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Chair

Mr. Borys Wrzesnewskyj

Standing Committee on Citizenship and Immigration

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• (1530)

[English]

The Vice-Chair (Ms. Jenny Kwan (Vancouver East, NDP)): Committee members, I call the meeting to order, please.

As you know, pursuant to Standing Order 108(2), today we're studying the motion adopted by the committee on October 4 to resume the study of the modernization of client service delivery.

We have for the first hour, 3:30 to 4:30, two witnesses. The first one, from the Canadian Association of Professional Immigration Consultants, is Dory Jade, the chief executive officer. We also have a presenter from the Canadian Council for Refugees, Loly Rico, president. She comes to us by video conference, and she is in Toronto today.

Welcome to our witnesses. We'll begin with Mr. Jade.

You have seven minutes to make a presentation, and then we'll move to Ms. Rico for seven minutes.

Mr. Dory Jade (Chief Executive Officer, Canadian Association of Professional Immigration Consultants): Hello. Good afternoon, Madam Chair, respected members of the committee, and ladies and gentlemen. Thanks for inviting me today to present on the modernization of client service delivery. I'm the chief executive officer of the Canadian Association of Professional Immigration Consultants, CAPIC. We are the association that represents immigration consultants in Canada. Across Canada, we have four chapters and about 1,500 members.

[Translation]

Thank you for inviting us to appear before the committee today.

I'm pleased to be here and to give you a presentation on the modernization of IRCC's client service and other services.

[English]

The presentation was submitted to you in English; however, it's a pleasure for me to answer your questions in French or English.

As an introduction, I would like to start by mentioning that IRCC processes millions of applications. These include temporary residency applications, PR applications, eTAs, and ATIP applications. I'm using acronyms to make things fast. I believe we are all familiar with these acronyms.

Throughout the years, we've made improvements throughout the system. However, in an era of technology, today it is time for IRCC to be on top of the technology and to offer adequate and respectful—excuse me; respectable—service to the clients.

I'll start with the communication offered by IRCC. In fact, this is split into three categories.

The first one is personalized messages. These are mainly the letters that the candidates and the immigration consultants who are their representatives receive, in the name of their client, to advise them about the status of the case, the decision, and/or other required documentation.

The second category of communication is automated messages. Under the new system and with electronic services, IRCC has been starting to send what we call massive communication to its clients, advising them about an issue, etc. The point here is that so far we have been struggling with the fact that IRCC has been sending some messages that really are not personalized. Therefore, these messages are missing the names, file numbers, and contact information of the authorized representative. This is a point that we would like to raise today.

The third category is the call centre. Here I would like to commend the move that it made. I'm not sure if you have tried the call centre recently, but the message, way, and approach are completely different. We are happy to see this kind of approach from IRCC. To give you an example, the previous message used to start by saying something like, "If you are offensive to our staff and to the people on the call, then we will take measures, and we will hang up." The new message says something more like, "Welcome. Thanks for calling Immigration and Citizenship Canada." This is a big change.

We also would like to recommend that our centre agents be split into categories so that some of them would be more senior. Then we would have the option that they would speak to immigration consultants who represent clients on specific files. We believe that in this way—by asking immigration officers to make changes and by sending them emails, and so on—we can save a lot down the road. We could call a specific phone line to ask for minor changes on the file.

Now I'll move to the processing times. We all know that the processing times have reached unacceptable levels.

• (1535)

I think Minister McCallum is to be highly commended on the final decision he has taken. We know how many resources and how much funds it would take to lower the family class processing time to 12 months. However, that is in comparison to an express entry application. For express entry, the candidate is invited to apply, and it is a process of six months or less. We are still putting our humanitarian and non-economic classes behind. These are 50% slower than the economic class.

Another aspect I would like to touch on is what is known as GCMS, the global case management system that is running the whole operation in IRCC, in CBSA, and, of course, other agencies. With this system, there is something called the APR portal, the authorized paid representatives' portal, which allows us and authorized representatives to have access to their clients securely. It also allows us to send applications to Immigration Canada and submit applications of all types, except family class, so far.

It allows also the department to move files in crisis zones. For example, you may have a crisis in one zone, so now electronically and securely, without diplomatic bags, they can transfer complete office files to another file or retrieve them from Canadian processing centres and so on, electronically and securely.

The Vice-Chair (Ms. Jenny Kwan): Thank you, Mr. Jade. Your seven minutes are up.

Mr. Dory Jade: Thank you.

● (1540)

The Vice-Chair (Ms. Jenny Kwan): Thank you for that.

We will move to Ms. Rico. You have seven minutes.

Ms. Loly Rico (President, Canadian Council for Refugees): Good afternoon.

Thank you for inviting us to come and talk about the modernization of services. As you know, the Canadian Council for Refugees is a national organization that accommodates more than 180 member organizations serving immigrants and refugees. We are very concerned in relation to the modernization of services happening within the IRCC. We want to talk a little bit more about how it impacts refugees and vulnerable migrants.

One of the things we have been seeing is that with the modernization, the changes on the website and online have been especially impacting refugees and our member organizations. They have been burdened by the work that has been downloaded onto them in terms of all the forms and also in applying.

I want to give you two examples of the impacts. One is that people have to pay for any of the applications, such as when refugees apply for permanent residence as convention refugees, or when people apply under humanitarian and compassionate grounds, or for work permits. They have to pay online. If you look at the online payments, you see that they're focused on immigrants.

When you talk about refugees, first of all, refugee claimants who've just arrived in Canada don't have access to credit cards. One of the problems we have seen is that it puts them in a vulnerable situation, because he or she has to count on a friend to give the credit card, or some of the settlement workers have to lend their credit card as a way to pay the fees. In the past, it was possible for the person to go and do the payment at any bank and then send a proof of payment. That was easier, because the person could go to the bank and send it by mail.

That's one of the challenges we've been seeing.

As well, when it's online, some of the refugees don't have either the access to computers or the expertise in terms of technology

experience. Many come from either a refugee camp or countries where access to computers is more difficult.

The other example I want to bring to you is with regard to prepaid credit cards. We have been bringing this up at our round tables with the IRCC. They say that the person can buy a prepaid credit card, but on the prepaid credit card we haven't had a satisfactory response from the IRCC, because the prepaid credit card is always a very low amount of money.

The other point is that the electronic fill-in forms have also been a burden, especially with private sponsorship. To give you an example, schedule A is the form in which you need to declare what has happened or what you've doing for the last 10 years. You're trying to connect through Skype and fill in all the information with the client when they're outside the country. Even when you are doing the forms or the work permits here in Canada, it takes longer. That is one of the challenges.

We do see a positive in that when it's done online, we can scan all the IMM forms. Most of the time, private sponsors can save money on UPS and couriers, because they don't need to send it.

I also want to bring forward the fact that in the modernization, they have been increasing some of the fees, but there's no consistency from the IRCC officers. As an example, if a refugee claimant is refused, they have to pay the fee for the work permits. If you read online, they say that they increased it by \$100, but it's not related to refused refugee claimants. When we tell that to the client and fill out the forms and do the payment, sometimes they send the application back because some of the officers are asking for \$100.

● (1545)

What I'm trying to say is that the modernization of the service has some inconsistencies, and also there is no harmonization in the information that they provide to the immigration officers. For example, if you call the call centre, it gives you different information. We are recommending to the IRCC that, first of all, it take into serious consideration that if it is going to do a modernization and do everything online, it needs to consider the diversity and the different categories that are involved in immigration.

Also, in the past all of these have been focused on the economic perspective, but we also need to focus on the refugees and on how the vulnerabilities happened. At CCR we are concerned that sometimes when they start looking for help, they can be taken advantage of or exploited by having to pay fees for something that they could do for free if the access were more understandable. We also look at whether they are going to do the morning sessions for services. We also look at them talking to NGOs and having a consultation with them, because we are the ones doing things on the front line and working with the clients and doing the clear work.

One of the things we are looking at with the modernization is effectiveness. We have been saying to the IRCC and even to the minister that, for example, one aspect of the modernization should be to speed up the processing times, especially for family reunification. That is not happening. Also when a person is making a refugee claim, at the same time they could be using the interim federal health program and they could be issued a work permit. In that case, the person could start working.

That concludes my remarks.

The Vice-Chair (Ms. Jenny Kwan): Thank you very much, Ms. Rico. That's perfect.

We will move on to the rotations for seven minutes each. I have Mr. Tabbara first.

Mr. Marwan Tabbara (Kitchener South—Hespeler, Lib.): Thank you very much.

Thank you to both of our witnesses for being here today as we conduct our study on modernization of client services delivery.

My first question will be to both of you, but I'll start with Mr. Jade.

Do you have any suggestions for how technology can play a better role in improving the client services experience?

Mr. Dory Jade: Thanks for the question. In fact we have also brought a few recommendations. Most of them are based on technology.

Number one, when an officer is making a decision, the officer puts notes into the case file. When a case is represented by an authorized representative within the GCMS system and within the AR portal, it could be very securely available to get those notes, so in this way we would save time by not having to make another access to information application. This would be in the same portal through which we submit. We could have double-direction communication.

We also recommend creating additional levels of call centres. This way, with technology you would just need to go through the call centre and find a more senior agent who could answer your question if it was not a basic question but was pertaining to a specific case.

We have also some other points that we want to bring forward. Tracking is very important. More than 3,000 complaints were received last year by IRCC, and the large majority were very focused on the fact that the client didn't know where his or her file was. That's really what it was. I think having something like the tracking systems that all of the courier services have now: when you order something, you know where it is in transit, and then at the end of the day it gets to you. That would be a very good practice that IRCC could start within the AR portal. That way authorized representatives could know through tracking that the case was with a particular officer. The names of officers would not be disclosed. Most of the time officers have used their initials and they could continue doing so to respect their privacy. There is no issue with that, but at least we would know where the case was and we could follow up accordingly.

Those are some of the points we have brought forward in terms of technological access to the system.

● (1550)

Mr. Marwan Tabbara: We'll go to our second witness.

Ms. Loly Rico: One of the things I believe is that if you go online to the website, one of the positive things is that the accessibility is faster, but all the websites have been arranged as though the person is going to be represented by someone, either by a lawyer or by a consultant. Many of them don't have the economic capacity to be represented, and they have to go to community services. When we say the website has to be facilitated, we mean that the person must be able to fill out the forms. You could have guidance or orientation in different popular languages. It could be Mandarin, Spanish, or any language, so that they can understand the forms. For example, when you are looking for an extension visa, which could be simply an extension of a work permit for a refugee claimant, it is necessary to fill out those forms. That's why we say to facilitate it so that refugees can have a work permit when they make the refugee claim.

The concept right now is that people have to be represented legally by a lawyer or by a consultant. We are advocating that people have the possibility to fill out their own forms if they can do it.

Mr. Marwan Tabbara: You briefly touched on my question, Mr. Jade.

With regard to the levels of call centres you were mentioning, there are a lot of times we get a request for a status update in our offices for a certain client. It takes a lot of our time to find the specific status update, instead of cases where more information is needed and it may require more time.

What would you recommend for a simple status update? You were mentioning the levels of call centres. What would you recommend?

Mr. Dory Jade: That's more about complex cases. However, in terms of status updates, we know it can be done through the system with interactions we have regularly with IRCC. We are recommending that within the portal, you have a section that tells you exactly where every specific case stands. Every officer working on the case is tracked with the new system. All it requires is a second level of security, allowing more access.

What's going on now with all MPs—and we hear it every time we come to Ottawa—is that they are swamped by requests from their own constituents saying they don't know where their case is. Maybe it's been a year. This is exactly what the complaints are about. In order to satisfy those individuals, in my opinion, we recommend that at least they know where the case is. That's all. I don't think this is difficult technologically. This should be easily done through the process.

Right now, if you have a case—and I'm sure many assistants in your offices will tell you—there can be about three or four statuses. They are fixed: open, closed, in process, and I think, decision to be taken. I'm not really familiar with all of them, but there are not more than four statuses. I think tracking the case, when a case takes a year, is important for a client. This is where technology can play a big role helping IRCC to do better.

The Vice-Chair (Ms. Jenny Kwan): Thank you very much.

We'll move on to our next speaker.

Mr. Saroya, you have seven minutes.

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

We talked about the call centres. How often do both of you see these issues? I'm talking about practical situations.

In the past summer, my office tried to call the call centre over and over. The answer had something to do with a PR renewal. They were told it was not ready yet. When I called the minister's office, the answer I got was that it was not ready yet. When I called the client to say I was sorry, but it wasn't ready yet, he said, "Oh, no, sir; I got it a couple of days ago." How often do you see these things? This is something I dealt with, and I was embarrassed by the whole situation.

How often do you see stuff like this, and what can be done?

● (1555)

Mr. Dory Jade: This happens. It's a matter of consistency. Sometimes in a visa office or a processing centre, this is very common. The officer would finish his job and on an operations side would not put the exact information into the system. The letter or the work permit, or whatever the extension was, was sent to the client. However the call centre could not see it.

I'm not privy to the details of how the system works. However, this happens from time to time, and I can tell you that the GCMS, the system that is used right now, is the best system to get this result, because it is instant. When you make a change, it automatically affects all individuals who see the file. It's human error these days; before it used to happen very often.

Mr. Bob Saroya: Is this new, or are we assuming it's coming up, or is this old stuff?

Mr. Dory Jade: The new system is not supposed to make these mistakes anymore, except for human error, but it used to be the case. If a case is processed in Vegreville, for example, and you're checking the case in Ottawa and a decision has been taken on the case, by the time you know the decision has been taken, because of the time difference.... I don't think this would happen now, except for human error.

Mr. Bob Saroya: Ms. Rico, did you want to add something to that?

Ms. Loly Rico: Yes. It's still happening. I think that one of the problems that we see is that even though there is a system, it looks as if there is not clear communication in the call centre, because when you or even the clients make these phone calls, sometimes they say "There is nothing we they can say" or they will say they cannot give you that information or they say it is in process. Then, a few hours later, you go to your house and the work permit is in the mail, or they may even say they sent you the work permit, but the work permit still hasn't been sent.

I think we are now into the technological process, but we have been seeing there is still not clear communication among the different officers who are working on the file and the call centre. One of the challenges with the call centre and the website is that the person wants to know how their process is going, and when they call

the call centre, they only say it's in process and they cannot explain what's going on. That makes for a lot of anxiety for the client.

Also, on the website—I totally agree with my colleague—there are only four categories, and when they say it's in process, you can keep seeing that the file is in process for six months or a year. That's one of the challenges we have been seeing.

Still you have the same answers that we have as community workers. Sometimes we look as if we don't know anything.

Mr. Bob Saroya: We're talking about improving the system. As you know, we have limited budgets, and more than 50% of our work is making the calls to the call centre and following up with constituents and the call centre. Do both of you have any suggestions on how we can improve it?

Ms. Loly Rico: First of all, it would be simpler in the call centre to press "1" for citizenship, "2" for immigration. When you want to have the status or the change of address, for example, if you are going to make the change of address you can do it online, but refugee claimants cannot.

I believe what they need to do is improve the simplicity of the use of the call centre and the simplicity of the website and have the same communication.

● (1600)

Mr. Bob Saroya: Is there anything you would like to add?

Mr. Dory Jade: I would like to add one thing. I tried the call centre today before coming, just to make sure how it works. I agree that they started to do that. You press up to seven sections.

I think what needs to happen would be that more of the technicalities and the skills need to be given to every one of those agents. Some of them should be more focused on refugees, some more focused on work permits, some more focused on PR. This is the key. Even if you can press a certain button to go somewhere, the person who answers you needs to be able to reply to that particular request.

Mr. Bob Saroya: On a different topic, this is from personal experience in the last year. If people who sponsored their parents or anybody else went for professional help, my experience is that they were approved 80% to 90% instantly, and they were done. The people who filed their own applications, who didn't have the \$500 or \$1,000 to pay somebody—

The Vice-Chair (Ms. Jenny Kwan): Mr. Saroya, I'm sorry to interrupt, but your time is up. In the next round you can come back to your question.

Mr. Bob Saroya: Okay. Thank you.

The Vice-Chair (Ms. Jenny Kwan): Moving to the next round, which is mine, I'm just going to stay in the chair to ask my seven minutes of questions, if committee members are fine with that.

First off, thank you to both of the witnesses for being here today.

Processing is one of the biggest issues that I think MP offices face and, of course, it's the same in your line of work. The big question is, how do we improve the system?

There is this automated system that's being worked on at the moment. My first question is to Ms. Rico. Those changes do not apply at the moment to refugee applications. Would you recommend that the government undertake those kinds of changes and apply them to other categories as well?

Ms. Loly Rico: Could you repeat the question? I have problems with the volume.

The Vice-Chair (Ms. Jenny Kwan): I'm asking whether or not the changes that have been undertaken for the economic class ought to be applied also to the refugee class and other categories in the immigration stream.

Ms. Loly Rico: If that is going to happen, and if the government is going to do it, they need to consider the diversity of the categories and the vulnerabilities of the categories. For example, if the application is online, a simple change of address for a refugee claimant could be done in different languages in a way that the person understands how they can apply on the computer to have it simpler. In that case, consider that for the refugees who are coming, their English and French are not the best. That's one thing we need to do if that happens.

The Vice-Chair (Ms. Jenny Kwan): Okay.

In terms of access to information, oftentimes people would phone into the call centre and they would get very generalized information. The automated information is often frustrating for individuals, and often they're actually put on long wait times to talk to a live agent. I've done it myself, and it's an exercise in frustration.

It was interesting, Mr. Jade, that you suggested an approach whereby people can access the information, and you suggested that consultants could access further detailed information or even get into the notes in getting that information. I'm wondering, both of you, whether or not it would be advisable to go to a system almost like the bank or like your income taxes. You file your income tax. In order for you to sign on to get your information, you actually have to have a pass code, and it's only for you, obviously, for security purposes. Would that make sense? Then people could actually get the detailed information, and maybe they'd stop phoning people.

I just want to get your opinion about that. I'll start with Mr. Jade, and I'll come back to you, Ms. Rico.

Mr. Dory Jade: Thank you.

In fact you're dealing with, I believe and I'm sure you are aware, two different acts, the Privacy Act and the Access to Information Act. In these cases, what's going on is, first of all, we continue to recommend that the person needs to be in Canada. Therefore what's going on is that if you have a username and password for anyone to access his or her file, you're exposing the whole system to a security issue. That's number one.

Number two, when you deal with a client and you start to file and submit an application on his or her behalf, what would happen at the later stage is that the client would get a decision and/or is waiting for a decision. In this process, you can still, at any time, file an access to

information request. We have been working on workshops and other programs with IRCC teams in order to see how we can improve this.

Every time we file an access to information—and by the way, for the information of the committee, IRCC is the largest solicited agency in the government for ATIP access—what goes on in this case is, if it's available on the authorized representative portal, we don't have to file an access to information, which is more work for them. It's already there. All you need to do is just make a tick to then access what the officer has done so far, because this information is not hidden from authorized representatives. The only difference is that it requires one additional step on the side of the client and his representative and on the side of Citizenship and Immigration Canada.

• (1605)

The Vice-Chair (Ms. Jenny Kwan): Thank you for that.

Ms. Rico, would you comment?

Ms. Loly Rico: Can I intervene? At this moment right now, refugee claimants or people who are going to do an application online have to build their own account. These are called "My Account". They use the UCI, the unique client identifier, and that is the client ID. You can use that as a call, and the person can build their own password. The problem is that not all the information is online. We need to see that you don't need a representative for every immigration process. You can do it because it is your own form and it's your own application. In that way, when we talk about facilitating and simplifying, this is a way the person can see it.

As you say, you file your income tax. Someone helps you, but you as a person have access to that. That's what we were seeing as a possibility with immigration. I totally agree that they should have the information. For example, when they refuse humanitarian and compassionate grounds, you need to send a letter asking why, asking the reason for the negative. It could be in the file, and that will facilitate things for the client.

The Vice-Chair (Ms. Jenny Kwan): Thank you very much.

That's helpful. I would anticipate, though, with the question around potential security issues, that surely there's a way to figure that out. If they can do it with the income tax, I'm sure they can apply the same level of security to this kind of modernization with respect to access to information.

Mr. Jade, would you like to comment?

Mr. Dory Jade: All income tax accesses are done by Canadian citizens who can be under the Canadian law, but in immigration not all of the applicants are Canadian citizens, which is a different ball game in different jurisdictions.

The Vice-Chair (Ms. Jenny Kwan): Thank you.

We'll move on to the next round.

We have Mr. Ehsassi.

Mr. Ali Ehsassi (Willowdale, Lib.): Thank you, Madam Chair. I will start off with a question for Mr. Jade.

Thank you so much for your comments. It was good to hear that your experience with the call centre has been a positive one in the last several months. Having spoken to many colleagues, I know this is one of the issues that befuddled all of us. Just out of curiosity, I will ask if you could explain to us if it was just the messaging that was different, or the tone, or were they also more helpful from a functional standpoint?

Mr. Dory Jade: Thanks for asking.

In fact, I'm aware of the process. This process has been in place and we've been working on it with IRCC for at least one and a half years, and it's the whole functionality that has changed.

By the way, just to make a long story short, the message is a shell. In order to get there, there has been a lot of changes in the functionality and the hiring and the way they were doing it, but there is still room to improve.

• (1610)

Mr. Ali Ehsassi: What would those improvements be?

Mr. Dory Jade: The first thing is the agents are supposed to be more trained. Second is the way the call gets in. IRCC receives five million calls or more a year. The way the system used to work was that you could go to either immigration or to citizenship and it was the same group helping you. Most of the agents were on a general knowledge inquiry basis. For example, if you said you wanted to do something to your file, they would answer that they couldn't help you, and they would tell you to wait or to send an email or a file.

Right now, we are seeing that you can, for example, change your address. We're looking for more improvements on that level. If, for example, they had a specific line for authorized representatives who really know the file and the case, it would save time if the officer could make the change. We would call the call centre on that specific line and say this case is at that stage and it requires this and that, so please give it to the officer, and then the agent would be able to deal with it.

We need to still improve on it, but we have gone from two entries through the system to seven, which is also an improvement.

Mr. Ali Ehsassi: Thank you.

You wrote a letter to Minister McCallum in 2016 earlier this year, and you argued that processing of parent and grandparent applications would benefit greatly if it was online as opposed to paper-based. In your estimation, how much of a difference would that make?

Mr. Dory Jade: We believe it would make a lot of difference. Let's speak about those two categories, which are different from the situation faced by refugees who don't have access to the system. Those categories are used by Canadian citizens who have access to the Internet. Of course, for the parents and grandparents, it's the same.

The nuance here is that if we take as an example the express entry model, which is all online, what happened was that they were able to deliver in six months because the whole system works online. They hired new, fresh officers to deal with it, and they can process it in

Canada or in any other centre because, as I said, GCMS allows IRCC to move files from here and there.

The less paper you have, the more efficient you can be and the more new blood you can inject into the system. Those newcomers, new graduates, will deliver differently from the way they would using paper. This is where we see the big difference. It can all be filed online, especially with the help of the children who are sponsoring their parents or the spouses helping their spouse come to Canada. It's much better.

Mr. Ali Ehsassi: I take it you interface with many different jurisdictions, many different provincial ministries. In your opinion, which is the most service-oriented one?

Mr. Dory Jade: Do you mean in Canada? The most solicited one among Canadians is CRA. It is the one we all test, and I believe it is one of the best.

Mr. Ali Ehsassi: Okay. Thank you for that.

Ms. Rico, thank you for your testimony today. I understand, having looked at your background, that you're a physiotherapist and that you've also worked with disadvantaged children. Given your previous work with children with Down syndrome, what suggestions would you have as a general rule to enhance accessibility, apart from the ones you've already mentioned?

Ms. Loly Rico: I will talk more about the vulnerabilities of refugees.

Sometimes we have refugees with disabilities. They may even be deaf or blind. If you are going to do it online in a modernized way, it has to be in the same way that you fill out your forms. They can use either the TTY that they use or a special computer system to do the applications.

As I said concerning the filling out of the forms, if we are going to modernize, to use the example of express entry, we need to do it in a simple form, because many of the refugees will come with vulnerabilities or trauma, and not all of them have a knowledge of technology. In that case, it has to be simple, in such a way that they can fill it out themselves.

• (1615)

Mr. Ali Ehsassi: Thank you.

I know that the Canadian Council for Refugees does quite a bit of advocacy for LGBTQ applicants. Recently, they changed the electronic travel authorization form so that now there are three different gender options—

The Vice-Chair (Ms. Jenny Kwan): I'm sorry, Mr. Ehsassi; your time is up. My apologies.

Mr. Ali Ehsassi: Thank you.

The Vice-Chair (Ms. Jenny Kwan): We'll move on to the next round with Ms. Harder.

You have five minutes.

Ms. Rachael Harder (Lethbridge, CPC): Thank you.

I'm going to give the first few minutes to my colleague.

Mr. Bob Saroya: Thank you.

To speak from personal experience again, last year I saw a number of these cases. Of the people who filled out their own forms, many found their forms rejected. The people who went to people such as you were successful.

What can be done? In some cases, I personally know that they're absolutely qualified, and they were rejected simply because of an error made because they're not professionals in filling out those forms. Are there any suggestions you can give on how we can make it easier for people to do it for themselves, especially poor people? In some cases I have to tell them to see a professional, but they don't have the five hundred bucks. Is there anything you can bring forward that can be done?

Mr. Dory Jade: Thank you.

Well, first, they don't have to put, let's say—I'll get it from your mouth—"big bucks".

You are dealing with immigration law, and to start, the first section of the law says that you must submit a complete application. The word "complete" is used in there and is exactly what it means. Anything that is missing will lead to a refusal or rejection, or, if the process allows it, probably a long processing time, because they need to ask you for more documentation.

In my opinion, they can make it as easy as possible, but because it's law... What we're seeing now is that everybody thought that if express entry was in, then it's easy: you put it in, you get out, and it's all about numbers.

Well, that is not correct. It's all about law. This is why there is also a need for an authorized representative. Those authorized representatives who exist do not exist by chance. The market has a need for those individuals, and they are under the law. They are authorized by law to do it.

I really can't see how you can make a law simpler to individuals. With due respect, I will give you a very simple example: matrimonial law. If the couple is not really 100% accepting, the two parties would still have to go to a lawyer, and maybe not to court, but for arbitration. It is part of our law. This is how the country functions, and this is how Canada works. This is our system.

Mr. Bob Saroya: You don't know how hard it is for me to tell somebody who doesn't have the money that they have to go see somebody. I was coming from that point of view.

Personally, somebody came to see me over and over. They are absolutely qualified, but they were denied. When I made the phone call, they said, "Oh no, they have to reapply for it."

Mr. Dory Jade: Exactly.

Mr. Bob Saroya: So the first nine months, ten months, were gone

Mr. Dory Jade: And then they have to reapply. That's correct.

Mr. Bob Saroya: Then they have to reapply, but they still had to go back.

Mr. Dory Jade: What I can suggest is that we would make some arrangement, let's say, as an association, for those people, and probably our members would be offering either pro bono, which is

already happening, or some reduced fee services. We have already been doing it for some time now.

• (1620)

Mr. Bob Saroya: That would be fantastic. We can forward those cases to you.

Mr. Dory Jade: It's a pleasure.

Mr. Bob Saroya: Is there anything that you would like to add?

Ms. Loly Rico: Yes.

I would suggest that it should be funded by IRCC to the settlement agencies so that they can fill out the forms, because as we see it, it's part of the settlement process. At this moment, there is no funding by IRCC. The filling out of the forms is more on the settlement element, and I think that is going to help. As well, in your offices, I've been seeing a few members of Parliament who have staff who help the constituent fill out the forms in that way.

Mr. Bob Saroya: Most of the time when they come to us, the damage is done. This is the problem.

Ms. Loly Rico: Yes.

Mr. Bob Saroya: Rachael, go ahead, please.

Ms. Rachael Harder: How long do I have?

The Vice-Chair (Ms. Jenny Kwan): You have 15 seconds.

Mr. Bob Saroya: I think the clock is going too fast.

Ms. Rachael Harder: I'm good.

The Vice-Chair (Ms. Jenny Kwan): All right; thank you. We'll move onto the next round, then.

Go ahead, Ms. Dzerowicz.

Ms. Julie Dzerowicz (Davenport, Lib.): Thank you so much.

Ms. Rico, *bienvenido. Gracias por su presentación.*

Mr. Jade, thank you so much for being here.

I only have five minutes and I have a whole slew of questions, so try to respond as quickly as you can.

The first question is for you, Mr. Jade.

I'm always interested in why potential immigrants actually come to see immigration consultants. If I asked you for the top three reasons that they come to see you, it will help me understand the system as well. If you could respond as to what those top three things are, I'd be grateful.

Mr. Dory Jade: Number one is dealing with law. It's not easy.

Ms. Julie Dzerowicz: It's not easy.

Mr. Dory Jade: Number two, the immigration process is a lengthy process. Unlike what we think, it's about numbers.

Ms. Julie Dzerowicz: Yes.

Mr. Dory Jade: If I get whatever CRS or whatever points, I pass. That's not the way.

Number three, definitely they need advice. Even if someone is graduated from university, is an engineer or whatever, even lawyers from other jurisdictions, that doesn't mean they understand the law in Canada.

Those are the three main reasons, I believe.

Ms. Julie Dzerowicz: Okay. Thank you.

The next question is to both of you.

I'm interested in language at the call centre. When I talk about language, it's not just the different languages and the availability of people to respond, which I don't think we have. I see this with my own mother. She's been here for almost 40 years. Her English is excellent, but she won't understand what someone has said to her.

As quickly as you can, I would love to get your thoughts on your experience with the call centre and the level of how we respond to the questions and the information that we receive, because there are different levels of English.

I'll start with you, Ms. Rico.

Ms. Loly Rico: Yes, I think one of the elements is that first of all, the officers at the call centre should be nice and should have customer service training and be able to simplify. I know we are dealing with the law, but there is a way that we can understand and interpret the law and simplify the answers.

Also, facilitation is a challenge. We don't expect that in the call centre everybody will speak different languages, but right now we have a challenge that when they speak and we have an interpreter to help, they do not facilitate it. You need to use a representative and you need to fill out all those forms. That limits the access to the information for the client at the call centre, and sometimes it's frustrating for them.

If they simplify the English, it would be best. That's what we are recommending. Also, if they don't speak the client's language, they should focus on refugees and accept interpreters, because most of us in the community have interpretation, we have interpreters, and we can facilitate that communication.

Ms. Julie Dzerowicz: Thank you.

Mr. Jade, would you comment?

Mr. Dory Jade: Just in short, as we said, it's about law. In my opinion, plain English is used; however, what makes it more complex is when you get one of those words that mean so many things.

I will give you a very simple example. A person can say, "Which status am I?", or the person doesn't know where they stand because they only know about PR or temporary, and then you say, "You're on implicit status", and they ask, "What is all this about?"

How can you make this simple?

• (1625)

Ms. Julie Dzerowicz: Do you mean how can you define the terminology better, or make it clearer or simpler?

Mr. Dory Jade: You cannot. It is used in the law. I believe the agent should transmit the information to the person calling, especially if it's the client, to tell them where they stand, and this makes it definitely more complicated. I have seen, in those cases, when you had something like that, they used to send the client the definition. Let me tell you, that makes it even more complex for the client.

Ms. Julie Dzerowicz: Thank you.

Just very quickly, is there anything that we can do up front? Before people actually come to Canada to immigrate here or to file for refugee status, what information can we give up front or make available that might make it easier on this end?

Ms. Rico, could we start with you, please?

Ms. Loly Rico: For refugees, right now we have the pre-arrival programs. There are some, especially for government-assisted refugees, that the community agencies—

The Vice-Chair (Ms. Jenny Kwan): I'm sorry to interrupt. The time is up.

We will have time for one more round.

Go ahead, Ms. Rempel, for five minutes.

Hon. Michelle Rempel (Calgary Nose Hill, CPC): Thank you, Madam Chair. What a great chair you are.

This is for Mr. Kurland. I want to ask you a few questions around the electronic travel authorization. You've been in the media around this recently, in March with CBC. You noted that the rules and exemptions are more complex than officials would have travellers believe.

Bringing this discussion back to client services, in your experience, is there anything the government could be doing to better inform travellers of this requirement so that they're not sideswiped by the new rules?

Mr. Dory Jade: Does that question go to me?

Hon. Michelle Rempel: Yes.

Mr. Dory Jade: Technically, what's going on so far is that we saw the report two weeks ago, and it said that 98% of applications, if I'm not mistaken, were approved within seven minutes. Seeing that report, I would not see.... This is the data given to us. I believe this is a fairly acceptable turnaround time.

The rest was only 2%, and I believe those 2% were not really clarified. What are they? Are they rejected and not accepted to come to Canada, or was there further investigation required in those cases?

Hon. Michelle Rempel: Are you hearing anything else from your broader clientele in terms of issues with this particular program or with its introduction?

Mr. Dory Jade: Not really.

Hon. Michelle Rempel: Okay.

Mr. Dory Jade: This is the report that we got from IRCC, and our clients didn't come.... The report says 98%. I don't know where those 2% would go, but probably to the community of consultants.

Hon. Michelle Rempel: Sure.

Mr. Dory Jade: However, I haven't had any issues brought to my attention yet.

Hon. Michelle Rempel: Some of my colleagues have been bringing up a theme of interactions with MP offices when people are accessing consulting services and then require an MP to intervene. Is there anything the government can do to prevent the escalation of files to MP offices, as it relates to your line of business?

From my own personal experience, sometimes we get stuff referred from immigration consultants. There is really no consistency in how that happens. Even for us, as legislators who end up offering this service, is there anything that you can advise to us in terms of consistency on applying service at an MP level?

Mr. Dory Jade: In your case, you have access to any file. In my opinion, if you have access to the same model that, probably, authorized representatives are looking for, I think that would facilitate it a lot and save you a lot of time in going again and doing an access to information request.

You would have this layer, or interface, easily accessible and would tell the client, “Your file is here. That's all I can do for you, sir.” However, at least you give him an answer.

In the particular cases that we have right now that go to you, especially those that are referred by my colleagues or myself, it is very clear that we are in a grey area. The file has stopped and has remained unprocessed for six months, or something like that.

• (1630)

Hon. Michelle Rempel: You're asking specifically about inquiries around processing times?

Mr. Dory Jade: Mostly.

Hon. Michelle Rempel: In that instance, for the casework that I would get through my office, we phone a special hotline for MPs about it, but are you saying that some of your clients basically do not have adequate access to service in terms of their ability to pick up the phone?

Mr. Dory Jade: No. As an MP, under the law, you have particular access to this information, so perhaps what IRCC could do for you is give you a kind of portal through which you could see more information easily, instead of calling that centre and going through it to get the information that you need. Then IRCC will save, probably, on operations—

Hon. Michelle Rempel: Is there any—

Mr. Dory Jade:—and it would make the information easily accessible because you have it, under law, as an MP.

Hon. Michelle Rempel: In the time that I have left, could you provide your two or three top concrete recommendations in terms of change around service delivery, based on what your organization has heard and on what your clients are saying? What would those recommendations be?

Mr. Dory Jade: Number one would be to provide access to the process of the file—so tracking, as I've already said.

Number two would be to cut processing time across the board. We have been asking for this for 25 years, and I believe that this government is doing the same as previous governments in terms of processing time.

Hon. Michelle Rempel: What does that mean for you?

The Vice-Chair (Ms. Jenny Kwan): Thank you.

Thank you, Mr. Jade. I'm sorry, but time is up.

Mr. Dory Jade: Thank you.

The Vice-Chair (Ms. Jenny Kwan): To both the witnesses, if you have any suggestions, you're welcome to submit those

suggestions to the clerk's office, and they'll be shared with all the committee members.

Thank you so much to our witnesses.

With that, we'll suspend for a minute, and then we'll start with our next set of witnesses.

Thank you so much.

Mr. Dory Jade: Thank you, Madam Chair.

Thank you, everyone.

• (1630) _____ (Pause) _____

• (1630)

The Vice-Chair (Ms. Jenny Kwan): All right, committee members, we're going to get started again.

I see that both our witnesses are at their spots, so we'll get under way.

Our next round is from 4:30 p.m. to 5:30 p.m. We have Mr. Richard Kurland, as an individual; he is a lawyer and policy analyst. We also have Mr. David Nurse, who is counsel with McInnes Cooper.

We'll start with Mr. Kurland for seven minutes.

Mr. Richard Kurland (Lawyer and Policy Analyst, As an Individual): Thank you for the honour and privilege of appearing here today.

I have only seven minutes.

I'll speak on two topics. The first is modernization of the way people get to understand how to use the immigration system, and the second is the modernization of the way of processing immigration cases.

I'd like to share excerpts of a very high-level senior management memo, obtained under access to information. CIC, now IRCC, is now implementing the next wave of tools to facilitate case processing and improve program integrity.

This is what the memo says about the scope of the project:

Create a smart front-end application interface...for all major lines of business which will not only guide clients towards the right program but will move them seamlessly into the application process itself, resulting in fully electronic application submissions;

Automate defined steps in the processing of an application...and moving towards the automation of simple, straightforward decision;

Automate the triage and distribution of workload based on the complexity and impact of the applications, taking into consideration authority levels and operational capacity both in Canada and abroad.

Putting this simply, it would not only be handling application intake but also making initial identity and eligibility checks, as well as pulling information for admissibility. The expectation is that the status of the application will be available electronically and instantaneously, similar to what is available through the tools used by Amazon and other major online retailers.

That was back in August 2015. Here's something more recent:

Key accomplishments to date: in just over 18 months, [IRCC] has built the capabilities for predictive analytics from scratch.

Business lines include temporary resident visas, study permits, extensions, eTAs, and the international experience Canada program, among others.

The memo adds:

[IRCC] has established strong relationships with other federal departments (including CBSA, CRA, and PCO) and countries (including in the U.S., the U.K. and Australia).

The 18 months would have been up in March 2016.

Is this the first you're hearing about the modernization? This is the heart and soul of IRCC's modernization of client service. Here's why perhaps it has not come to light, and I quote:

It is only legislation and public perception that will limit what decisions could be automated in future.

To paraphrase from the memo, artificial intelligence and automated decision making could pose a significant public confidence challenge.

I would recommend requesting IRCC to appear and explain its artificial intelligence decision-making system, because that's the very heart of our modernization system.

Second, IRCC should table that website design. This is the core of the new, modernized intake system that explains to the world at large how to get into the Canadian immigration system for either temporary status, permanent residency status, or information that they require no document whatsoever. If we were to build a bridge across the Rideau, when is the design disclosed? Is it at the ribbon-cutting ceremony after the money is spent, or a little earlier?

Those are my seven minutes, Madam Chair.

•(1635)

The Chair (Mr. Borys Wrzesnewskij (Etobicoke Centre, Lib.)): Thank you, Mr. Kurland.

Mr. Nurse, you have seven minutes.

Mr. David Nurse (Counsel, McInnes Cooper, As an Individual): Thank you very much.

I'd like to begin by thanking all committee members for the invitation to appear here today. It is a privilege, as my colleague said, to have the opportunity to speak to you today on this important subject.

As noted, I'm counsel with the Atlantic-Canadian firm McInnes Cooper, and my practice is focused almost exclusively on economic immigration, work permit applications, and permanent resident applications for professionals across many sectors, including health care and information technology. I also assist clients in making family class applications, including spousal sponsorships.

Prior to re-entering private practice in 2013, I served as the director of programs and corporate initiatives with the Nova Scotia Office of Immigration, and for these reasons I'll focus my comments primarily on issues related to the economic immigration programs, including the processing of the nominee program applications.

As noted, I'm here in my personal capacity as an immigration lawyer and not as a representative of the Canadian Bar Association or any other group.

Client service is such a large subject. I struggled to identify the key points I wanted to cover. I don't have a top 10. I don't think there's enough time. I have a top four, so I'll essentially ask you to take away these points from my comments.

The first is that IRCC deserves credit for improvements that have been made under this government and under the previous government.

Point number two is that applicants should be at the centre of all modernization efforts; three is that non-express entry applicants should not be left behind in the department's modernization efforts; and finally, lawyers should play a vital role in the immigration system, and this should be considered by IRCC as they continue their work in this area.

Before preparing my notes today, I had the opportunity to listen to the presentation by IRCC officials, including Robert Orr, which was made to you at your last meeting. I think it's important to give credit where credit is due, and to acknowledge that IRCC has implemented and promised further positive innovations. Mr. Orr and his colleagues touched on some positive changes in their comments, including the planned improvements to the call centre, both in terms of the scripts that staff are going to be instructed to use and in terms of the tone. In my view, this is desperately needed.

As many have, I've personally found it very difficult to navigate the call centre. On many occasions I've navigated myself into a dead end. Either I've been disconnected or I was sitting there with a dead phone, wondering how clients manage this. When I have gotten through to agents, they are often but not always somewhat abrupt and unhelpful. Clients have reported similar experiences. The improvements that Mr. Orr announced at your last meeting are overdue, in my view, but very welcome.

Express entry is another area where IRCC does deserve credit. Starting under the previous government, the introduction of express entry was, in my view, a dramatic and a positive change. Requiring upfront language tests and education credential assessments has required more work by applicants, but it results in more complete applications, which are ready for immediate and quick assessment.

In my own practice, I've seen express entry applications for permanent residents completed, from application to approval, in as little as six or seven weeks. This, in my view, is fantastic, and should be applauded. However, this fast processing is not seen across all application categories, and I'll come back to that in my comments.

My second point is that IRCC should continue to focus on humanizing the process for applicants. The system is truly faceless, and clients understand quickly that it is nearly impossible for them to get useful information on their applications from the IRCC call centre or website at this time. Perhaps this is now changing, and I greet Mr. Orr's comments on call centre improvement with cautious optimism.

I canvassed clients before my appearance today, and this is a quote from one client who is unhappy with IRCC service. This is the quote:

●(1640)

The current system has failed us on so many levels, the biggest three are: compassion, timely response and communication. Immigration is not a product, it is about people.

While this reflects a negative experience of that client, it is not the experience of all, but it is the experience of too many, in my view, and this must change.

My third and final points are more technical in nature.

The third is that the non-express entry streams and applicants should not be left behind in the modernization effort. In my practice, I am seeing dramatic differences between the processing of the express entry and the non-express entry applications. Specifically, I am speaking about Nova Scotia nominee program applications or other provincial nominee program applications.

As you may be aware, these applications continue to be made on paper to CIO Sydney and, in my experience, they are taking 15 to 18 months, on average, to process. You can see the inequity there, in that last week I had two applications approved and reaching finalization. One was filed in March of last year, I believe, and one was filed on October 13. It's hard to reconcile that in my mind. While it is possible to link the paper applications to Sydney to the online portal for lawyers, it certainly feels that this class of applications is no longer a processing priority for IRCC.

A related concern that I have on this area with respect to nominee programs is that innovation in provincial programs may be sacrificed to speed. IRCC has been pushing to align the provincial nominee programs more and more with IRCC policy, and this does risk a loss of innovation, in my view.

My fourth and final point is that modernizing the system and improving client service should not have the indirect result of making it more difficult for applicants to get needed advice and assistance from lawyers and consultants.

When I worked with the Nova Scotia Office of Immigration during the period from 2006 to 2013, we often took pains to emphasize to people that you don't need a lawyer or a consultant to complete your application. This was driven by a concern at that time about unscrupulous consultants and other—

●(1645)

The Chair: Mr. Nurse, could you wrap up, please?

Mr. David Nurse: I'm sorry. I didn't realize I was over time. One more moment and I'll be finished.

While it was technically true, I think we overstated that. I think lawyers play a critical role in the system, and that should be considered in IRCC as they do their design.

Thank you.

The Chair: Thank you, Mr. Nurse.

Go ahead, Ms. Zahid, please, for seven minutes.

Mrs. Salma Zahid (Scarborough Centre, Lib.): Thank you, Chair.

I want to thank Mr. Kurland and Mr. Nurse for appearing before the committee today.

My first question is for you, Mr. Kurland.

Welcome back to the committee. As we all know, you have been involved with our immigration department for some time. Do you have a sense of when so much of the casework burden for immigration cases that have fallen through the system began to fall on MPs' offices? Why is this the case?

Mr. Richard Kurland: That's a good one. The trend began in earnest after a test run maybe eight to 10 years ago. The trend accelerated four years ago.

Mrs. Salma Zahid: Is there any specific reason for that?

Mr. Richard Kurland: There is no evidence available upon which to base a reliable answer.

Mrs. Salma Zahid: Mr. Nurse, would you like to add to this if you know of any specific reasons this happened?

Mr. David Nurse: No, I don't know why there would have been an increase. In my experience, the ability for clients to get direct information from IRCC, formerly CIC, has not changed dramatically in the past 10 years. I would have seen going to an MP as a last resort 10 years ago, and I would still see that to be the case. I have no answer as to why there would be an increase.

Mrs. Salma Zahid: My next question is for both of you.

Very many of the requests that my office receives—and the same applies to all MPs' offices—are simple requests for information on the status of their cases. They would like to know what stage their case is at. These requests are simple but very time-consuming. Do you have suggestions on how the burden could be shifted back to the department, allowing the MPs' offices to focus on the more complicated cases where specific issues have arisen?

Mr. Richard Kurland: Why, yes.

The question for members of Parliament is, do you have the same level of demand for CRA-related cases? How is it that there's no special hotline into CRA, just immigration? As long as you accept this, it will continue.

One way is to go public, which is not difficult for a member of Parliament. It is IRCC off-loading on your offices, as members of Parliament, the task of duly informing status updates for IRCC's clientele. IRCC knows full well the identical information can be obtained the same way using authorized third-party representatives rather than your staff. I know of no reason that a regulated professional, provincially or federally, cannot step up to the plate and use the same phone number contacts you presently use to obtain the same information without your resource usage. There is no logical reason.

●(1650)

Mrs. Salma Zahid: Mr. Nurse, would you comment?

Mr. David Nurse: One of the solutions put forward to this committee by Mr. Orr from IRCC when he was here was a more client-friendly call centre approach. They would actually help the person to navigate the system, give them updates, look back at previous notes, and refer to prior questions that had been asked so that the person feels, at the end of the call, as though they have received some satisfaction.

In my view, that would go some way to reducing the demands on MPs' offices. At least in my experience, we go to the MP's office because we get the pat answer, whether from an online inquiry or a call centre, that it's "in process". Even if it's far beyond standard processing times or it's clearly an unusual case, you still get the same answer.

My hope is that IRCC will implement changes that will allow the call centre agents to take some initiative and properly inform people about their cases. That may reduce some frustration and some unnecessary calls to your office. You're getting the same information that I'm getting and that the client is getting. It is an absurd duplication, in my view.

Mrs. Salma Zahid: Thank you.

In improving customer service, how important is it to empower front-line workers to have more flexibility in decision-making? Do you have any suggestions for policy changes that would empower front-line workers at the IRCC and give end-users a better experience getting the information and help they need when writing the department or contacting a call centre?

Mr. Richard Kurland: I'm going to blow any chance I ever had at a Senate seat with this answer.

At the time, it was Mr. Peter Harder who was deputy minister at the Department of Citizenship and Immigration, and he took an executive decision to close immigration centres to the public. Ever since that happened, access to decision-makers and to case information was staved off. We've never cut that Gordian knot since.

How do you resolve this? The artificial intelligence system, based on documents obtained under access to information, is designed to resolve 70% of temporary status cases. In other words, of the one million temporary resident visas in a year, 700,000 would be dealt with through AI. That may leave on the table more human resources to deal with front-line issues. It may provide that window of opportunity to relieve the burden on the offices of the members of Parliament.

Mrs. Salma Zahid: Thank you.

Mr. Nurse, would you like to comment?

Mr. David Nurse: Yes, thank you.

I think it is difficult to immediately come up with policy changes that would allow faster decision-making.

As you know, the call centre agents are really just, in my understanding, looking at the notes and the GCMS and providing a statement on the status. Even if they could provide a bit more of a human experience, they're not decision-makers. They are not. The person on the phone is not the officer with the file, and they're not able to say, for example, "Thank you. I now know that's submitted. I can move this to the next stage." That doesn't happen. I think it's unlikely to happen.

Whether there was some way for MPs to request that a matter be escalated to some level where review of the file could occur, I can't really say.

The Chair: Thank you, Mr. Nurse.

Ms. Rempel, you have seven minutes, please.

Hon. Michelle Rempel: To both of the witnesses, I expect that one of the themes we're going to hear over and over again in the testimony in this study is that we need more resources, but the people who have offered that so far have not been particularly specific in that. I'm just wondering if you feel that is the issue. If so, what does "resources" mean, and is there any pedantry in the process that could be eliminated to provide better access or better efficiency with the resources that we already have in place? That's question number one.

Question number two, Mr. Nurse, is about your comment around the process being very faceless. I would agree with you, given that when people contact my office, it's because they feel as though they haven't reached a human being. When you made that comment, I was wondering, in the context of what I just asked in terms of resources and process, how can we humanize the process? Are there key choke points with service delivery where that could be fixed?

I can let you go first. Go ahead.

•(1655)

Mr. David Nurse: Sure. Thank you for the question.

I don't necessarily think it's a question of resources. I don't have an encyclopedic understanding of IRCC's budget. In many places, it's a question of tone, responsiveness, and attitude. I guess that's one thing about that humanizing experience with the call centre. It's so much attitude, in my clients' and my own experience, in what we get.

I think that there are efficiencies, and my colleague spoke about the online system and what's been automated and what more could be automated. Obviously, having paperless applications offers huge potential savings, which I think are being realized. I don't have any other... In terms of choke points, perhaps CIO Sydney, which I referred to earlier, where there are paper applications still being processed, could be moved online so that there's equivalency with express entry applications that we now do online.

Hon. Michelle Rempel: Mr. Kurland, would you comment briefly?

Mr. Richard Kurland: My goodness, the last processing fee review was done when?

Hon. Michelle Rempel: I'm not sure.

Mr. Richard Kurland: Was it 2001 or 2002? The only recent fee change reduced processing fees. For the combination of multiple entry temporary resident visa, a single entry, visitor extensions, and restorations, the average processing cost for that cluster of four is \$106. What happened was that the \$150 fee for an MTRV was reduced to \$100.

Hon. Michelle Rempel: As your recommendation here, are you saying we should review the fees for processing services?

Mr. Richard Kurland: Absolutely.

In the old days, the Government of Canada had to examine educational credentials and language capability. We upload third party credentialing certificates. That cost component is included in the old processing fees, but no one has ever examined whether anyone's making a profit or not.

Hon. Michelle Rempel: I'm sorry to interrupt. I want to leave some time for my colleague, Ms. Harder.

Mr. Nurse, you commented on attitude, and I think it's come up as a theme. Without denigrating the public service, I think it's something that is going to come up over and over again.

Could you just very briefly explain what that means to you and perhaps provide a concrete recommendation for performance management outcomes or something that could be inserted into front-line workers' performance reviews or something to that effect, and could you quantify what that means?

Mr. David Nurse: Sure. I think it's a matter of training and a matter of the instructions that are given to the front-line staff. I think they are doing their best, and I think sometimes we get absolutely fantastic service from ESDC or IRCC, but often we don't. I honestly believe it comes down to training and the expectations that are given to staff for what their deliverables are. Is it to get off the phone as fast as possible, or is it something else?

When Mr. Orr was here, and I listened to that. I think he did talk about changing the script and the tone. I think those things would make a dramatic difference. I don't run a call centre, but you have a policy manual, and people have a script as to how they interact and how they enter those conversations and navigate people.

I don't think there's a huge performance gap with the staff—
● (1700)

Hon. Michelle Rempel: I'm just going to pass the microphone over to my colleague Ms. Harder. I know she wants to follow up with one of the concepts you raised.

The Chair: You have two minutes.

Ms. Rachael Harder: Mr. Kurland, my question is to you. You raised this point with regard to the Canada Revenue Agency, and I find it a fascinating one. Can you expand a little bit for me with regard to the best practices that we could adopt from the CRA and bring over to the IRCC? Could you outline that within the brief minute and a half?

Mr. Richard Kurland: In 90 seconds, should the design of the IRCC website regarding modernization be disclosed, we would then be in a position to judge whether the CRA model for intake and information distribution is better.

CRA has a single portal. You input your personal information, and they've already invented a secure transmission situation. If an individual were to pass through the immigration continuum from visitor to PR to Maple Leaf Card renewal to citizen, that individual portal could generate and regenerate updated information. Questions could appear based on the service that was selected. The complexity of the IRCC website could be simplified by following the CRA model.

The Chair: You still have 30 seconds.

Ms. Rachael Harder: That basically summed it up. That's really what I wanted to know.

Essentially, it comes down to having real-time updates that are accessible to the applicant rather than to me as a member of Parliament who has to be the one who phones in on a hotline, waits on the phone, and then is able to get an answer.

Mr. Richard Kurland: Why are we paying millions and millions of taxpayer dollars to invent an IT system, a website system, that is already fully functioning in a sister department? Why?

Ms. Rachael Harder: It's a great question.

Thank you.

The Chair: Thank you.

Ms. Kwan, you have seven minutes.

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

Thank you also to our witnesses.

This follows in that vein, because I was asking the previous panel that question in terms of access with a security code or a password of some type for people to get the updated information. I gather from both of you that this would be a very useful tool. I certainly think it would be.

One of the witnesses prior to this raised the point about non-Canadians accessing this information. I am not a tech expert and I'm not sure whether this is a real issue because, obviously, there are people who are permanent residents who are not Canadian who would need to access this information. If we're going to go down this road, this would be refugee claimants who are neither permanent residents nor Canadians accessing this information.

Can you briefly comment on this for me?

Mr. Richard Kurland: In all likelihood, with due respect to the former witness, it is intense appearing before the committee, and people may misspeak.

The Income Tax Act requires citizens, non-citizens, permanent residents, and foreign nationals to report income based on their personal circumstance, so there's no restriction or requirement whatsoever regarding citizenship and CRA reporting.

Ms. Jenny Kwan: Thank you.

Mr. Nurse, do you have anything else to add?

Mr. David Nurse: I have no comment on that.

Ms. Jenny Kwan: Okay. That's one key recommendation that would come forward. I think I interpret that correctly in terms of moving forward to advance this issue.

On the more complex issue of language—and I don't mean language by way of plain language, but language by way of language itself—there are folks who, in English or French, may not be as conversant, because it's not their first language and because we're dealing with immigration, so there are lots of different languages.

Mr. Kurland, what suggestions do you have for the government to solve this puzzle in terms of access to information?

Mr. Richard Kurland: The problem will remain with our country for as long as our country is a free, open, democratic society where we allow travellers and individuals to live freely. Some will speak English or French and some will not.

How to deliver the service? Our institutions have developed ancillary service providers. We provide funding for community service clinics, and there are a host of religious organizations. There's no end to the good-spirited volunteers in this country to assist precisely the group that may be in need of some language assistance.

• (1705)

Ms. Jenny Kwan: Is there anything else to add?

No? Thank you.

I want to go back to touch on processing fees just for a minute, and I have another question to go back to about immigration centres being closed.

Mr. Kurland, did I interpret you correctly as suggesting that fees should be increased?

Mr. Richard Kurland: I don't think fees should be increased. I suspect that the dividends from information technology over the many years and the operational adjustments over many years have resulted in lower costs to deliver visas. It's rather incredible that no one has taken the time to re-examine why we're charging what we're charging.

Ms. Jenny Kwan: Thank you very much for that clarification. I was quite worried when I wasn't quite sure what you were saying. It's good to know that you're not advocating for an increased fee but for a reduced fee because of the efficiencies.

On immigration centres, you're absolutely right about the implications: after they closed, both individuals making applications and MPs' offices were severely impacted. On that note, would you suggest that the government entertain re-opening these centres?

Mr. David Nurse: Can I speak to that? I don't know whether it's even in the realm of possibility for the government, but I would certainly encourage them to consider it, even if looking at specific locations.

We pay a lot of money to visa application centres, a third-party operator operating overseas, to assist people in navigating our system. In my view, there's no reason we couldn't look at something along those lines.

I will give you one brief story that connects with this. When I worked with Nova Scotia immigration, CIC closed and literally walled up what was previously the open centre in Halifax, and it resulted in a dramatic increase in walk-in traffic in my then office, because people had a history of coming there. To me, a new immigrant would find it very jarring to come to the place where they once came for information to find a wall. It's a bad message and an unfortunate change that occurred.

Ms. Jenny Kwan: Mr. Kurland, would you comment?

Mr. Richard Kurland: I'm a "no new taxes" kind of guy, so I'm not in favour of reopening these centres. However, some serious consideration should be provided to dealing with emergency cases,

such as funerals, marriages, or TRV refusals that are deserving of a second kick at the can. There's nothing wrong with allowing some access to humans as a pilot project under prescribed circumstances. If it works and if the processing fees or emergency service fees are appropriate, consider expanding it.

The only way to deal with this, frankly, is to just make the executive decision. Will we hive off to the private sector a portion of processing costs? That's the core debate. Hiving off to the private sector implies a possible loss of control on the part of IRCC, but that is the nub.

Ms. Jenny Kwan: With all those efficiency savings, given that you're a no-taxes kind of guy, maybe they could be applied to immigration centres reopening, to some degree. I raise this issue because there are lots of times when people would not be able to access the information. They don't know how to navigate the system, and without a real face—somebody who can assist them—they are at a loss. That's a real issue.

Mr. Richard Kurland: I wholeheartedly concur.

The Chair: Thank you.

Ms. Sidhu, take seven minutes, please.

Ms. Sonia Sidhu (Brampton South, Lib.): Thank you, Mr. Chair, and thank you to all the witnesses.

As you heard, all MPs have a heavy load of calls. What is your best recommendation for improving client services at Immigration, Refugees and Citizenship Canada, including the tracking system, when clients get direct information from IRCC as always "pending" or "in process"? Instead of that, if the IRCC website had a system whereby they can provide a more detailed message.... What do you think about that?

Mr. Richard Kurland: There are two prongs. Here's a simple, elegant, immediate, low-cost solution: all IRCC has to do is indicate the category of permanent residence and the remaining target of the year for that category, and also publish the inventory at the same time. If it's first-come, first-served processing, the applicant merely looks at their place in the queue and the available visas for that particular year, and will understand that the target is taken in that year.

If it's a multi-year planning process—which is what we are buying into—then in subsequent years the target will be known in advance. That way, the person concerned will have a reasonable expectation of the date of visa delivery.

The alternative to that is the third rail for IRCC. It is for the committee to recommend the introduction of the User Fees Act to cover IRCC. That act requires the publication of a processing period when you pay money for a government service. IRCC is exempted from the application of the User Fees Act.

• (1710)

Ms. Sonia Sidhu: What do you think about a TRV visa application being refused with just one error? Then they have to apply again and then they have to pay the fee again. What do you think about that?

Mr. Richard Kurland: It's case by case. I live with that hardship daily. Sometimes in order to access a decision-maker, I spend \$50 on a judicial stamp to open a Federal Court case in order to have access to the Department of Justice counsel, who then liaises directly with the client, and between us we resolve the TRV situation.

It shouldn't be that way.

Ms. Sonia Sidhu: On December 7, 2016, Immigration, Refugees and Citizenship Canada announced a package of changes in our family class sponsorship application, including a shorter application guide in simple language. In your opinion, what is the impact of such changes on client services? Mr. Nurse, you can give the answer.

Mr. David Nurse: I think that announcement is positive. I think that shortening the guide is certainly useful, and looking at the language again is useful. For in-Canada applications, it's a processing time issue, which you would be well aware of. There's a commitment, I believe, to shorten the average processing of the in-Canada applications from 24 to 12 months, and a dedication of more money and resources to that. I'm cautiously optimistic that will be positive.

There's only one thing I would add. I would encourage IRCC to continue the open work permit program for spouses, because that has alleviated a lot of the financial pressure for spouses who were previously unable to work in Canada while this lengthy process went on.

I still believe that people will need legal advice and consultant advice to navigate the system. Coming to it as a first-timer, even if it's 75 instead 194 pages, is still daunting.

However, overall I would say those improvements are positive.

Ms. Sonia Sidhu: Thank you.

The Chair: Mr. Saroya, you have five minutes, please.

Mr. Bob Saroya: Thank you so much, Mr. Chair.

Both of you were here in the last hour as well. If you listened to the whole thing, you know it's a human factor. People, clients, come to the MP's office because we treat them as humans, we sympathize with them, we listen to them, and we act and react.

Do you think we have a disconnect at the call centre? The clients would look like something like this, for example, while the management and the call centre people may be different. They don't understand that side of the equation. What can be done to take some of the burden away from the MP's office?

Mr. Richard Kurland: I monitor the call centre quality assurance reports year after year. I can say if lawyers had that quality assurance outcome, that monthly disbarment list would be significantly lengthier. The call centre is sensitive, culturally and linguistically, and they are now patient. That's not the issue.

The key issue is that the members of Parliament have been pushed into a corner, under-resourced, and placed as goalie to IRCC's problem. The only advice that I can offer, as I have offered in the past—20 years in the past—is to review a British television series called *Yes, Minister* and *Yes, Prime Minister*.

Voices: Oh, oh!

• (1715)

Mr. Bob Saroya: David, do you have anything else to add?

Mr. David Nurse: I can't follow that.

Voices: Oh, oh!

Mr. Bob Saroya: With regard to the cost analysis, the IRCC spends huge money out there.

If both of you were the immigration minister for the day, the week, or the month, what changes would you bring to the table for call centres or... You understand things from both sides.

What would you do, David? Let's start with you.

Mr. David Nurse: First of all, I think you talked about humanizing the experience. Too often, although people haven't been hung up on, they come away feeling as though they have been. Maybe they asked one question, they got an unsatisfactory answer, and then there was sort of silence from the other side, indicating that it was time to go.

I've spoken to this already. That's an issue of tone, training, and script. Especially when you consider that people are maybe interacting with the Canadian government for the first time, that should not be their first experience. That's my first point.

Mr. Bob Saroya: Let's go.

Mr. Richard Kurland: Well, I would adopt the Quebec model for immigrant investor immigration. The challenge is bad apples on the ground in case-specific immigrant investments. The Quebec government doesn't have the time and resources to micromanage; instead it manages the dealers. It allows quota to dealers based on the quality level of those investor files. It motivates the dealers to motivate their agents to select good cases. By "good cases", I mean legitimate.

The same could happen if the minister were to say to the regulatory authorities, "Okay, we're going to hive off some service delivery" to your members. "You, regulator, are going to ensure that quality assurance is positive." Alternatively, IRCC could, via computer, monitor the quality assurance of specific practitioners and cut access when something's loopy, pending resolution of an investigation.

That's how you do it at the lowest cost.

Mr. Bob Saroya: I asked this question of the previous panel. Personally I know some of the files, because we—

The Chair: You have 20 seconds.

Mr. Bob Saroya: What would you do if the file was right but something was missing, a very small item? What would you do so the guy wouldn't have to pay the money again or he wouldn't have to get back into the queue? What would you suggest?

Mr. Richard Kurland: What we do daily is request reconsideration. We do it electronically.

The Chair: Thank you.

Ms. Dzerowicz, go ahead for five minutes, please.

Ms. Julie Dzerowicz: Thank you so much.

Because I have only five minutes, I'm going to ask five questions and leave it to both of you to decide what you would like to respond to.

First, you've talked about artificial intelligence, Mr. Kurland. Do you have a specific recommendation around that as we're modernizing our client services?

Second, Mr. Nurse, you have reminded us that with a modernized immigration system, you want to leave a space for the role of lawyers. Could you be more specific about what your recommendation is?

Third, part of this client modernization is looking at third party suppliers for visa offices and security. Do you have any recommendations as to what that would look like and how we can modernize that?

Fourth, private companies could take over part of the processing. Who does this well?

Fifth, we've talked about the CRA model, but does any country do it well, that we should model ourselves after?

Thank you.

Mr. Richard Kurland: In reverse order, here are my answers.

Yes, the United States does it well. They have a wonderful electronic system, from appointments right down the line.

As for the service providers, I would make no additions and no deletions. We got that one right.

Do you want to kick those two?

Mr. David Nurse: Yes.

You asked about the role or the space for lawyers. I think that IRCC sometimes does not design things to facilitate collaboration between IRCC, the client, and the lawyer involved.

For example, using the online portal for authorized representatives, I can create applications, but I can't share an individual application or a view of that application with a client. I've had clients say they would love to see it. I say, "I can't do it." At least under the previous system, if I searched or viewed, I'd see all my applications. I can't disclose that information to an individual client.

• (1720)

Mr. Richard Kurland: And this—

Mr. David Nurse: Sorry.

Just to finish the point, they need to see lawyers as partners in effective client service.

That's what I'm asking for.

Mr. Richard Kurland: This goes to the heart, because the artificial intelligence system is the new lungs, heart, and circulatory system for the modernized system. I see a collision between the government's commitment to transparency and consultation and

what IRCC has done to this committee. I have no idea how they did not disclose in a timely manner a material, relevant operational design point that is the highway to the future of a modernized immigration system.

Ms. Julie Dzerowicz: On third party suppliers, are there any recommendations?

Mr. Richard Kurland: No. It's working.

Ms. Julie Dzerowicz: Is it working well?

Mr. Richard Kurland: Yes.

Ms. Julie Dzerowicz: Okay.

You talked about international.... You talked about the U.S.A., that private company. One of the things you mentioned, Mr. Kurland, was that we could hive off part of the processing to the private sector. Are there companies you would recommend that could do this well?

Mr. Richard Kurland: There's the *Barreau du Québec* and the Law Society of British Columbia, both of which I'm a member of, as well as the authorized third party consultants and the other provincial law societies. We're trained. We have insurance policies. We are there to protect the public, and we have a long-term strategic knowledge of Canada's immigration system. Why wouldn't you hive it off to those entities?

Ms. Julie Dzerowicz: Mr. Kurland, I'm going to be honest. I don't understand your artificial intelligence point 100%. If you could take a moment.... I don't understand what happens now, and what you think needs to change.

Mr. Richard Kurland: It's fantastic. It's the best thing since sliced bread. Rather than hiding it, the department should be bringing it out in public and taking the applause.

For example, it uses past performance. Where they see variables.... Where you have 95% acceptance rates, based on either a visa issued by another country or all of the particular case-specific factors, and 95 times out of 100 there is a positive decision, you tag the acceptable risk level of an adverse outcome and say, "Fine, we'll get it wrong 1 out of 50 times. It's worth the risk", and you end up with two- to three-day processing periods where it used to take three or four months.

Ms. Julie Dzerowicz: So what needs to change, or are you saying it works well?

Mr. Richard Kurland: It will work well, but disclose it.

Ms. Julie Dzerowicz: Okay.

The Chair: You have 20 seconds.

Ms. Julie Dzerowicz: I think that's it.

Thank you.

The Chair: I'd like to thank our panellists for appearing before the committee. I will now suspend so that we can deal with some committee business in the time left.

Thank you.

[*Proceedings continue in camera*]

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