asking for specific examples and we keep feeding that information back to them. However, it puts the burden on us to troubleshoot their system for them, and at the end of the day it doesn't seem like anything really changes.

• (1710)

Mr. Brad Redekopp: You should send them a bill.

You also mentioned a culture of secrecy regarding transparency. Could you explain a little bit more, maybe with some examples? Why do you say that? That's a fairly strong statement as well.

Ms. Chantal Desloges: It's virtually impossible to communicate with IRCC. If you use the telecentre, most of the time you can't get through. When you do get through, they tell you that they can't really say much; they're not very much help. If you use the web form, a lot of the time you won't get an answer at all, and if you do get an answer, frankly, it's gibberish and it doesn't make sense a lot of the time. When it does make sense, it's just a canned response.

There is no individual you can contact. They have put up a complete wall around all of their communication so that it impedes you from trying to get a hold of somebody who might know the answer or be able to help you with the problem that you're having.

Mr. Brad Redekopp: One of your suggestions was to just waive the interview on the borderline cases and push them through. What I noted here is that you said the damage from the backlog is far worse than the risk of bad admissions. Could you expand a little bit on that? What exactly do you mean when you say the damage from the backlog?

Ms. Chantal Desloges: I'm talking about things like people losing their jobs, people having to leave Canada because of the expiry of certain things because their application hasn't come through in time, people missing delivery of their child in Canada, or marriages breaking down.

I have a client who contacted me just a couple of days ago. She's on the verge of a mental breakdown. She fears that her marriage is in danger because it's been almost four years now that they have been waiting for the case to finalize and it hasn't been possible. To me, the human cost, and the cost to the reputation of Canada when we're trying our best to attract the top talent in the world, by far outweighs a minimum of people who might slip through the cracks and get approved when they shouldn't have been.

Mr. Brad Redekopp: What would be the negative if somebody slipped through the cracks? What are we talking about here?

Ms. Chantal Desloges: I would never suggest doing that if it was a security-related issue. I'm talking about, for example.... Sometimes an officer might have a question about somebody's job reference letter, an education diploma or maybe their English or their French is not quite at the standard that it should be, so they maybe earmarked that for an interview situation. Or maybe it's a marriage case and they're not 100% convinced about the genuineness of the marriage.

In those cases, they're not really sure and they don't have massive concerns, but at the same time they would normally interview them. I'm saying, if it's in the grey zone, give them the benefit of the doubt and just push it through.

Mr. Brad Redekopp: It's not like they are criminals or there are going to be any dire consequences of that.

Ms. Chantal Desloges: No. I would 100% never recommend doing it in that case.

Mr. Brad Redekopp: How much time do I have, Madam Chair?

The Chair: You have 15 seconds.

Mr. Brad Redekopp: I'll thank the witness for her great answers.

Mr. Maguire has something really quickly.

Mr. Larry Maguire (Brandon—Souris, CPC): Yes. It's not a question.

I'm wondering if Mr. Ballard, because of time constraints.... You mentioned your rural model. I wonder if you could table that rural model with the committee.

Mr. Mark Ballard: Yes, I could.

Mr. Larry Maguire: Thanks. That would be appreciated.

The Chair: The time is up. We will now proceed to Mr. El-Khoury.

You have six minutes for your round of questioning. Please begin.

[*Translation*]

Mr. Fayçal El-Khoury (Laval—Les Îles, Lib.): Thank you, Madam Chair.

I'd like to welcome the witnesses, and thank them for being here to share their ideas on how to advance and improve our immigration system.

Mr. Ballard, you do incredible humanitarian work. I'd like to know what the biggest challenges are for the people you work with, as far as processing times are concerned. Does it impact the programs you administer? What measures would you recommend?

[*English*]

Mr. Mark Ballard: The problems with the backlogs.... We sometimes see a bunching up of families. We have no indication of when the families will arrive.

As I mentioned earlier, we are a humanitarian organization. The people we are attempting to support in coming to Canada are refugees. They're in terrible situations. One family spent 10 years in a camp in Jordan. Another one, who arrived just a couple of weeks ago, was almost on the street with four children. They were probably in processing for three or four years. We were very concerned that we were going to lose this family to the street without the ability to contact them—without the ability to have an address—so that they would be able to continue the process, which drags on and on. Once again, I think we saw a problem with communication.

From the perspective of the refugee process, it's a bit different. They arrive in Toronto. They receive their permanent residence status when they land, but before they come, the situation they're in, in countries where they are under oppressive situations, where people are physically and verbally attacked and abused.... They pull their children out of any schooling that they might have, because they're targeted as people who are not wanted in their country.

When we talk about the rural model that I mentioned earlier, this is something that we see would be applicable across the board in rural Canada, because we have these challenges. For instance, there's the bunching up of applications coming at the same time. If you have four families of six who come to Antigonish, a small community, we have a very difficult time managing that effectively to resettle these families so that they can start their life in Canada without a legislated world of poverty, relegated to minimum-wage jobs for the rest of their lives.

This is the kind of thing that we look at.

• (1715)

Mr. Fayçal El-Khoury: I would like to ask you this. You are working in a rural area, and I know that fundraising is not easy for your group. Who finances you? Is it some organization or some entity? Is it the government, or is it people who donate? Can you please elaborate on that a bit?

Mr. Mark Ballard: If we go back to 2015, when Syria was in the forefront of the media...it's no longer there. Donations have dropped off just as much as volunteerism for our group has dropped off. We are a totally volunteer organization, and we run on donations. The donations come from various groups. At one time, St. Francis Xavier University raised \$100,000 for us, but that was the best we ever achieved and it has slowly gone down since then.

We go by donation. In a lot of cases, if it's private sponsorship, the monies are raised by families who want family reunification. It's trying for them, as well, to raise \$20,000 or \$30,000 when they're on a shoestring budget as it is.

[Translation]

Mr. Fayçal El-Khoury: Thank you, Mr. Ballard.

Ms. Desloges, would you be favourable to a permanent tool that could be used to select applicants according to economic need? Elaborate on that, if you wouldn't mind.

In addition, you said the system lacked transparency and was ineffective. Can you give us some examples of that and tell us what you would recommend to improve things?

[English]

Ms. Chantal Desloges: Sure. I am absolutely in favour of any tool that allows Canada to be more nimble in terms of selecting immigrants who are better for our economy, based on economic need. I think any innovations or any efforts in that direction are definitely a positive thing, 100%, so—

The Chair: I'm sorry for interrupting. The time is up for Mr. El-Khoury.

We will now proceed to Mr. Brunelle-Duceppe.

Mr. Brunelle-Duceppe, you will have six minutes for your round of questioning. Please begin.

[Translation]

Mr. Alexis Brunelle-Duceppe (Lac-Saint-Jean, BQ): Thank you, Madam Chair.

I, too, would like to thank the witnesses for being here today to participate in this extremely important study. I also want to thank them for their patience, given the unexpected interruption. I'm glad everyone waited.

I'd like to talk more about specifics.

Congratulations to you, Mr. Ballard, on the work your organization does, and please congratulate your 12 volunteers for me.

What I've noticed is that when an international crisis occurs—such as the situation in Afghanistan, the situation in Ukraine or the earthquake in Haiti—the backlog grows because some of IRCC's work is done by officers on the ground. Is that something your organization has noticed?

We shouldn't stick our heads in the sand: international crises are going to occur more and more often. Should the department create a permanent mechanism to deal with emergency cases in preparation for those situations, instead of deploying officers every time?

• (1720)

[English]

Mr. Mark Ballard: Our protocol tells us that we want to bring to Canada the most vulnerable people available to us through the government entities and through UNHCR.

About a year ago, I suppose, when the Afghan crisis or the Afghan operation was announced, we certainly had concerns about the division of manpower around handling the different countries and the different situations. We were advised that this would not hinder any of the processes that we have already.

[Translation]

Mr. Alexis Brunelle-Duceppe: We found out that 15% to 25% of the department's officers were assigned to work solely on applications stemming from the crisis in Afghanistan. However, the department told you that it wouldn't impact processing times for the people you work with. Do I have that right?

[English]

Mr. Mark Ballard: That's correct.

[Translation]

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

I'm going to ask you the same question, Ms. Desloges. When an international crisis arises, does the backlog grow, in your view?

[English]

Ms. Chantal Desloges: Absolutely. You're right.

It has almost become a joke among lawyers. It just seems to be an excuse after a while. It's like, right now, they're doing everything about Afghanistan; right now, everything is about Ukraine; right now, it's about Syria. It's like a never-ending line of excuses as to why cases can't be processed in time.

[Translation]

Mr. Alexis Brunelle-Duceppe: Thank you, Ms. Desloges. That confirms what we thought. I think it's pretty unanimous.

You brought up the culture of secrecy and lack of transparency at the department. One of the things witnesses have recommended is to record applicant interviews conducted by officers. Do you think that would make for greater transparency?

[English]

Ms. Chantal Desloges: Yes, I absolutely do. I am in favour of taping them. What possible reason could there be not to do it? If everything is being done according to the way it should be, why would anyone want to hide behind a wall of secrecy with respect to taping? Many of us record our meetings. When you have a court proceeding, everything is recorded. It makes sense.

Not only that, but all of these notes, internal conversations and any recordings or transcripts of interviews should be given to the applicant as a matter of course. You shouldn't have to do an access to information request in order to get information about your own personal file.

[Translation]

Mr. Alexis Brunelle-Duceppe: This brings me to the possibility of having an ombudsman. For many this would be a panacea, but others have had some reservations. I fall somewhere in between. I think the idea of an immigration ombudsman is an interesting one, but what kind of ombudsman to have would have to be determined.

This is where I think there are differences of opinion. So I'd really like you to give me yours, because you're still an expert in this area.

[English]

Ms. Chantal Desloges: It's a great backup solution, but what I would really love to see is the creation of a culture where we don't need one—a culture where your questions would be answered clearly and on time.

I'm not opposed to the idea of an ombudsman. It is probably a good thing. It creates a buffer zone between all of these members of the public who are very anxious about their cases and the bureaucracy, which is also stressed.

As members of Parliament, I'm sure you see it all the time. A lot of the queries in your offices would be immigration-related. It would be nice to have someone to take care of all that.

• (1725)

[Translation]

Mr. Alexis Brunelle-Duceppe: Thank you.

Ms. Pagaduan, I am running out of time and you have not been asked a question. Your presence at this committee meeting is much appreciated.

I would just like to give you the floor to find out what your priority would be, and why.

[English]

Ms. Vilma Pagaduan: It would be TR upon arrival for all caregivers and six months processing time, so they can clear the backlog. It would also be outright open work permits for those who applied for PR since 2019, since the introduction of the new program.

[Translation]

Mr. Alexis Brunelle-Duceppe: Thank you.

Do I have any time left, Madam Chair?

[English]

The Chair: You have one minute and 30 seconds.

[Translation]

Mr. Alexis Brunelle-Duceppe: Mr. Ballard, a solution had been proposed and applied during the Kosovo war: biometric tests were carried out upon arrival on Canadian soil by border services officers. However, this has not been done since.

Could allowing border services officers to perform biometric tests on site be a way to relieve congestion at Immigration, Refugees and Citizenship Canada offices?

[English]

Mr. Mark Ballard: It is a good question. I don't really know enough about it. We don't see that taking place at the moment with the refugee people.

Every embassy seems to be a different country. We never know what processing times are going to take place at the embassies.

[Translation]

Mr. Alexis Brunelle-Duceppe: Indeed, all the embassies seem to be different countries. There is no consistency at Global Affairs in this regard.

Ms. Desloges, let me come back to that same question. In your opinion, during an international crisis, could biometric tests be conducted on Canadian soil, since border services officers have the training and authorization to do so?

[English]

Ms. Chantal Desloges: I wouldn't recommend that, to be honest, because the procedure to remove someone who is a security risk after their feet have already hit Canadian soil is much more difficult than screening them beforehand. I don't think I would recommend that as a course of action unless you're in a case of a really serious local emergency.

[Translation]

Mr. Alexis Brunelle-Duceppe: All right. I thank all the witnesses.

[English]

The Chair: Thank you.

We will now proceed to Ms. Kwan.

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

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

Thank you to all the witnesses for taking the time to present to us and also for indulging us in the disruption for our votes. We really appreciate your staying on.

My first question is for Vilma, who's been a long-time advocate for caregivers.

In the situation with caregivers at the moment, my understanding is that the processing delay for caregivers is three-plus years. In fact, the government has not moved on with processing their applications.

On that specific situation, what would your recommendation be for the government to address this backlog that has stagnated for three years?

Ms. Vilma Pagaduan: I think the IRCC should issue an open work permit right away, right now, for those who have been waiting for years. I have clients who have been under the LCP since 2015 and are still waiting for the approval of PR. Some of those who applied in 2017 and 2018 applied under humanitarian and compassionate grounds because they could not find any way to achieve PR.

I think IRCC should issue an open work permit right now for all those who have been waiting for so many years. I still have clients who applied in 2018 and 2019 during the introduction of the interim or new program. They still don't have an AOR at this time. Give them the open work permit. It will give them an opportunity to renew their work permit, be able to work legally and renew their health insurance and SIN. Most of these women are losing their status, especially during COVID.

Most of the women who have applied for PR have lost the chance to get their PR approved, because they are already out of that 36 months to comply with the 24-month requirement within a 36-month period.

• (1730)

Ms. Jenny Kwan: Thank you very much. The processing delay is causing people financial hardship and has cost them the opportunity to get their permanent resident status, with a multitude of escalating consequences.

Ms. Desloges, your suggestion is that the government should be undertaking to "regularize" some of these people and just move them through the system quickly. I think this is what you were basically saying. From that perspective, take the situation with caregivers who have been stuck in the system for years. They lost their job because of COVID. They can't get a new work permit because of COVID. This now has an escalating impact for them. They've also lost their opportunity to make their PR application.

Would you suggest, or would you agree, that the government should in fact look into regularizing these individuals? Clearly, they are needed here. We keep bringing in temporary foreign workers as caregivers, yet we have a whole bunch of them who are already here and who are now out of status.

Ms. Chantal Desloges: Yes. This is not without precedent, by the way. Years ago, back when I was very junior, there was something called the "deferred removal orders class". That was a situation where the government recognized that there were a lot of failed refugees in Canada who had been sitting around in limbo for quite a long time. The government decided to make this program to just ram them all through. As long as they were admissible and there were no criminal or medical issues, they would just be accepted en masse under this program. It was a way of clearing out that backlog of people who were just hanging around for a long time without having been removed.

So it's not like we've never done anything like this before. I would suggest that if there are caregivers who are sitting in the system for a long time, then one thing the government should at least consider is whether to just push them through. Maybe relax the eligibility a little bit. Maybe relax the checking a little bit. Make sure they're admissible and just push them through.

Ms. Jenny Kwan: Thank you very much.

For some of the individuals, too, in their PR application they run into problems with one specific item, and that is the higher level of language requirement that the government has put on for caregivers. It's only for caregivers and not for others.

I think this is what you're talking about, then, Ms. Desloges, that we relax some of these issues, regularize these individuals and give them PR status.

Ms. Chantal Desloges: It would be pretty easy. All they would have to do is use section 25 of the act, the H and C provision, to make a policy and just say we're going to waive certain things for a specific period of time; we're going to give them a bit of a pass on certain requirements.

It's not hard to do. They don't even have to change the law. They just have to make the policy.

Ms. Jenny Kwan: Lovely. Thank you.

There's one thing that certainly bothers me a lot, and I wonder if you see it on the ground. Whenever the government makes a new announcement, or even when they say they're addressing the backlog, they'll say that, starting from this date, these new applications will meet the processing standards. It's as though all of the ones that have been piling up for years are just going to gather some more dust. There's no measure to talk about how they're going to get through the backlog.

From that perspective—again, I guess maybe I'm just beating this one over and over again—what should the government do to ensure that those backlogs are processed, aside from your suggestion? The immigration levels number is the other piece. Should the government accommodate those people who are already here and regularize them through the immigration levels number?

The Chair: Ms. Kwan, your time is up.

Ms. Jenny Kwan: When we come back, maybe I can get an answer on that question.

The Chair: Yes.

We will now proceed to our second round.

This round will be shorter: three minutes for the Conservatives and the Liberals, and then one and a half minutes for Mr. Brunelle-Duceppe and Ms. Kwan.

Mr. Redekopp, you will have three minutes. Please begin.

Mr. Brad Redekopp: Thank you.

Ms. Desloges, you've been at this committee before. I was reading back on some of your other testimony. You talked about UNHCR and the selection of refugees back in 2016, I think. I have a quote here that came from you. You said it's important to “develop your own priority selection criteria rather than relying so heavily on UNHCR selection of Canada's refugees.”

Could you expand a little bit on that and how that works?

• (1735)

Ms. Chantal Desloges: Yes, I think Canada over-relies...almost fetters its own discretion with respect to refugee selection. I don't think it's a good idea to completely abdicate our responsibility for choosing the refugees we want in Canada to an external organization with a different agenda and possibly different motives and expectations.

I have never been a fan of the requirement that in order to be privately sponsored through a non-sponsorship agreement holder, you have to first be approved by the UNHCR. I've also never been a fan of only being fed refugees who are being selected by UNHCR for diversion to Canada. I think we should have a lot more autonomy. We are a sovereign nation. I think the people we want to select should be our choice.

Mr. Brad Redekopp: Do you think that certain minority groups sometimes get passed over because of that? I'm thinking of minority Christians in certain countries who sometimes don't get selected. Do you think that sort of thing happens?

Ms. Chantal Desloges: It's often the flavour of the day. I remember in past governments as well, there were accusations of cherry-picking this group or that group. Depending on your

predilections, I think that's probably always going to happen to a certain extent. The thing with the UNHCR is that they're largely selecting from camps. It's the people in refugee camps who are going to get the best option to be selected by UNHCR.

What about the millions of refugees in really bad circumstances who don't live in the camps? Those people lose their chance.

Mr. Brad Redekopp: You've spoken before about privately sponsored refugees versus government-sponsored. We've had other witnesses talk about that and how there are potentially lots of benefits in privately sponsored refugees.

Do you think whether they're privately or government-sponsored is a factor in the amount of backlog and the time it takes to process their cases?

Ms. Chantal Desloges: I haven't noticed a lot of difference, to be honest. I've handled government-assisted cases. I've handled privately sponsored cases. I don't think it makes a particular amount of difference. There is a bit less paperwork on the government-assisted side, because you don't have a sponsor who has to go through the headache of dealing.... Well, the other witness can tell you what a headache it is to deal with the office in Ottawa that processes them. Once you get past that point, I think they're treated pretty equivalently.

Mr. Brad Redekopp: Are there other advantages, then, to privately sponsored over government-sponsored cases?

The Chair: Mr. Redekopp, your time is up. Thank you.

We will now proceed with Mrs. Lalonde.

Mrs. Lalonde, you will have three minutes for your round of questioning. Please begin.

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

I want to thank the witnesses for their patience.

I will go straight to questions, because of my time.

Ms. Desloges, what would you propose as a system for Canada to choose refugees, if I may ask?

Ms. Chantal Desloges: I think, particularly when they're privately sponsored, it's the sponsors who bring forward the candidates. This is the way it always was years ago, by the way. I'm not proposing something new. I'm proposing going back to the way it was before this UNHCR requirement was imposed. If you want to sponsor a refugee, if that's in your heart as something that you want to do and you're willing to put the money on the table, why should the taxpayer pay for it?

You bring forward the candidate, instead of waiting for an outside, external organization to feed us the candidates they think are the best ones to come to Canada. The officer assesses to make sure they are in fact genuine refugees. If they are, then they clear.

Take the blinders off; take the reins off the private sponsors. If they want to sponsor a million refugees, then let them. They're paying for it. I don't see the downside.

Mrs. Marie-France Lalonde: Thank you very much, Ms. Desloges.

Mr. Ballard, I would like you to elaborate a little bit on your experience in managing applications of privately sponsored refugees through a community-oriented approach as you describe and maybe tell us about your experience.

Could you attest to the overall effectiveness of a community approach in gathering financial support to sponsor a family? I'd like to get your feedback on this, if I may.

Mr. Mark Ballard: We have quite a number of PSR applications that go through. We also like to provide the opportunity to BVOR people as well, because although we support family reunification, we certainly don't want to just stay with a single group or a single family for all the PSRs that come through the organization.

As far as funding is concerned, yes, it's a real challenge. We have large families that want a brother or sister to come, but they are stuck in minimum-wage jobs, etc. We rely on donations to ramp up the basic funding to provide the RAP payments and settlement funds.

• (1740)

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

Mr. Ballard, when it comes to processing time for privately sponsored refugees, we've talked about how long it can take. What other initiatives, because we're solution-driven, can IRCC explore to reduce the delay in the processing of privately sponsored refugees?

Mr. Mark Ballard: That's a good question, but I think—

The Chair: I'm sorry for interrupting. Time is up for Mrs. Lalonde.

The witnesses can always send in written submissions to the clerk of the committee and we will take that into consideration.

Now we will proceed to Mr. Brunelle-Duceppe, for 90 seconds.

Mr. Brunelle-Duceppe, please begin.

[*Translation*]

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

I thank the witnesses again for being here today.

Ms. Desloges, you say that in your experience there have always been delays, but that the current situation is the worst you have ever seen. When we ask senior officials at Immigration, Refugees and Citizenship Canada, they always come up with excuses and excuses, but never say there is a problem.

In your opinion, isn't the inability of these people to say that there is a problem the root of the evil? If you can't name the problem, you can't address it. Is that right?

[*English*]

Ms. Chantal Desloges: Yes. This is the whole thing I was saying about transparency. There is no fault in admitting that we have an

issue here. Everybody just wants to fix it. It's not about pointing fingers or blaming or trying to suggest that people are incompetent. It's nothing like that. It's just that we need to acknowledge that there is an issue and start tackling it by whatever means we possibly have. There's no shame in just admitting that there's a problem.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: Mr. Ballard, you had one last message to deliver. I yield the rest of my time to you so that you can do so.

[*English*]

Mr. Mark Ballard: I think I would agree with Ms. Desloges. We don't know the internal workings of the IRCC. It's very difficult for us to determine how we can improve that process if it's not clear what's being done behind doors.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: Ms. Pagaduan, I will leave you with the final word so that you can deliver a final message to the committee members and analysts.

[*English*]

The Chair: Time is up for Mr. Brunelle-Duceppe.

You can always send a written submission to the clerk of the committee if there is something you didn't get an opportunity to talk about today.

We will now proceed to Ms. Kwan, for 90 seconds.

Ms. Kwan, please begin.

Ms. Jenny Kwan: I'm going to go back to that last question I asked about immigration levels numbers.

First, I'm going to go to you, Ms. Desloges, if you can answer that.

Ms. Chantal Desloges: I have forgotten what the question was.

Ms. Jenny Kwan: In order to accommodate some of the backlog in the processing, you need immigration levels numbers. Would you agree that the government needs to ensure that there is the room in the levels numbers to accommodate it?

Ms. Chantal Desloges: Yes, absolutely. I think they not only need to work towards celebrating meeting targets, but they also need to give some thought to making sure that whoever has been waiting longer is processed first: not a "last in, first out", but a "first in, first out" system.

Ms. Jenny Kwan: I have the same question for Mr. Ballard, and then we'll go to Vilma.

Mr. Mark Ballard: I would agree with "first in, first out". We should try to look at that.

Ms. Jenny Kwan: Would you say that we need to also increase the immigration levels in these respective streams? Otherwise it wouldn't make a difference.

Mr. Mark Ballard: At this point, I would say no. I think the backlog is too great.

Ms. Jenny Kwan: Are you suggesting that we shut down all new applications and just process the backlog?

Mr. Mark Ballard: That's what we are suggesting within our own group, as a matter of fact.

• (1745)

Ms. Jenny Kwan: Vilma, do you have any comments?

Ms. Vilma Pagaduan: I think IRCC should increase the cap in every immigration stream, especially for the caregivers—the home support and child care programs.

Ms. Jenny Kwan: Ms. Desloges, would you say that we need to increase the immigration levels?

Ms. Chantal Desloges: I don't think it's a good idea to turn off the taps that feed the pipeline entirely.

The Chair: Time is up for Ms. Kwan.

I want to let all the witnesses know that if there is something that you were not able to talk about today because of a lack of time, you can always send in written submissions to the clerk of the committee. Those will be distributed to all the members, and we will take them into consideration when we go through the consideration of the draft report.

With that, this panel comes to an end.

I just wanted to seek approval from the members for the travel. Because of the time, we will not be able to have the second hour we had scheduled for the subcommittee. I will discuss it with the clerk of the committee, and we will try to schedule the subcommittee on Tuesday because we have to schedule our studies after this study. We will try to change the calendar and have that meeting on Tuesday. The clerk will work on that and then send the notice.

I just want to seek approval from the members of the committee as the deadline is coming. As you are all aware, we have to submit our plans to the liaison committee for travel for January to April. Is it agreed that in relation to the study of the application backlogs and processing times, the chair may be instructed to prepare the proposed preliminary submission for the committee's travel to the United Arab Emirates and Senegal for January 2023?

Mr. Brunelle-Duceppe, go ahead.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: I agree Madam Chair, and I think everyone present agrees. Even Mr. Ballard has raised his hand.

[*English*]

The Chair: Okay.

Ms. Jenny Kwan: Madam Chair, before you move forward, I would just add a comment, if I may.

The Chair: Yes, Ms. Kwan.

Ms. Jenny Kwan: Thank you very much.

I just want to ensure that submitting this request does not necessarily bind the committee to travel, because I think there are some other outstanding issues that we need to sort out in terms of the more detailed component to it. For example, given that this study is ongoing, there seems to be no end in sight on when we will actually complete a study, because we already have another one where the report is not yet finished. Consequently, we have all this stuff sort of piled up, so at some point I hope the committee would have a chance to talk about how we would move forward.

One thing that I don't think is conducive and helpful for the committee is to have multiple studies going on for a very long period of time—to the point where some of the witnesses' comments may even have been forgotten by committee members because we've dragged it on for so long that we can't complete the study and get the report out.

I just want to flag that as a concern that I have, Madam Chair. I'm not opposed to sending this forward and hopefully getting some sort of guidance or approval, as long as it does not bind the committee. I just want to be sure that's the case.

The Chair: Ms. Kwan, this is just an approval to put the preliminary submission to the liaison committee as the deadline is coming. We will have a detailed discussion in regard to these studies. We will be proceeding in our subcommittee. In our subcommittee on Tuesday, we can discuss in detail the timing of all these studies.

With that, I want to thank all the witnesses for appearing before the committee. I'm sorry for the disruption. This happens at times, and we don't have control over these things. Thanks a lot for your patience and understanding. Thank you once again on behalf of all the members for appearing before this committee and providing your important testimony.

The meeting is adjourned.

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