

**GOVERNMENT RESPONSE TO THE TWELFTH REPORT OF THE  
HOUSE OF COMMONS STANDING COMMITTEE ON CITIZENSHIP AND IMMIGRATION ENTITLED  
“Promoting Fairness in Canadian Immigration Decisions”**

**INTRODUCTION**

The Government of Canada thanks the Standing Committee on Citizenship and Immigration for its report, *Promoting Fairness in Canadian Immigration Decisions* (the Report), which was tabled in the House of Commons on November 16, 2022. The Government of Canada also extends its appreciation to the witnesses who shared their time and expertise on differential outcomes in Canada’s immigration decision making in support of the Committee’s study. Immigration, Refugees and Citizenship Canada (IRCC/the Department) benefits from the opportunity to learn from the Report and to better understand the challenges that have been brought forward and views on how to promote fairness in Canada’s immigration system. More pointedly, the Report considers the systemic embeddedness of potential unfairness within the broader Canadian immigration system including legislative and legal decisions, program criteria choices, funding and processing priorities, settlement options and enforcement interventions that can disadvantage certain populations because of their race, religion, culture, gender and/or other social factors.

Instilling equity in Canadian immigration systems is critical to the future of Canada as a diverse, inclusive, welcoming country for all newcomers. Immigration has played a monumental role in strengthening Canada’s cultural diversity and is expected to remain a primary driver of population growth over the coming decades. Fostering a welcoming society that rejects racism and supports newcomers as visitors, workers, neighbours, family members and friends, is critical to Canada’s social and economic successes.

According to the 2021 Census, immigrants make up the largest share of the Canadian population since Confederation. Approximately one in four people in Canada are immigrants, the highest proportion among the G7. Changes in immigrants’ place of birth have contributed to Canada’s ethno-racial diversity, with two in five Canadians projected to be a member of a racialized group by 2041. In 2022, Canada welcomed over 437,000 newcomers, the most new arrivals in a single year in Canada’s history. This year, we are continuing that ambition by setting even higher targets in the new levels plan to help businesses find the workers they need, deliver our commitments to strengthen family reunification and to support people in vulnerable situations who are fleeing violence, war and persecution.

It is in this context of welcoming diversity and embracing inclusion, and delivering on our immigration mandate that IRCC is committed to addressing and changing approaches that are racist or result in unintended bias or discrimination. The Department is also committed to fairness in decision making for all of its clients.

We appreciate the Committee’s recommendations as they will aid these endeavours. In fact, IRCC has taken a number of proactive measures in recent years to either address

inequities, or create special pathways for populations in vulnerable situations, such as the Economic Mobility Pathways Pilot, which supports stronger economic integration of refugees; the temporary lifting of the 20-hour-per-week cap on the number of hours that eligible postsecondary students are allowed to work; the Greater Toronto Area Construction Worker initiative that creates a pathway to regularize individuals who have been contributing to the Canadian economy; the Guardian Angel initiative, which provides a pathway to permanent residence for asylum claimants across the country working in the healthcare sector; the elimination of conditional permanent residence on sponsored spouses, which supports the Government's commitment to gender equality; and the launch of a dedicated refugee stream to provide a safe haven for human rights defenders at risk who are fleeing persecution in their home country. IRCC is also taking steps to facilitate migration and ensure people in vulnerable situations receive timely and adequate application processing by increasing the number of overseas positions, developing technological capacity, and utilizing internationally integrated workflows. The Department has prioritized addressing any procedural fairness concerns, unconscious bias, discrimination and systemic racism within IRCC's policies, programs, and service delivery.

IRCC was among the first government departments to set up a dedicated team to provide anti-racism guidance to senior management and employees. IRCC's latest iteration of its anti-racism strategy is focused on a number of key areas to address unconscious bias and discrimination in decision making that align with the Committee's recommendations, including: institutionalizing anti-racism within immigration policies, programs and practices; identifying institutional bias and racism in immigration decision-making and risk management; funding the delivery of resettlement services that promote anti-racism, diversity, equity, and inclusion; reviewing and monitoring analytical model building processes to identify and mitigate bias in data collection and analysis, and in advanced analytics solutions; and diversifying our workforce such that it is representative of the people we serve.

Our approach to anti-racism is intersectional and it considers race, geography, gender and other social factors that can shape differential experiences of clients with IRCC's policies, programs and operational decision-making. Gender-Based Analysis Plus (GBA Plus) is an essential requirement in all of IRCC's immigration programs. GBA Plus assesses potential systemic inequities including intersecting forms of bias and discrimination that may account for the different access to, and outcomes from, policies and programs. IRCC has a dedicated Equity Policy and GBA Plus Secretariat whose mandate is to foster a community of practice where equity and intersectional analysis becomes a mindset ingrained within Canada's immigration system. GBA Plus is a responsibility that everyone at IRCC must embody to integrate inclusivity by design for all groups and individuals we may impact.

As such, the Government concurs with the core of the Report – the Department needs to acknowledge and address the embedded systemic racism and other inequities within the Canadian immigration system that can result in unfair, and differential outcomes for some racialized clients and stakeholders. We also recognize that the Government must adapt to increasing levels of migration from non-traditional source countries and ensure that these

clients receive equitable opportunities, consideration, and support. Systemic discrimination or bias within any government operation in any form is completely unacceptable. IRCC's work to address discrimination and bias within Canada's immigration system is underway, but work remains to ensure an anti-racist, anti-discriminatory, diverse, equitable and inclusive culture within the organization. Systemic racism is rooted in Canada's history and institutions, including IRCC's history. Progress is slower than we would like. However, the Government of Canada has an obligation to ensure fairness in Canada's immigration system. For the benefit of our clients, employees and people who live in Canada, the Government commits to doing better, and we will.

The Government recognizes the need to ensure equity in all immigration programs, and is supportive of all of the Report's recommendations (fully, partially, in principle) and is already taking action in several areas. The Committee's recommendations are addressed under the two themes below:

- **Strengthening equity foundations** which is divided into five sub-themes: Institutionalizing Anti-Racism at IRCC; Developing and Implementing Mandatory Anti-Racism Training; Advancing Diversity, Equity And Inclusion (DEI) within Foreign Services; Establishing And Resourcing Employee Driven Networks; and Ensuring Non-Discriminatory Practice In Settlement Partnerships; and,
- **Facilitating migration to Canada**, which is divided into seven sub-themes: Championing, Equity in Humanitarian Responses; Practicing Procedural Rigour; Enabling Arrival; Advancing Technologies; Expanding Processing Resources; Empowering Ethno-cultural Settlement Agencies; And Improving Settlement Coordination.

## 1. STRENGTHENING EQUITY FOUNDATIONS

The Committee highlighted a number of areas where IRCC could improve its efforts to address unconscious bias, discrimination and systemic racism within IRCC's policies, programs, and service delivery. The Committee recommends that IRCC examine and address the potential outcomes of bias, systemic racism and discrimination in Canada's immigration system and identify how they may be intertwined with legislation, regulations, policies, programs, priorities, and operational capacities for service provision. The Department is committed to ensuring zero tolerance for racism or discrimination of any kind and commits to reviewing, monitoring, and proactively addressing unconscious bias, systemic racism and discrimination within its policies, programs, and client service delivery. The Government agrees, either fully, partially or in principle, with all of the recommendations grouped in this theme.

IRCC has introduced racial equity reviews in targeted policy areas to ascertain the current state of systemic racism and develop adjustments accordingly. For example, IRCC is implementing methodologies to identify institutional bias and racism in decision making and risk management and creating data-driven, objective risk indicators to address historical and current marginalization of Black populations and differential outcomes of racialized clients.

Furthermore, IRCC has also started to systematically introduce diversity and racial equity considerations into its program performance measurement practices and tools in targeted policy and program areas to establish measures to strengthen data collection and reporting and to develop adjustments accordingly. IRCC has also prioritized increasing the collection, availability and accessibility of disaggregated data internally and through partnerships with Statistics Canada to strengthen the ability to conduct intersectional analysis in support of departmental monitoring and reporting.

The Department commits to integrating equity reviews as it digitally transforms its infrastructure and client services through IRCC's Digital Platform Modernization (DPM) programme. DPM will adhere to principles of fairness, accessibility and transparency to help eliminate unjustified disparities in client outcomes, provide the Department with enhanced capabilities to better achieve Government of Canada objectives, better meet client needs, and provide more tools to respond to migration demands. This includes strengthened data and analytical capacity to design and manage programs in a way that is more consistent with anti-racism, diversity, equity, and inclusiveness objectives.

The Minister of Immigration, Refugees and Citizenship has been directed to undertake a strategic policy review to position Canada's immigration system for the future. This comprehensive policy review, entailing broad engagement, research, and policy analysis, provides an opportunity to profile systemic issues and to envision strategies and solutions for the future.

IRCC has taken a number of steps to advance diversity, equity and inclusion within the Department. IRCC's Anti-Racism Strategy 2.0 (2021-2024) has established: anti-racism sector commitments, sub-committees for targeted analysis, mandatory bias training, mentoring, coaching, and sponsorship programs, leadership development programs for underrepresented groups, employee trust circles, racial impact assessment tools for policy development, measurable goals, timeframes for results, accountability mechanisms and additional supports to our diversity, equity and inclusion (DEI) employee networks to collaboratively empower cultural change in the workplace. From 2021 to 2024, IRCC also initiated a hiring and retention strategy to address gaps in our workforce diversity to better reflect Canadian demographics.

IRCC has made considerable gains in developing and implementing mandatory unconscious bias, anti-racism, and cultural awareness training, including mandatory training that covers procedural fairness and impartiality training for decision-makers such as visa officers. Work is currently underway to tailor unconscious bias and anti-racism training for specific decision making processes, such as anti-racism training for grants and contribution decision-making. Collaboration with external stakeholders in developing training and guidelines is ongoing, including working with community stakeholders to develop culturally sensitive best practices for spousal sponsorship interviews. Work is also underway to examine differential outcomes in immigration decision-making. IRCC is exploring the feasibility of establishing an ombudsperson office.

IRCC has also identified gaps, including underrepresentation of racialized employees at all levels of its operational divisions, resource gaps in support of employee driven equity networks and limited resources provided for staff-initiated anti-racism training, which may hinder long-term bottom-up approaches to DEI. IRCC is committed to addressing these gaps. Gaps in resource and evaluation infrastructure to comprehensively conduct racial equity reviews of policies, programs and service delivery across lines of business have also been raised as a concern for broad implementation. Additionally, more and continuous work is required to instill a comprehensive, anti-racism culture across all aspects of Canada's immigration system and within IRCC's people management.

While IRCC is building the foundations towards an anti-racist culture, there is room for IRCC to focus on particular initiatives to strengthen its equity foundations. By taking an iterative approach, building on the results emerging from piloted equity reviews, we are aiming to infuse anti-racism initiatives most fulsomely within IRCC. This approach will enable us to better understand, tackle, and eradicate institutionalized and systemic racism and other intersecting forms of discrimination within Canada's immigration systems.

### **Institutionalizing Anti-Racism at IRCC**

*(Responds to Recommendations 4, 17, 27, 31, 32)*

The Government agrees, either in full or in principle, with all recommendations in this subtheme, with work currently underway. This section outlines ongoing or proposed initiatives to develop the foundational processes to address unconscious bias, discrimination and systemic racism within IRCC policies, programs, and service delivery, including the new Canada's Anti-Racism Strategy (2023-2028). This section will also discuss steps IRCC has or will take to conduct racial equity reviews. Lastly, this section outlines work underway to introduce an independent oversight function for addressing racism.

The Department has undertaken a number of initiatives to comprehensively review and address bias, racism and discrimination that may exist in the Department's programs and policies, service delivery and people management. IRCC has started to systematically introduce diversity and racial equity considerations into its program performance measurement practices and tools in targeted policy and program areas to establish measures to strengthen data collection and reporting and to develop adjustments accordingly. IRCC is also examining how to integrate equity reviews to ensure they are part of all formal program evaluations. Disaggregated data will be pivotal to discerning which populations are differentially impacted and tailoring responses accordingly. In support of the increasing collection, availability and accessibility of disaggregated data, IRCC drafted a disaggregated data and analytics framework which is expected to be operationalized by the end of March 2023. The framework is comprised of procedures and tools for IRCC to enable the application of disaggregated data standards throughout the data lifecycle, including the principles of necessity and proportionality, in accordance with privacy law obligations.

IRCC's Anti-Racism Strategy 2.0 (2021-2024) has proposed a series of racial equity reviews as

part of its action plan, including targeted reviews of identified policy and programs to establish the current state of systemic racism. Early work in this area includes publication on our website of a research paper that summarizes published work on inequities in the treatment of temporary foreign workers (Racism, Discrimination and Migrant Workers in Canada: Evidence from the Literature). These reviews will also include service delivery models and operational decision-making to identify disparate impacts, and address unconscious bias and systemic racism.

The strategic initiatives implemented or underway at IRCC align with the actions proposed for the new Canada's Anti-Racism Strategy (2023-2028), which outlines a broader and more sustained federal framework to eradicate all forms of racism and related intolerance in Canada including systemic discrimination based on race, religion and their intersections. Legislation and other tools are under consideration as part of the new Canada's Anti-Racism Strategy (2023-2028). As part of this renewed strategy, the Government will also continue to strengthen and support the important work of the Federal Anti-Racism Secretariat to ensure a whole-of-government approach in addressing systemic racism, including through increased resources.

Equity-by-design is a key feature of IRCC's Digital Platform Modernization (DPM) programme, a multi-year, multi-phased investment that will redesign services and deliver a modern technology platform. DPM will adhere to principles of fairness, accessibility and transparency to help eliminate unjustified disparities in client outcomes, provide the Department with enhanced capabilities to better achieve Government of Canada objectives, better meet client needs, and provide more tools to respond to migration demands. IRCC's Anti-Racism Strategy 2.0 (2021-2024) has made DPM governance a key pillar of its action planning to ensure that automation of IRCC processing does not codify racism, nor perpetuate barriers currently faced by some racialized clients. Prioritizing DPM governance within the Anti-Racism Strategy offers IRCC the opportunity to embed equity principles within program redesign, introduce technological advancements that alleviate barriers to access and proactively integrate equity reviews within artificial intelligence and advance analytics (AA/AI).

A strategic policy review being undertaken by the Department will leverage policy, research findings and external expertise, and engage with key governmental departments, provincial and territorial partners, and external stakeholders. It is expected that issues of anti-racism will emerge as the review advances, and form part of review findings.

Recent initiatives in the department exemplify how anti-racism programming and policy making can be advanced throughout the Department. For example, IRCC is making investments to test approaches that address potential systemic inequities in the settlement context, particularly those due to race and gender. These investments will help support settlement service providers by identifying approaches that can improve newcomer services in a culturally responsive way, with the shared objective of ensuring that racialized newcomers are able to equitably access and receive settlement services and, ultimately, achieve improved settlement outcomes. IRCC's Equity Request for Quotations (Equity RFQ) process, launched in September 2022, strives to integrate equity principles within IRCC's Settlement and Resettlement Programs. Projects

funded under the Equity RFQ are expected to begin in early 2023 and end by March 2024. The aim of the Equity RFQ is to support organizations representative of racialized communities to deliver culturally responsive settlement services and enhance understanding of anti-racist service provision within the settlement sector. Research projects funded by the Equity RFQ will explore clients' lived experiences with racism and other forms of discrimination when obtaining settlement services, and to strengthen capacity building to better support organizations serving racialized newcomers. Other settlement projects under development will better equip settlement organizations led by, and representative of, racialized communities with the tools and resources necessary to successfully navigate funding processes, and therefore increase the diversity and representativeness of organizations involved in newcomers' settlement and wider community consultations.

IRCC is also assessing the presence of systemic racism and individual bias in officer decisions in accordance with IRCC's Operations Sector Anti-Racism Commitments. IRCC is currently addressing the recommendation through business and risk intelligence quality assessments and analysis of bias in decision making through the Institutional Bias and Racism Identification Method (IBRIM). The recently developed IBRIM methodology uses a comparative, data-driven model to identify possible differential outcomes, their potential causes, and possible gaps or bias to be further investigated. A pilot case study on refusal rates in Nigeria identified a number of factors potentially contributing to differential outcomes, and IRCC will further refine its IBRIM methodology, in an iterative fashion, starting with analyzing applicants from other Black majority countries. For those countries analyzed, IRCC will then conduct a data-driven and objective risk assessment to refine and develop further positive and negative risk indicators for officers to use that are based on data-driven, individualized risks, to address any historical exclusion.

While the Department is currently undertaking many initiatives that respond to the Committee's recommendations, work remains ongoing. Work is currently underway to create an independent oversight body for the CBSA with a mandate that includes addressing complaints about racism. Bill C-20 (*An Act establishing the Public Complaints and Review Commission and amending certain Acts and statutory instruments*) was introduced in the House of Commons on May 19, 2022 and referred to the Standing Committee on Public Safety and National Security on November 25, 2022. The Public Complaints and Review Commission (PCRC) would serve as an enhanced independent review body for the CBSA. The review body would be responsible for CBSA conduct and complaints related to level of service, including those pertaining to racism. To identify and highlight issues of systemic racism in law enforcement, Bill C-20 would also mandate the new review body to collect and publish disaggregated data, including race-based data, as part of its annual reporting.

IRCC is also committed to exploring the feasibility of establishing an ombudsperson office. A study is currently underway to identify gaps within the Department's existing measures and structures associated with complaints and oversight that a prospective ombudsperson office might be able to address. This feasibility study is considering other departmental initiatives to identify and address systemic inequities that can lead to unfair outcomes, as well as the

experiences of other government departments and jurisdictions (e.g. Immigration and Refugee Board of Canada) that have an ombudsperson office. IRCC is also comprehensively examining the issues raised regarding the rationale for creating an ombudsperson office as detailed in the current and previous two Committee reports. This feasibility study will allow the department to better understand its current gaps and consider which model would be most appropriate to address them, such as the possible creation of an IRCC ombudsperson office with accompanying measures. IRCC is targeting the end of March 2023 for the completion of the feasibility study, after which the Department will determine next steps. Should a decision be made to establish an ombudsperson office, IRCC will seek the appropriate authorities and resources, based on the appropriate scope of the office.

### **Developing and Implementing Mandatory Anti-Racism Training**

*(Responds to Recommendations 11, 18, 28, 33, 35)*

The government agrees either fully or in principle, with the proposed recommendations, and work is underway in some immigration programs, to develop and implement mandatory unconscious bias, anti-racism, and cultural awareness training.

An Anti-Racism Service Delivery Working Group was established in October 2021 with the objective of proposing anti-racism initiatives for IRCC service delivery. The Department also has mandatory training in place that covers bias, impartiality, and the duty to act fairly to support decision-makers, such as visa officers, in applying procedural fairness in their decisions.

IRCC recognizes that training to eliminate unconscious bias and anti-racism training is essential to address unjustified differential outcomes that have a disproportionately negative impact on racialized clients in the Canadian immigration system. The Department has instituted mandatory unconscious bias and anti-racism training and is currently in the process of implementing this training for all staff. For example, a racism, equity, diversity and inclusion training was delivered between November 2021 and May 2022 to Area Directors, Migration Program Managers and Unit Managers. The Canada School of Public Service (CSPS) courses for unconscious bias training have the highest completion rate of course offerings at IRCC. As of April 1, 2022, training on inclusive hiring practices has been made mandatory for all IRCC board members prior to sitting on a selection board and continues to be strongly recommended for staffing managers.

The Enterprise Change & Learning Academy (ECLA) has been working on the implementation of anti-racism training standards. ECLA has provided pedagogical advice for the development of anti-racism training which is currently under development. Legal Services has been reviewing new training developed for decision-maker and helped to develop supplementary training resources on issues of equity and fairness. ECLA is also implementing IRCC Training Standards that include tools and resources for content design that is more user-centric, accessible and supportive of diversity and inclusion. Future plans include conducting a gap analysis on anti-racism training content, determining target audiences for mandatory training for decision making processes, and completing analysis of cost and statutory obligations for mandatory



training. The Department also plans to explore alternative training formats, including those implemented by Migration Five (M5) partners such as Australia.

As part of the Department's people management plan, anti-racism has been included as a departmental learning priority for management, including the prioritization of cross-cultural competencies for middle and senior management. Specific to foreign offices, the Department has begun offering people management anti-racism workshops to foreign office managers whose roles are instrumental to address and promote systemic racism awareness. IRCC is committed to continuing its effort to develop additional training for visa officers and other delegated decision makers, as part of its ongoing efforts to promote anti-bias, anti-racism and cultural awareness in decision-making on applications. For example, IRCC offices on the African continent have been careful to balance their reporting and to highlight the opportunities, not just the risks, as a way of countering a single story narrative, or a simplistic narrative that does not take in consideration all of the overlapping and interrelated elements that could provide a more comprehensive understanding of people's experiences. Also, in the Spring of 2021, IRCC offered training, as part of a work-sharing arrangement among four offices in the overseas context, to increase awareness of bias. IRCC is currently exploring the possibility of expanding anti-bias and anti-racism training to further support staff working on African applications to apply an anti-bias and anti-racist lens to their work.

Work is underway at CBSA to implement and deliver mandatory and regular unconscious bias, anti-racism training with its staff, with input from external stakeholders. CBSA has instituted mandatory training on unconscious bias for management that has been completed by more than 90% of hiring managers. In partnership with Customs and Immigration Union, which represents Canada's Front-Line Customs and Immigration Officers, CBSA developed training on the Practices of Anti-Racism and Allyship. This training has become a mandatory course at CBSA and targets 80% employee completion by the end of FY 2025-26. Future training initiatives at CBSA include: rolling out, monitoring, and evaluating training, reviewing course evaluation and implementing changes as required, and integrating religion and specific racialized groups to the approach to anti-racism training.

The Government agrees in principle to work with external stakeholders to develop and implement training, best practices and guidelines that are culturally sensitive, and ensure that contracted staff receive mandatory unconscious bias and anti-racism training. Engagement with external stakeholders is integral to IRCC's anti-racism strategies. External stakeholders can provide insight into inequitable outcomes of departmental policies, programs and service delivery, and, in partnership, can co-create solutions. The Department frequently engages with external stakeholders when developing and improving its programs. The Department has implemented several best practices and guidelines that accelerate the processing of spousal sponsorship applications while maintaining program integrity and is committed to continue engaging with external stakeholders to ensure a more consistent approach globally, taking into account the different cultural norms of marriage.

With respect to the Department implementing mandatory, seminar style, unconscious bias, anti-racism, cultural awareness training for all visa officers; the Department agrees in principle. IRCC is committed to expanding the scope of its cultural sensitivity best practices and guidelines so that they are systemically applied and globally available to all IRCC foreign offices, yet this work is ongoing. Cross cultural sensitivity training has been integrated into orientation and training materials available to decision makers. Some foreign offices have engaged with community stakeholders and hired experts to develop culturally sensitive best practices based on targeted topics (e.g., trauma-informed interviewing skills). Department will explore formats other than autonomous online training; however, implementation of alternative training formats will also depend on capacity and accessibility requirements.

The Government also agrees in principle that anti-racism training should be mandatory for contractors. IRCC is committed to making our Department more inclusive for everyone, fostering an equitable workplace culture that values diversity, equity and inclusion, and creating an environment that is welcoming and rewarding for all. To this end, IRCC has developed rating criteria for its competitive bidding processes that includes anti-racism and diversity indicators; demonstration of anti-racism and unconscious bias training serves as part of the evaluation criteria. This evaluation process provides a competitive advantage in solicitations to businesses with anti-racism and diversity programs, policies, and training. IRCC is committed to looking for additional mechanisms to strengthen anti-racism awareness of suppliers as opportunities present themselves.

### **Advancing Diversity, Equity and Inclusion (DEI) within Foreign Services**

*(Responds to Recommendations 29, 30)*

The Government fully agrees with increasing representation of racialized Canadian candidates within all levels of foreign service and agrees in principle with increasing ethnic and cultural diversity of locally engaged staff. As part of its Anti-Racism Strategy 2.0 (2021-2024), the Department has established clear objectives to increase the representation of racialized groups in sectors where there is underrepresentation, and integrate diversity, equity and inclusion objectives into Executive Performance Management Agreements to ensure accountability and transparency. The Department is also planning the launch of an Employment System Review to analyze existing employment systems, policies, and practices to identify any systemic or attitudinal barriers to employment opportunities for equity-deserving groups.

Specific to foreign service employment, gaps in the representation of racialized employees – especially Indigenous Peoples, Black and other racialized people, and persons with disabilities - have been identified for all foreign service levels. To address identified gaps, the Department is planning a new Foreign Service Development Program and Appointment Process that focuses on organizational needs and will encourage candidates to self-identify as members of designated groups. The Department also plans to target the employment and career development of equity-deserving groups underrepresented in foreign service through information sessions within employee equity networks, targeted recruitment campaigns (e.g., employment equity-focused career fairs), and working with equity-deserving communities to

attract and retain new talent that is representative of Canada's diversity. Additionally, the Department plans to eliminate barriers to foreign service employment faced by racialized candidates by taking steps to ensure diverse representation on foreign service assessment boards; appointing a human resources DEI consulting firm to review the Foreign Service Development Program (FSDP) recruitment and assessment processes; and developing tools and training assessment board members to perform their functions using a DEI lens. A dedicated team has also been established to work on anti-racism initiatives for IRCC, which includes foreign service officers.

The Department agrees in principle that concrete steps need to be undertaken to increase diversity amongst Locally Engaged Staff. IRCC recognizes that diversity is defined differently across local context, and ethnic and cultural diversity and regional ethnocentrism should be taken into account in recruitment strategies. Managers in foreign offices are engaging in ongoing discussions on improving upon recruitment strategies. Future initiatives include considering options to bolster official language training to assist Locally Engaged Staff in meeting language requirements, and engaging governmental partners (e.g., Global Affairs Canada) and external stakeholders to diversify recruitment approaches.

### **Establishing and Resourcing Employee Driven Networks**

*(Responds to Recommendation 34)*

The Government fully agrees to facilitate the establishment of adequately resourced, employee-driven groups. Employee networks at IRCC have been a key driver in identifying barriers and systemic inequities within the Department's work. They have also provided a sense of safety to voice employee-related concerns, including unconscious bias, micro-aggressions, and systemic discrimination in the workplace. The Department currently has six established DEI Champion Networks, with one overarching DEI Champion that supports them. These networks represent equity-deserving groups from across IRCC, and includes the Indigenous Peoples Circle, Pride@IRCC, the Black Employees Network, the Racialized Employees and Allies Network, the Persons with Disabilities Employees Network, and the Women's Network. Each group leads different initiatives, learning events, and social activities with the objective of increasing awareness around equity at IRCC and offers a collective voice to advance concerns around unconscious bias and discrimination in the workplace.

The corporate entities leading DEI for IRCC, including the Anti-Racism Task Force and the Equity Policy and GBA Plus Secretariat, collaborate and consult with the Equity Networks on an ongoing basis in support of departmental planning, projects, monitoring and reporting and consider the champions and networks key stakeholders in advancing anti-racism and DEI efforts at IRCC. Resource challenges – dedicated support, capacity, monetary and data driven resources – have been identified as key concerns of the Equity Networks. The Equity Networks are organized and chaired by volunteer employees who do this work, often outside of working hours, as part of their own personal commitment to improving the workplace and public service. A cultural shift within the Department (e.g., broader supporting of community, additional resources, availability and sharing of data, including disaggregated data with and

amongst Networks) will be required to ensure DEI efforts are advanced, and to provide a meaningful opportunity for Equity Networks to be consulted and be embedded into the early stages of Departmental strategic planning.

### **Ensuring Non-Discriminatory Practice in Settlement Partnerships**

*(Responds to Recommendation 26)*

The Government agrees with the recommendation to address bias, racism and discrimination that may exist in its settlement relationships, including those serving racialized women, and work is currently underway to prevent any inequitable results in grants and contributions management with settlement and resettlement recipient organizations. IRCC Officers are required to complete mandatory training related to values and ethics and the IRCC's Code of Conduct which include modules on anti-racism. In addition, targeted initiatives for racialized women, including the Racialized Newcomer Women Pilot, have allowed the Settlement Program to develop and maintain relationships with non-traditional organizations and recipients to develop new approaches to increase employment opportunities for racialized women. The testing component of the Pilot was informed by cross-Canada workshops involving a diverse group of settlement and employment agencies. Efforts are ongoing to continue to tailor anti-racism IRCC Program Officer and Management training specific to Grant and Contribution Agreements, and continuously developing guidance and tools that support decision-making using an intersectional lens.

## **2. FACILITATING MIGRATION**

Many of the Committee's recommendations underscored the importance of fairness in immigration programs, procedures, and resource allocation to ensure that clients receive equitable opportunities, consideration, and support. The recommendations also highlighted the need for greater processing capacity and sufficient oversight when developing technologies designed to streamline application review and improve client service. The Government agrees, either partially or in full, with all of the recommendations related to facilitating migration.

The Department is actively working to increase the total number of refugees welcomed to Canada. Between 2023 and 2025, the Government of Canada plans to resettle over 144,000 refugees through our resettlement streams. IRCC is also exploring a new Crisis Management Framework to improve IRCC's ability to anticipate, respond to, and comprehensively manage emerging crises where a variety of protection needs may be present. The Department relies on the United Nations Refugee Agency (UNHCR) to identify the populations selected for IRCC's Refugee Program and is working to ensure fairness and impartiality within this larger system of international migration. IRCC is striving to improve resettlement initiatives for racialized clients, to ensure that programs and policies are fair, equitable, and culturally sensitive.

The Department also recognizes that fair processing standards are of great importance to our clients. The Government is committed to consistently applying the rules of procedural fairness and the *Immigration and Refugee Protection Act* (IRPA).

IRCC is taking measures to ensure that applicant interviews are grounded in bias prevention and cultural sensitivity through updates to the Standard Operating Procedures used across Canada and abroad. The Department will also continue to leverage external stakeholder knowledge to gather evidence on the barriers within the Family Sponsorship process.

The Department remains committed to addressing policies and procedures that unfairly prevent or delay arrival in Canada. The Department is working to develop a fairer and more equitable work permit policy for spousal applicants in Canada, whether they are applying under the Spouse or Common-Law Partner in Canada Class or overseas Family Class. IRCC also implemented a new initiative that will enable the Department to meet the Minister's mandate letter commitment to facilitate issuance of temporary resident status to spouses and children applying under the Family Class program. To provide spousal sponsorship clients with increased flexibility, the Department will continue to offer virtual interviews to clients where possible and is working to expand the availability of virtual interviews at overseas offices. In order to mitigate public health risks and pressures, clients are required to complete an Immigration Medical Exam (IME) prior to arrival in Canada. If the results of the exam expire prior to the application being processed, some clients are not eligible for reassessment. This affects many racialized clients as they are more predominant in tuberculosis (TB) designated countries. To facilitate arrival, IRCC is exploring the possibility of issuing medical instructions in accordance with processing times for each line of business. Ensuring that medical examinations occur closer to the finalization of an application eliminates the requirement for a second exam, thereby mitigating the impacts on racialized clients while also protecting Canadian health and infrastructure.

The Committee also reiterated the need for increased oversight and transparency in IRCC's use of new automated decision support systems as well as the urgency to improve client-facing technologies to assist in expediting and clarifying client applications. IRCC is in agreement with the Committee's views on the necessity of transparency, independent oversight, and consultations to ensure the responsible use and ethical management of IRCC's digital technologies. In addition to introducing GBA Plus methodology in the design and evaluation of systems, IRCC will continue to leverage policy, privacy, legal and program oversight to assess the potential impact of new tools on procedural fairness and client outcomes, and use the Open Government Portal and public communications channels to increase transparency. The Department is also launching initiatives, such as the client application status tracker, and the forward-looking processing times tool to improve the accessibility of applications, provide more consistent and effective correspondence and online content for clients, and enhance the transparency of application status information.

The Committee highlighted stakeholder concerns regarding the availability of application processing resources, especially in Africa and South Asia. With recent advancements in digital processing, IRCC now has more opportunities to leverage our entire network in support of clients from the regions highlighted by the committee. This integrated and modernized working environment allows applications to be shifted from one processing centre to another, enabling

the Department to respond to fluctuations in processing capacity to ensure that regional backlogs do not occur. To better understand refusal rates between regions or countries, IRCC will analyze existing data sources to determine what information could be made public. To better support timely application processing, the Department has increased its presence overseas by 24% in 2022, bringing its total to 1,598 positions. IRCC has also turned its attention to increasing processing capacity for all Caregiver applications, starting with hiring new, additional resources specifically intended to accelerate Caregiver processing, although overall numbers will have to conform to authorized limits. The Department acknowledges the challenges faced by many clients in Africa and South Asia when accessing Visa Application Centre (VAC) services and will continue to work with Global Affairs Canada (GAC) on itinerant biometrics collection to serve clients in countries with no VAC presence while ensuring that the terms of the existing VAC contracts are not violated.

The Department is actively engaged with internal and external stakeholders to enhance funding to service provider organizations that support populations in vulnerable situations. The Department is extending funding through the Racialized Newcomer Women Pilot (RNWP), to organizations including ethno-cultural community groups, to support the employment outcomes and career advancement for racialized newcomer women across the country. In addition, through the 2022 Equity Request for Quotations (RFQ) process, IRCC is making new investments to test approaches that address systemic inequities in the settlement context, particularly those due to race and gender. Budget 2021 committed \$49.5M for ESDC over three years to implement a new Migrant Worker Support Program that includes arrival orientation services, supports that explain how to exercise workers' rights, and assistance for at-risk or emergency situations. Through an amendment to Immigration and Refugee Protection Regulations (IRPR) in 2022, migrant workers in Canada who are experiencing abuse, or who are at risk of abuse, in the context of their employment in Canada, may be eligible to receive an open work permit that is exempt from the labour market impact assessment (LMIA) requirement. IRCC will review options to collect more disaggregated funding data using its existing financial and contribution and grants management systems, and Immigration, Contribution Agreement Reporting Environment.

Finally, the Committee drew attention to improvements needed to strengthen coordination between provincial-territorial governments and other external stakeholders. The Department engages closely with the settlement sector to ensure that national settlement policies and programs support the settlement, adaptation, and integration of newcomers into Canadian society. IRCC will be working in close collaboration with Provinces and Territories through the Federal-Provincial-Territorial (FPT) Settlement Working Group to achieve the areas of focus outlined in the 2020-23 FPT Strategic Plan for Immigration. These include: building on co-planning efforts to improve alignment of settlement/resettlement programming; increasing FPT collaboration to improve newcomer supports in priority areas, such as newcomer mental health, and newcomer employment; and improving measurement of settlement and integration outcome of newcomers to better inform policies and programs. While IRCC has been proactively engaging with provinces, territories and other stakeholders, it acknowledges

that more can be done to improve coordination and the availability of support for newcomers. To this end, the Department will continue to work closely with intergovernmental partners and non-governmental stakeholders to ensure that newcomers receive high-quality resettlement services that facilitate positive economic and social outcomes.

### **Championing Equity in Humanitarian Responses**

*Responds to Recommendations 1, 2, 3)*

The Government agrees, either partially or in full, with all recommendations grouped in this sub-theme. The Government agrees to uphold fairness and impartiality in the Refugee Program, including through ensuring that responses to humanitarian crisis are procedurally consistent, and is working to increase the total number of refugees welcomed to Canada when crises do occur. The Department is examining how to optimize the responsiveness and equity of humanitarian programs to better support Canada's resettlement goals.

In response to the recommendation to increase the total number of refugees welcomed to Canada, IRCC underscores that its objective under the Refugee Resettlement Program is to provide timely protection to those displaced and persecuted who are outside of their country of origin with no other durable solutions. Between 2023 and 2025, the Government of Canada plans to resettle over 144,000 refugees through our three resettlement streams: Government-Assisted Refugees (GAR), Privately Sponsored Refugees (PSR), and the Blended Visa-Office Referred Program (BVOR). Canada has also committed to resettle at least 40,000 at-risk Afghan nationals by the end of 2023, through several special programs, in addition to our existing resettlement commitments to other refugees in vulnerable situations as set out in the Department's Immigration Levels Plan. IRCC is taking further action to reduce its overall backlog in permanent residence applications and mitigate potential delays for existing applications, including those of prospective resettled refugees. Measures include hiring nearly 1,300 new processing staff to support immigration levels and investing in and expanding the use of technology and new online options for applicants.

With respect to ensuring fairness and impartiality for vulnerable populations in the Refugee Program in accordance with international obligations, the refugees arriving through the GAR and BVOR streams are identified by the UNHCR and other designated referral organizations on the basis of vulnerability, and global resettlement needs. Due to its mandate and global reach, the UNHCR is well-positioned to contribute to fairness and impartiality in Canada's resettlement program. Refugees resettled in Canada through the PSR program are selected by groups of Canadians and permanent residents who have the freedom to select any refugee that meets program eligibility criteria. Canada continues to invest in innovative ways for more refugees to access safe, legal and regulated pathways to protection through private sponsorship, labour and economic mobility. This includes the Economic Mobility Pathways Pilot, which is working with employers and communities across Canada to welcome skilled refugees and their families to fill labour shortages in high-demand sectors, such as health care.

In response to the Ukraine crisis, the Government chose a course of action that it believed would be most effective in helping those fleeing violence, within the context of coordinating our actions with our international allies. More specifically, Canada's response to Ukraine is intended to support Ukrainians and their families fleeing the war to facilitate their temporary stay in Canada. The Canada-Ukraine Authorization for Emergency Travel (CUAET) measures provide Ukrainians and their immediate family members of any nationality the opportunity to stay in Canada as temporary residents for up to three years, with access to temporary federal settlement supports and open-work permits or study permits.

The Government as a whole, not IRCC, determines Canada's humanitarian responses. As such, the Department only partially agrees with the recommendation that IRCC extend the special measures offered for Ukrainians to other countries and regions that are faced with humanitarian crises, as the Department will include these measures as part of a collection of potential measures that may be used depending on what the circumstances of the crises require. IRCC is currently examining the actions that need to be taken to ensure that special measures offered to countries in crisis are informed by equity considerations. The Government is committed to a fair, non-discriminatory, equitable and culturally sensitive immigration system and is looking closely at our programs and initiatives to assess how they impact racialized clients.

Canada has developed measures to facilitate family reunification in specific situations, including of extended family members. As part of the special measures for Afghanistan, for example, Canada is providing permanent residence to Afghans who assisted Canadian military and diplomatic activities, including family reunification for some extended family members, and special pathways for groups vulnerable to persecution by the Taliban. As part of its commitment to resettle Survivors of Daesh in Northern Iraq, the Government also facilitated the resettlement of extended family members of Yazidis to Canada, in recognition of the unique challenges faced by this population and in an effort to support the emotional and mental wellbeing of women and children who lost immediate family members. The Department will continue to work on anti-racism initiatives with stakeholders to explore the development of an equity-based approach to guide future crisis responses.

With respect to implementing a consistent approach to emergency response, Canada must be able to adapt to the changing conditions and circumstances of each crisis while at the same time ensuring procedural impartiality. Building on the special measures developed in response to the war in Ukraine and the crisis in Afghanistan, the Department is working toward a new Crisis Management Framework that would improve IRCC's ability to anticipate, respond to, and comprehensively manage emerging crises where a variety of protection needs may be present. Above all, the Framework would reflect the Department's commitment to crisis response that is appropriately rooted in evidence-based decision making, consistency, and fairness. The Department is actively working to elaborate the potential scope of this framework with a view to equipping itself with the policy and program tools, and operational readiness planning, to enable nimble and sustainable immigration responses. Through these actions, IRCC is committed to more responsive, consistent, and equitable responses to emerging crises.



## **Practicing Procedural Rigour**

*(Responds to Recommendations 9, 10, 12, 13)*

Many of the Committee's recommendations underscored the importance of providing transparent, consistent, and culturally appropriate communication with clients and stakeholders, including around processing times, interviews, and reasons for refusals. The Government agrees in full that the IRPA and the rules of procedural fairness must always be applied. The Government also agrees that measures must be taken to ensure that applicant interviews are informed by measures to prevent bias and discrimination and that more information is needed to understand the barriers in the Family Sponsorship process. IRCC agrees in principle with the Committee's recommendations to record interviews and use the "Family Sponsorship Impact Statement Form" to improve cross-cultural understanding and accountability. IRCC will use the information from this form, along with other sources of information to inform the updating training, policies, and procedures to ensure the consistent, fair, and unbiased administration of interviews. The Department will also continue to leverage external stakeholder knowledge to identify the barriers within the Family Sponsorship process.

Decision-makers are required to follow the rules of procedural fairness throughout the decision-making process. Procedural fairness requires that applicants be provided with a fair and unbiased assessment of their application and be informed of the decision-maker's concerns where needed in order to provide the Applicant with a meaningful opportunity to respond. To address bias in decision making, IRCC is working to implement a new risk management framework to identify, assess, mitigate and monitor risk within immigration programs. Central to this framework is the ability to produce data-driven and evidence-based risk indicators. This objectivity will contribute to ensuring that Black and other racialized populations are assessed on the merits of their applications and not pre-conceived biases. IRCC will identify straightforward applicants through the framework, to clearly demarcate where the Department can develop facilitative processes and pathways to encourage more proportionate immigration volumes from Black and other racialized populations.

Program Delivery Instructions outlining the steps to ensure procedural fairness for applicants are reviewed and updated to ensure that guidance is accurate and readily available. Every application is considered on a case-by-case basis and may take longer to process for a variety of reasons such as higher levels of complexity or incomplete information. IRCC continues to analyze data, refine criteria, and design tools to improve decision making and ensure that applicants are assessed completely and fairly.

Under s. 22(2) of IRPA, applicants should not be precluded from becoming a temporary resident if they have the intention to become a permanent resident, so long as the officer is satisfied that they will leave Canada by the end of the period authorized for their stay as a temporary resident. IRCC recognizes that temporary foreign nationals can have plans to immigrate permanently to Canada or develop this desire after first coming to Canada temporarily. The Department has taken measures to better recognize that an intention to apply for permanent

residency during a temporary stay is not on its own proof that an individual will not leave Canada if their temporary status expires. A foreign national may lawfully possess a “dual intent” when applying for a temporary resident visa. The dual intent instructions have been updated with a specific section for spouses and partners who have an overseas application for permanent residence. The Departments’ Standard Operating Procedures are also being updated to include further clarification on section 22(2). Dual intent is currently covered in Temporary Resident Decision Making training packages, however all training packages will be reviewed to ensure that facilitative language is emphasized. IRCC is working on ensuring that decision makers access a wider range of formal training, including on section 22(2).

The Department is committed to upholding procedural fairness and cultural sensitivity in interviews, and IRCC is considering the impacts of recording and retaining interviews as one of the possible means of achieving this objective. The Department is cognizant of the impacts that would accompany an obligation to record all interviews such as retention, privacy and client service concerns, as well as operational complexities. IRCC currently does not have mechanisms in place to store video or audio recordings from hearings/interviews with clients. This would require obtaining consent from all parties involved for each application (clients, employees, citizenship judges, and interpreters) and could increase client anxiety. Recording and storing interviews would require a thorough privacy impact assessment and vulnerable clients may be more at risk given the sensitive and personal information potentially disclosed during these interviews. Secure technological solutions and operational procedures would also need to be developed. The Department will continue to explore ways to ensure that procedural fairness and cultural sensitivity is built into the interview process through updates to the Standard Operating Procedures used across Canada and abroad. For example, reprisal mechanisms exist throughout the processing of a citizenship application. If a client believes that they have experienced discrimination in the processing of their application, they can submit a request for reconsideration, file an application for judicial review to the Federal Court of Canada, and/or submit a complaint to the Canadian Human Rights Commission. The Department commits to further exploring other options to ensure procedural fairness, cultural sensitivity, and accuracy in interviews while maintaining the privacy of clients.

The Department consults stakeholders such as immigration consultants, representatives and non-governmental organizations when developing and improving processes for assessing permanent residence applicants. The Department will continue to gather evidence from external stakeholders to better understand barriers in the family sponsorship process. In alignment with the mandate letter commitment, the Department will continue to work on reducing application processing times to facilitate temporary residence for family members waiting for their permanent residency applications.

IRCC will continue its efforts to improve and modernize training offered to support decision makers to understand and apply procedural fairness and impartiality. The Department is committed to systematically providing this training to all decision makers as soon as possible. The Department will ensure that procedural fairness and cultural sensitivity is at the forefront of updates to existing training, program guidance and standard operating procedures.

## **Enabling Arrival**

*(Responds to Recommendations 14, 15, 16, 23)*

The Government agrees, either partially or in full, with the recommendations related to expediting family reunification through facilitative approaches to temporary resident visas and open work permits, upholding a 12-month processing standard for overseas spousal permanent resident applications, and facilitating medical examinations.

The Department is developing a fairer and more equitable work permit policy for spousal applicants in Canada, whether they are applying under the Spouse or Common-Law Partner in Canada Class or overseas Family Class.

In December 2014, the Department began an ongoing pilot to allow open work permits to be issued to in-Canada Spouse or Common-Law Partner applicants earlier in the application process. This approach improved integration outcomes by enabling applicants to engage with, and contribute to, the Canadian economy and their local communities. The Department will continue to explore ways to ensure a facilitative approach for all spousal applicants in Canada seeking open work permits, regardless of whether they are applying under the Spouse or Common-Law Partner in Canada Class or overseas Family Class. To facilitate family reunification the Minister of Citizenship and Immigration, together with the Minister of Public Safety, also increased the length of stay for super visa holders up to 5 years per entry into Canada and provided the Minister with authority to designate international medical insurance companies to provide coverage to super visa applicants in the future. Public policies on these initiatives are expected to be announced in February 2023.

Since January of 2022, IRCC has continued to progress in its efforts to reduce the COVID-19 related backlogs in the applications for sponsorship of spouses, partners and children. During the most recent 12-month period, IRCC met the 12-month service standard for 73% of SPC applicants destined to provinces other than Quebec. As of July 2022, the Department is able to offer the service standard of 12-months for all applicants destined to provinces outside of Quebec. Overall, the Department has reduced the percentage of SPC inventory for applicants destined outside of the Province of Quebec from 34% to 23%. A significant portion of the SPC inventory that remains outside of service standards is located within those missions that were most disproportionately affected by COVID-19 restrictions. Specific attention will be given to resolving backlogs in these key missions as part of the 2023 operational plan.

Under the Canada-Quebec Accord, Quebec has full authority over its immigration level spaces. As the number of applicants exceeds the levels space established by Quebec, applicants will continue to experience longer wait times.

IRCC has introduced new measures that will enable the Department to meet the mandate letter commitment to facilitate issuance of temporary resident status to spouses and children who apply for a temporary resident visa while they wait for their permanent residence applications

to be processed. IRCC recognizes that this cohort is in a unique situation and that the vast majority of these individuals will ultimately be approved as permanent residents. In light of this, we are leveraging processing efficiencies to facilitate fast decision making in order to reunite families in Canada more quickly. In general, the Department will also continue to institute measures to process higher volumes of TR applications for spouses and dependents more quickly and ensure that approval rates are consistent and facilitative.

IRPA requires that all permanent resident applicants and certain temporary resident applicants submit to an IME to rule out inadmissibility on health grounds. Completing the IME before clients arrive in Canada mitigates public health risks and alleviates pressure on Canada's publicly funded health and social services. For example, in 2019, approximately 800 cases of active TB (including 21 complicated multi-drug resistant cases) were identified in overseas IMEs. Once an applicant's TB is treated, they will no longer be inadmissible on health grounds. Diagnosis and treatment of these clients before travel to Canada prevented an increase of 40% to Canada's active TB cases and avoided \$60M in health care costs (based on: a 2004 costs estimates for TB treatment included in Public Health Agency of Canada's TB Federal Framework for Action).

Results of the IME assessment are valid for 12 months – one of the longer validity periods of the Migration Five (M5) countries (Australia, New Zealand, the United Kingdom and the United States). The 12-month period balances facilitation and the protection of public health, as a client's health status can change significantly over that period. Even so, IRCC employs a new assessment protocol, to extend the validity of IME results from 12 up to 27 months for clients in low-TB burden countries. A new assessment is a review of: information collected at the IME, the client's recent residency, and the previous risk assessment made by IRCC medical officials. New assessments can expedite processing by avoiding a new IME in some situations, such as when an IME expires before a client's visa application is finalized. However, reassessing these cases for clients from high-TB risk countries (defined on IRCC's list of '*Designated TB Countries*' which is informed by global trends and country reports on TB-incidence rates as published by the World Health Organization), presents a greater risk to public health given the increased likelihood of TB exposure before travel to Canada. This is why the 12-month validity period is enforced for this cohort and reassessments are not done, except in exceptional circumstances and when public health risks can be mitigated.

In accordance with IRCC's obligation to protect the public health of Canadians in assessing medical admissibility (IRPA 38(1)(a)), our health screening policies must reflect the fact that there are different risks of exposure to TB in different parts of the world. These policies focus on a location-based risk assessment that is determined based on whether a client has lived in a designated TB country for six out of the previous twelve months, not based on their country of citizenship or birth. However, the Department is aware that its policies can sometimes create unintended barriers for certain populations, and is willing and committed to adjust those procedures to be more inclusive. For example, IRCC raised the threshold for what is considered excessive demand on Canada's health care system because the previous threshold was not aligned with Canadian values on the inclusion of persons with disabilities.

Many countries with a high TB burden have populations for whom a majority are racialized. Without the reassessment option, residents of these countries face disproportionate barriers in applying and migrating to Canada because the criteria used to determine eligibility for medical examination reassessment protocol imposes a greater cost and time burden to applicants from high TB burden countries. For instance, the Committee outlined that some racialized applicants must travel great distances at additional expense in order to receive a new medical examination. Consequently, the Department is cognizant that the reassessment option can negatively impact racialized applicants to a greater extent than their non-racialized counterparts. IRCC is committed to examining our approach to immigration medical examinations to help facilitate migration while also safeguarding Canadian health systems and infrastructure. One underlying reason the Department observes such a high rate of expired IMEs is due to the practice of “upfront medicals” wherein a client undergoes an IME before being instructed to by a migration officer at the correct point in their visa application. If a client completes an upfront medical prior to submitting their application, and processing times are close to 12 months, their IME will expire before the application is finalized. Ensuring that medical examinations occur closer to the finalization of an application eliminates the requirement for a second exam thereby mitigating the impacts on racialized clients while also protecting Canadian health and infrastructure.

Upfront medicals were originally introduced to minimize delays associated with paper-based IME processing. However, since 2012, the IME process has been fully digitized and the vast majority are now completed in less than 30 days. The Department is exploring phasing out their use for further lines of business including Express Entry applications. IRCC is also exploring the possibility of issuing medical instructions in accordance with processing times for each line of business as the IME process is quite rapid compared to other components of a visa application. This approach would allow IRCC to determine the optimal point of IME issuance within each application process. Ultimately this will pose a significant benefit to racialized clients who will be less likely to have their medical examinations expire, and will therefore be able to enter Canada without a new IME or a reassessment.

### **Advancing Technologies**

*(Responds to Recommendations 19, 20, 36)*

The Government agrees, either partially or in full, with all of the committee’s recommendations related to the introduction, use, and oversight of new technologies, and the urgency to improve client-facing technologies to assist in expediting and clarifying client applications. The Department is already taking action to improve our adoption of technologies by upgrading client-facing digital services and proactively publishing assessments on algorithmic impacts, privacy, and GBA Plus considerations.

IRCC continues to improve access to, and the quality of, online information available to clients in order to help them confidently move forward in their client journey. Over the last two years, IRCC has launched the Citizenship Application Status Tracker and the Permanent Residence

Application Status Tracker for family class spousal, common law and dependent clients. These trackers enable applicants in these programs to view up-to-date information on the status of their application at any time. IRCC plans to expand the Application Status Tracker to additional programs by March 2023. Other improvements to other client-facing technologies underway include developing human-centered design of application forms, aligning IRCC web content with application kits, and advancing the Digital Platform Modernization programme, which will modernize both “back office” and client-facing aspects of IRCC’s IT platform. These initiatives will improve the accessibility of applications, provide more consistent and effective correspondence and online content for clients, and enhance the transparency of application status information. With respect to improving the transparency of criteria that is used during application processing, IRCC currently makes much of this information available to clients on our public-facing website – including the Program Delivery Instructions IRCC uses to assesses the relationship between spouses, common-law and conjugal partners. In addition, IRCC has mechanisms in place to review its policies, service delivery and business processes to ensure that program guidance and training is adjusted to account for potential bias and discrimination. Wherever possible, IRCC strives to ensure transparency of application processing information to ensure eligible and admissible clients are successful in their application journey.

The Department is also committed to transparency for clients to understand if, and to what extent, automated decision-support technologies are used to process their applications. As evidence of this commitment, IRCC recently implemented a robust communications plan, with a stronger web presence to proactively explain the Department’s use of artificial intelligence, advanced analytics and automation. IRCC also complies with the TBS Directive on Automated Decision-making (DADM) requirements to publish Algorithmic Impact Assessments (AIAs) on the Open Government Portal and ensure transparency about the use of automation. To further improve transparency, IRCC is tailoring its GBA Plus and Privacy methodologies to better inform the implementation and assessment of automated decision support tools. The Department is committed to publishing the results of these assessments in conjunction with the AIA.

IRCC recognizes that independent assessment and oversight by IT security experts can assist in ensuring that the design of any new IT system protects clients’ personal information from a potential privacy breach. Privacy protection is, however, just one aspect of responsible use. The Department has in place comprehensive policy guidance related to the responsible use of automated decision support, and diligently applies GBA Plus to all new projects. IRCC has developed the Policy Playbook on Automated Support for Decision Making, which provides IRCC-specific guidance on how to use automation and advanced analytics responsibly. The Department has also tailored a specialized privacy assessment to evaluate data-driven tools like advanced analytics models. Moreover, through the DADM requirement to conduct external peer reviews (for systems at Impact Level II or higher), IRCC will continue to seek peer reviewers who prioritize equity considerations in their review, including the potential for unintended discriminatory impacts of automated systems that triage, prioritize or partially assess client applications. IRCC believes that the continued use of third-party review, through the mandatory TBS peer review requirement, satisfies and goes beyond the request for independent oversight by IT security experts of automated decision systems in immigration.

Finally, the Committee drew attention to technologies designed to streamline processing and highlighted stakeholders' concerns particularly related to the use of the Excel-based Chinook tool. With regards to oversight for Chinook, the Department proposes a technical briefing and demonstration to the House of Commons Standing Committee on Citizenship and Immigration (CIMM) to clarify the suitability and usefulness of such measures. IRCC is in agreement with the necessity for transparency, independent oversight, and consultations to ensure the responsible use and ethical management of IRCC's digital technologies.

As stated in response to CIMM report-8, IRCC is considering whether there would be value in having a standing external ethics or oversight body dedicated to the use of data-driven technologies for migration management. Any decision to implement such a body will need to weigh the potential benefits against the comprehensive Government of Canada and IRCC mechanisms and requirements already in place. Additional requirements would have an impact on IRCC's ability to be agile and responsive in addressing emerging operational pressures and evolving client expectations.

IRCC agrees with the Committee's recommendation that public consultations should take place prior to the deployment of new technologies, especially artificial intelligence, advanced analytics and automated decision support tools. The Department already adheres to the specifications for public consultations in accordance with the comprehensive requirements and standards set out in the Directive on Service and Digital (DSD). For example, section 4.2.1.7 of the DSD requires that the Department review each service at least once every five years with clients, partners and stakeholders to identify opportunities for improvement, including redesign for client-centricity, digital enablement, online availability and uptake, efficiency, partnership arrangements, and alignment with the Government of Canada Digital Standards. Nevertheless, the Department recognizes that more work needs to be undertaken, and is making efforts to expand the reach of its public engagement and the frequency of communication with external stakeholders. For example, IRCC proactively presented to key stakeholders in the Private Sponsorship of Refugees Program on the Department's planned use of automation to accelerate the processing of refugees through the Program. The Department subsequently communicated with these stakeholders in written exchange on questions articulated by these stakeholders, in line with the tool's launch. IRCC will continue to look for new opportunities to deepen dialogue with academics, technology experts and immigration stakeholders with respect to the use of automated decision support tools.

### **Expanding Processing Resources**

*(Responds to Recommendations 5, 6, 8, 21, 22)*

The Government agrees, either partially or in full, with the recommendations related to expanding resources to process more applications, providing more Visa Offices in underserved areas, and facilitating biometric collection. IRCC partially agrees with the need to provide more detailed information about refusal rates for specific regions or countries and will analyze existing data sources to determine what information could be made public. However, in recognition that the processing network is globally integrated (applications of all types are

transferred around IRCC's global network based on factors such as capacity and may not be processed at the office closest to where the applicant lives), the Department emphasizes that specific information from visa offices regarding processing times is no longer accurate or reflective of the regions in which they are situated. Other initiatives are underway, with IRCC continuing to explore new methods to ensure that application and processing resources are efficient, available, and accessible.

With recent advancements in digital processing, IRCC now has more opportunities to leverage our entire network in support of applications from all regions, including African regions identified by the Committee as underserved. The Department is leaning into transformation by utilizing technology for more efficient decision making. This includes remote processing when physical presence is not possible, using a risk-informed approach to decision making, and working towards digital intake solutions. With these advancements in digital processing, the Department expects the difference in processing times between African and Middle Eastern privately-sponsored refugee applications to be addressed by early 2024.

IRCC is working on new and improved ways to display processing times to clients. On September 1, 2022, IRCC announced that it would "help clients make their plans with greater confidence, [and that] IRCC is making further improvements to our online processing times tool to provide more accurate information," including publishing forward looking processing times. Forward-looking times provide estimates on how long a client is expected to wait for a final decision based on how many applications are currently in the IRCC inventory for a specific category, and the expected output for that category. Given recent investments and innovations in the Department, forward-looking processing times are expected to be shorter than past processing times for most lines of business. IRCC will continue to explore the development of new models to expand the forward-looking processing times in the future.

IRCC's integrated and centralized processing network enables applications of all types to be transferred around IRCC's global network based on factors such as capacity and ensures that they are processed as efficiently as possible. Sharing caseloads between offices helps the Department in responding to application surges, increasing or shifting priorities, and global events. This minimizes disruption, decreases regional disparities in processing times, and prevents back-logs. Consequently, decisions may involve more than one officer across different offices. Applications may not be processed at the office closest to where the applicant lives and visa office specific updates would not be reflective of the processing that is taking place. The Department understands the need to provide more disaggregated information about refusal rates for specific regions or countries and will analyze existing data sources to determine what information could be made public.

Decision makers in the Departmental network receive training in unconscious bias, as well as country-specific training. With growing inventories and admission targets, the Department will continue to use the integrated network to achieve targets and support work-sharing between regions. As part of this initiative, offices in the Middle East and Sub-Saharan Africa are working together to address the PSR caseload by assigning Migration Officers with refugee processing



experience from non-Sub-Saharan African regions to assist with interviews and processing refugee files in Africa. IRCC is also addressing the PSR caseload by increasing the number of temporary duty officers available with training and refugee processing experience, via a support team in IRCC headquarters.

To deliver on its commitment to reduce application inventories, the Department increased its presence overseas in the last five years (225 new positions, 75% in Africa and Asia) for a total of 1,598 positions at the end of 2022. In the last two years, IRCC opened two new offices in Africa, one in Addis Ababa, Ethiopia and one in Yaoundé, Cameroon. During this time, IRCC has also created 16 new foreign service officers and seven locally-engaged decision maker positions in Africa to increase capacity in underserved regions, leverage local expertise, and combat bias. In 2023, the Department will create 21 new overseas positions in Africa and Asia, out of the 36 total positions being added world-wide.

IRCC recognizes that Caregivers play an important role in supporting Canadian families, communities and labour market. That is why the Department is focusing on increasing processing capacity for all Caregiver work, starting with hiring new, additional resources specifically intended to accelerate Caregiver processing, although overall numbers will have to conform to authorized limits. IRCC's continued priority is to speed up application processing, including Caregiver applications, by moving towards a more integrated and modernized environment that remains responsive to capacity fluctuations. The Department has already begun updating internal work sharing agreements and streamlining processing workflows and will continue to monitor and address gaps as they arise.

The distribution and availability of Visa Application Centre (VAC) networks are essential to ensuring that IRCC is able to serve clients quickly and effectively. IRCC has one of the most extensive VAC networks in the world, with 167 VACs in 112 countries. In 2022, 95% of applicants who provided their biometrics had a VAC in their country of residence. VAC locations are selected based on various factors, including geographic distribution of clients, accessibility, and past temporary resident application trends, with the goal of limiting inconvenience for applicants. It is not possible to open VACs in all locations due to volumes, the security situation in the country, and cost of VAC services to applicants and Canada. IRCC and Global Affairs Canada (GAC) have signed a Memorandum of Understanding on itinerant biometrics collection to serve clients in countries with no VAC presence. There are currently 11 locations served this way, 72% of which are located in the Caribbean.

IRCC acknowledges the challenges faced by many clients in Africa and South Asia when accessing VAC services. While VAC coverage in Africa and South Asia matches global standards, some clients face disadvantages in accessing VAC services due to a number of factors that make travel to the nearest VAC difficult, such as travel distance, transportation infrastructure, visa requirements, the geopolitical situation, socio-cultural and/or economic impediments to travel. The Department is exploring the expansion of itinerant biometric collection solution, enabling a VAC Contractor to operate outside of a traditional VAC space to improve the speed and adaptability of the VAC network. In support of Canada's Indo-Pacific Strategy IRCC has also

invested \$74.6 million over 5 years, and \$15.7 million ongoing, to boost the Department's application processing capacity both domestically and in the Indo-Pacific region—including New Delhi, Chandigarh, Islamabad and Manila. These new resources will bolster ongoing efforts to process the high volume of visa applications from the region, contribute to improve processing times, and support people-to-people ties, all with the goal of bringing more people to Canada.

### **Empowering Ethno-cultural Settlement Agencies**

*(Responds to Recommendations 7, 24, 25)*

The Government agrees, either partially or in full, with the Committee's recommendations to collect disaggregated data on funding levels for ethno-cultural settlement agencies and support settlement agencies to provide services to temporary foreign workers, in-land refugee claimants, and racialized women. The Department is also examining service gaps to ensure that temporary residents are provided the resources they need.

The Government agrees in part with the Committee's recommendation that IRCC fund settlement agencies to provide services to temporary foreign workers and in-land refugee claimants. While refugee claimants await a decision on their claim, they do not have access to the same settlement services provided by Settlement Provider Organizations, but instead have access to provincial and territorial social services to meet their immediate needs. The federal Government currently provides funds to all provinces and territories to support them in the delivery of a comprehensive array of social services to refugee claimants, including social assistance, temporary housing (through the Interim Housing Assistance Program), and legal aid.

The Government also funds service providers to deliver health care coverage through the Interim Federal Health Program. In-Canada refugee claimants may apply for a work permit and study permit, and their children have access to education. The Federal-Provincial-Territorial Settlement Working Group under the Forum of Ministers Responsible for Immigration (FMRI) has undertaken an analysis of settlement services available to temporary residents, finding that a wide range of settlement services and supports exist, including, but not limited to: language training, labour market services, and orientation services.

As part of the Government's broader commitment to protect temporary foreign workers from mistreatment and abuse, Budget 2021 committed \$49.5M over three years to implement a new Migrant Worker Support Program that endeavors to safeguard temporary foreign workers by addressing power imbalances between employers and workers. New regulations have been developed to better protect temporary foreign workers, including; mandating that employers provide all TFWs with information about their rights in Canada; prohibiting reprisal by employers against workers; and, prohibiting employers from charging recruitment fees to workers and holding them accountable for the actions of recruiters in this regard. In Spring 2022, 11 service delivery agencies across Canada received funding to continue to deliver programs and services to meet the needs of migrant workers. These includes arrival orientation services, supports that explain their rights and how to exercise them, and assistance for at-risk or emergency situations. Additionally, in some cases, temporary foreign workers are provided

services through provincially or territorially-funded settlement programs. IRCC will continue to monitor the needs and experiences of temporary foreign workers and in-Canada asylum claimants across jurisdictions to ensure that non-permanent residents are provided with the support that they need. In December 2022, it was announced that it will be extending open work permits to family members of temporary foreign workers. Expanding the eligibility for work permits to family members accompanying the principal applicant to Canada will help address labour shortages by assisting employers in finding the workers they need. Finally, the Department introduced category-based selection, implemented the National Occupational Classification (NOC), and extended existing pilot programs, including the Agri-Food Pilot. These initiatives were developed to support the Minister's mandate commitment to expand pathways to permanent residence for temporary foreign workers through the Express Entry system, and to help address labour market tightness across various sectors and skill levels.

Under the Settlement Program, IRCC currently funds more than 550 service provider organizations, including ethno-cultural community groups. The Office of the Auditor General's (OAG) third report on GBA Plus and Departmental reviews on anti-racism found gaps in funding for organizations delivering services to racialized newcomer women. These findings, in addition to the Call to Action on Anti-Racism, Equity, and Inclusion, have spurred the Department to develop methods to address systemic inequities for racialized newcomer women to improve their integration into Canadian society.

The Department is extending funding to service provider organizations through the Racialized Newcomer Women Pilot (RNWP), some of which are ethno-cultural community groups, to support the employment outcomes and career advancement for racialized newcomer women across the country. In addition, through the Equity Request for Quotations (RFQ) process launched in September 2022, IRCC is making investments to test approaches that address any systemic inequities in the settlement context, particularly those due to race and gender. These investments will support settlement service providers by identifying approaches that can improve the cultural and racial sensitivity of newcomer services. Certain projects focus on producing research on lived experiences of racism within the settlement sector and capacity building in the settlement and integration sector to better serve racialized newcomers. Other projects will help to better equip settlement sector organizations led by, and representative of, racialized communities with the tools and resources necessary to successfully navigate funding processes. The Government's objective is to ensure that racialized newcomers are able to access and receive settlement services in an equitable way and to increase the diversity and representativeness of organizations involved in newcomers' settlement so as to ultimately improve integration.

Projects funded under the Equity RFQ are expected to begin in early 2023 and end no later than March 2024. This will allow early lessons and insights learned from these projects to help shape the next Settlement Program Call for Proposals in 2024. IRCC's aim is that settlement service providers are well-positioned to design and deliver services in the next funding cycle that are not only effective and of high quality but also addresses any inequalities related to gender and race.

IRCC agrees with the Committee's recommendation to collect disaggregated data on the level of funding provided to organizations who deliver services and support to newcomer women in Canada. IRCC already examines programs within the departmental financial management system to facilitate reporting of funding for departmental commitments. For example, RNWP is examined in this system to allow the Department to identify the organizations serving racialized women under this initiative and the levels of funding provided to them. IRCC will review options to collect more disaggregated funding data using its existing financial and contribution and grants management systems, and Immigration, Contribution Agreement Reporting Environment (iCARE). IRCC's Newcomer Outcomes Survey also includes new questions on race to allow the Department to better understand outcomes of racialized clients and adjust programming as required.

These initiatives as a whole will inform the next Settlement and Resettlement program funding intake process in 2024 to ensure that organizations and projects approved for funding are reflective and responsive to the intersectional needs of newcomers.

### **Improving Settlement Coordination**

*(Responds to Recommendation 37)*

The Government agrees in full with the Committees recommendation to improve coordination with provincial and territorial partners, as well as settlement services agencies. IRCC is continually working to increase cooperation between government and non-governmental organizations to ensure that newcomers have access to the supports they need.

The Department is actively engaged with provincial-territorial governments, as well as with a variety of stakeholders in immigration and settlement, to ensure that mutually beneficial perspectives are considered in IRCC's policy and programs. The Department coordinates services through the respective Local Coordination Working Groups to co-plan and map bilateral services under the Settlement Memorandums of Understanding with Provinces and Territories. IRCC regularly engages with provincial and territorial governments to share information and best practices on facilitative migration, anti-fraud issues, and integrity concerns, including available tools and resources helpful for clients. IRCC is working in close collaboration with Provinces and Territories through the Federal-Provincial-Territorial (FPT) Settlement Working Group to achieve the areas of focus outlined in the 2020-23 FPT Strategic Plan for Immigration. These include: building on co-planning efforts to improve alignment of settlement/resettlement programming; increasing FPT collaboration to improve newcomer supports in priority areas, such as newcomer mental health, and newcomer employment; and improving measurement of settlement and integration outcome of newcomers to better inform policies and programs.

IRCC's engagement and partnership with the settlement sector is invaluable in ensuring that national settlement policies and programs support the settlement/resettlement, adaptation and integration of newcomers into Canadian society. In the last year, IRCC has been consulting

with leaders in the settlement sector, including through the National Settlement and Integration Council (NSIC), to revise the Departments' current engagement and governance structure. This approach will help to facilitate more two-way dialogue and introduce greater accountability, reporting-out, and partnership in service delivery between the Department and the settlement sector. Implementation of the new engagement model is planned for Spring 2023. The Department continues to work closely with the network of over 550 third-party settlement service providers, the private sponsorship community, Francophone minority communities, as well as provincial/territorial counterparts and other federal departments, to ensure that newcomers are well supported and that services continue to meet their needs.

As per the Canada-Quebec Accord, there is an agreement to study, at least once a year, the reception and integration services provided by Canada and Quebec to ensure that similar types of services are available. To fulfill this mandate, IRCC and MIFI have jointly carried out six comparative studies since 2014, which consistently concluded that there was an overall high level of alignment of settlement and integration services between Canada and Quebec. The Committee has raised compelling concerns around promoting fairness in Canada's immigration decisions. The Government concurs with the Committee's overarching recommendations to identify, interrogate and eliminate implicit and systemic inequities in the immigration systems, particularly those that stem from unconscious bias and discrimination, including racial bias and racism. Work is underway to strengthen the equity foundations in the Department and facilitate migration through honest and meaningful review of its internal and external activities and a commitment to improve its practices when they are found to have unintended inequitable impacts.

Many of the Committee's recommendations underscored the importance of fairness in immigration programs, procedures, and resources to ensure that clients receive equitable opportunities, consideration, and support. The recommendations also highlighted the need for greater processing capacity and sufficient oversight when developing technologies designed to streamline processing and improve client service.

As the Department continues to make improvements that touch on the areas identified by Committee, it will ensure that it works with its federal, provincial and territorial counterparts, international networks, stakeholders and clients to ensure that a collaborative approach is taken as the Department makes changes to the immigration programs, policies and practices.