



Immigration and Refugee Board

Performance Report

**For the period ending
March 31, 2005**

**Joe Volpe
Minister of Citizenship and Immigration**

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Section 1: Overview

Message from the Chairperson

“At the end of the day, what matters at the IRB is having a system that delivers fairness, consistency and justice to all those who appear before our tribunals.”

Jean-Guy Fleury
Chairperson



I am pleased to present the 2004-2005 Departmental Performance Report for the Immigration and Refugee Board (IRB). This report is a comprehensive review of the IRB's performance and accomplishments as set against planned objectives for 2004-2005. I could not be more proud of the people of the IRB who worked so hard for the results we have achieved during this past year.

As stated in the most recent Speech from the Throne: “Canadians want their country to play a distinctive and independent role in making the world more secure, more peaceful, more co-operative, more open... We can play a distinctive role based on our values: the rule of law, liberty, democracy, equality of opportunity, and fairness.” As an institutional expression of this desire, the IRB is an independent, administrative tribunal that plays a vital role in Canada's immigration and refugee protection system.

High standards of justice

The IRB remains committed to serving the interests of the Canadian public by delivering the highest standards of administrative justice on behalf of Canadians. This focused commitment and integrity of purpose has garnered Canada an international reputation as having one of the finest and

most innovative immigration and refugee determination systems in the world. Indeed, other countries have chosen to model key aspects of their own immigration and refugee organizations after the IRB.

“We have to strive for a delicate and important balance between upholding standards of fairness and realizing efficiencies to process cases more quickly.”

Jean-Guy Fleury
Chairperson



Enriching Canadian society

The IRB remains focused on its critical mandate of providing Canadians with well-reasoned decisions on immigration and refugee matters, efficiently, fairly and in accordance with Canadian law. Canada is one of the most ethnically and linguistically diverse countries in the world. The decisions made by the IRB contribute to Canada’s rich mosaic of ethnic communities who continue to help shape our country and make valuable social, economic and cultural contributions to the fabric of Canada.

Working to enhance national security

Canada strives to provide a safe haven for embattled people who seek freedom, stability, democracy and, above all, a better life. We also strive to ensure the safety of Canadians. By making fair and responsible decisions quickly, in accordance with Canadian law and according to United Nations Conventions, the IRB helps maintain the integrity of Canada’s immigration and refugee protection system and safeguard the security of the Canadian public.

Delivering results for Canadians

Our top priorities for 2004-2005 were to sustain a high volume of quality and fair decisions in the IRB's three tribunals, reducing the number of claims waiting for a decision, reducing processing times, promoting further integration of quality, consistency and efficiency measures, and building organizational capacity. This builds on the significant achievements we made in the fiscal year 2003-2004. As a result, I am pleased to report that the IRB's three tribunals rendered nearly 55,000 decisions in 2004-2005.

Transforming the IRB and embracing change

We never lose sight of the fact that these 55,000 decisions represent individuals who are seeking refuge or a new way of life in Canada. We also recognize that people have to put their lives on hold until the Board makes its decisions. Key to our success in 2004-2005 in taking more people out of a state of uncertainty was our continued progress in transforming the IRB into a more dynamic and responsive organization that can make fair decisions more simply and more quickly.

Thinking differently, working smarter

How are we accomplishing this? By executing innovative and creative management strategies developed under the Chairperson's Action Plans, and providing our people with leading-edge tools and resources. These compelling initiatives are enabling the IRB to deliver fair and well-reasoned decisions in an environment that is less bureaucratic, less court-like and sensitive to all those who appear before our tribunals.

To this end, we made substantial progress in 2004-2005 in introducing more modern, transparent and focused management practices, implementing more rigorous and standardized processes, creating new tools and mechanisms for our decision-makers, as well as reforming the way we select decision-makers.

The challenges ahead

As we look more broadly to the future, we realize that our continued success is tied closely with the integrity of our decisions, which have profound implications for our country. While we have made remarkable progress over this past year, we still have work to do on efficiency and case management.

One important priority will be to continue to decrease the turnaround time for refugee claims from 13.6 months to an average of six months and sustain this new turnaround time for a period of 18 months. Another will be to reduce the processing time for immigration appeals from eight to six months. Other key objectives will be to remain focused on the fairness of our admissibility hearing and detention review decision-making process, sustain the drive to renew the IRB workforce, and modernize our organization.

Jean-Guy Fleury
Chairperson

Message from the Executive Director

“I continue to be impressed by the dedication and professionalism of our people. We have never been so productive as we are now. I believe our people look at what they do not as just a job but as a vocation.”

Marilyn Stuart-Major
Executive Director



Canada’s immigration and refugee determination system is considered one of the best in the world. The IRB is mandated by Parliament and by Canadians to continue to strive for excellence.

Key to our success is the contribution of employees through their professionalism and commitment. As an organization consisting of three tribunals, we work with our partners, Citizenship and Immigration Canada (CIC) and Canada Border Services Agency (CBSA), to ensure that we can deliver our best, most cost-efficient results, in accordance with relevant laws and practices.

Modernization: Improving the way we work

As noted in the Chairperson’s Message, we are engaged in a major transformation of the Board that will enable us to deliver quality decisions more quickly and simply. This multi-year reform and restructuring initiative affects all aspects of our operations, and much progress was made in fiscal year 2004-2005.

At the partner level, we codified our relationship with CBSA by developing a Memorandum of Understanding that defines key elements of the institutional relationship between the two organizations. In addition, the IRB and CIC will renew their existing agreement to reflect changes in responsibility within the portfolio.

“The IRB, to its credit, refuses to rest on its laurels, and regularly seeks to enhance its work through consultations with partners and self-assessment. This is a mark of sound management and progressive action.”

Jahanshah Assadi
UNHCR
Representative
in Canada

To provide better governance to the organization, we established a number of top-level committees and boards including the Chairperson’s Management Board, Policy Advisory Committee, Audit and Evaluation Committee, and the Executive Director’s Executive Management Committee, which provide the fora to establish strategic and policy direction for the IRB. We also revitalized the IRB’s departmental advisory committees to optimize efficiency and effectiveness in areas such as employment equity and official languages.

In addition, we successfully applied the new government Management Accountability Framework (MAF). This modernization initiative is aimed at developing more results-focused corporate priorities, enhancing the strength of our management teams and independence of our decision-makers, and improving our management planning cycles.

We also continue to evolve the Chairperson’s Action Plans and to develop new human resources, technology and communications policies and initiatives that support all three tribunals.

Partnership with employees

Recognizing that our people represent the single most important factor in our future success, we are reforming our approach to human resources. In 2004-2005 we initiated an Integrated People Management Strategy and a Learning and Development Strategy to guide the management and professional development of our staff. We integrated our human resources management and learning and professional development branches to create a unified Human Resources and Professional Development Branch. And, through consultations with IRB employees, we completed a full review of our professional development functions to ensure that we are creating an organization in which IRB people can work and grow to their full potential.

Leading-edge technology

The development and staged introduction of the innovative Integrated Case Management System (ICMS) represents a major cultural shift for the IRB. This new technology will fundamentally change the way we process cases in all three tribunals and across all offices of the Board.

Enhanced communications

Outreach to our target audiences, such as the media and Parliamentarians, has been an important activity this past year. We increased our efforts to ensure our audiences had a better understanding of who we are and what we do and the importance of our work to Canadians.

Model for the world

The IRB is such an important institution, and I believe we have a duty to preserve what is good about the organization as well as to ensure we evolve to meet the challenges of the future. To that end, we will continue to embrace new opportunities to improve in order to deliver one of the finest immigration and refugee protection systems in the world.

Marilyn Stuart-Major
Executive Director

Management Representation Statement

I submit for tabling in Parliament, the 2004-2005 Departmental Performance Report (DPR) for the Immigration and Refugee Board.

This document has been prepared based on the reporting principles contained in the Treasury Board of Canada Secretariat's Guide for the preparation of 2004-2005 Departmental Performance Reports:

- It adheres to the specific reporting requirements
- It uses an approved Business Line structure
- It presents consistent, comprehensive, balanced and accurate information
- It provides a basis of accountability for the results pursued or achieved with the resources and authorities entrusted to it
- It reports finances based on approved numbers from the Estimates and the Public Accounts of Canada

*Marilyn Stuart-Major
Executive Director
September 2005*

Summary Information

What's New

This year's performance report features some key changes:

A More Structured Approach — We are reporting and comparing our performance against the stated plans and priorities more closely for the past fiscal year in order to improve our accountability.

A Greater Focus on Results — By clearly stating our priorities and results and how we achieved them, Canadians will have a better opportunity to understand the work of the IRB and how it benefits them.

A More Reader-Friendly Document — Every year we strive to improve the clarity and readability of our planning and performance reports. In this report, we have made an effort to be more concise, identify important changes, reduce the amount of bureaucratic language and acronyms, and feature more headings and graphics.

Raison d'être

Who we are

The Immigration and Refugee Board (IRB) is an independent administrative tribunal that reports to the Parliament of Canada through the Minister of Citizenship and Immigration Canada (CIC). As Canada's largest federal tribunal, the IRB consists of three divisions, each of which has its own mandate under the Immigration and Refugee Protection Act (IRPA):

- **Refugee Protection Division (RPD)**
- **Immigration Division (ID)**
- **Immigration Appeal Division (IAD)**

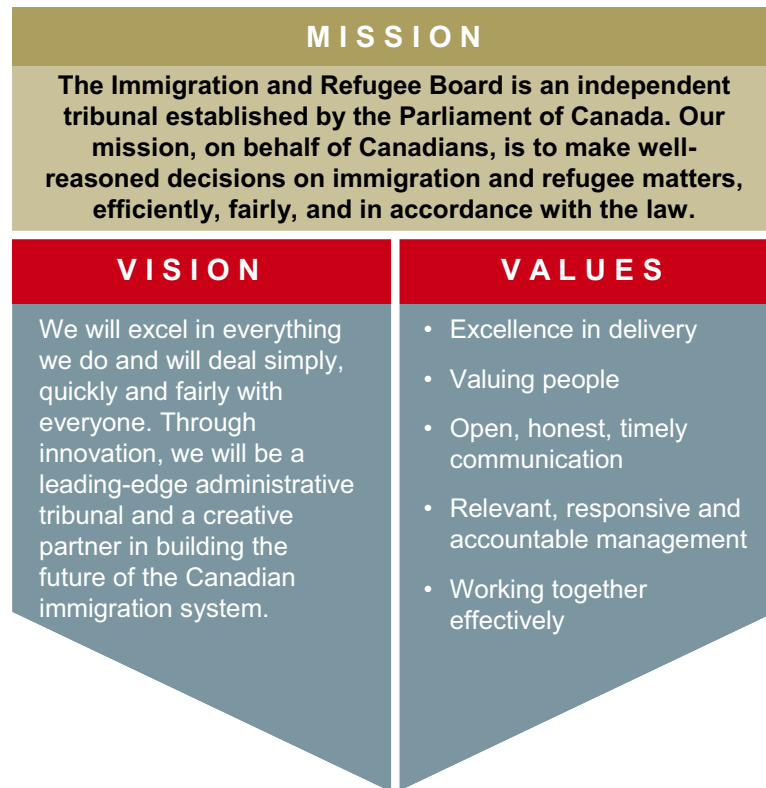
Through each division, the IRB delivers a simpler and faster form of justice than that provided by the courts, but with no less attentiveness to the rigour of the law. The IRB is a human rights organization, and the men and women who work at the Board respect the human dignity of all those who come before it.

The IRB is fully committed to applying fairness to all aspects of its work, which in turn means being just, lawful, honest, open, and without bias. This includes recognizing that some individuals who appear before our tribunals have experienced very difficult circumstances, and respecting the diversity of cultures of individuals who appear before

the IRB. Most importantly, it means recognizing that the determination of each case directly and profoundly affects the lives of people.

With its headquarters in Ottawa, the IRB employs more than 1,000 people across Canada with regional offices in Vancouver, Toronto and Montreal, and other offices in Calgary, Edmonton, Winnipeg, Niagara Falls and Ottawa.

We are the organization we are meant to be



As an organization responsible for applying administrative justice, the IRB adheres to the principles of natural justice, and its decisions are rendered in accordance with the Canadian Charter of Rights and Freedoms. This mandate is reflected in our mission, vision and values, which help shape our corporate priorities and identify the qualities we strive to embody. It also guides our day-to-day decisions to ensure everyone and their work at the IRB is aligned with our mission and our vision for the future.

Benefits to Canadians

Immigrants and refugees have always made significant contributions to Canada's growth and development. In pursuing its mandate, the IRB benefits Canadians in three important ways:

- Its hearings on refugee claims ensure that Canada accepts only those in need of protection
- Its hearings on admissibility and detention reviews help ensure the security of Canadians
- Its independent appeal mechanism for sponsorship, removal orders and permanent residence status cases contributes to fairness of process for such cases

Through the decisions it makes, the IRB also contributes more broadly to the quality of life of Canada's communities by strengthening our country's social fabric, and by reflecting and reinforcing core values that are important to Canadians. These include respect for:

- Human rights
- Equality
- Fairness
- Peace
- Rule of law

What we do

The work of the IRB is conducted through four business lines; the first three are responsible for all the tribunal decisions made at the Board.

Refugee Protection Business Line

- Renders quality decisions in a timely manner on claims for refugee protection made by persons in Canada. In making these critical decisions, Canada fulfils its obligations as a signatory to a number of international human rights conventions.

Admissibility Hearings and Detention Reviews Business Line

- Conducts admissibility hearings for foreign nationals or permanent residents who seek entry into Canada, or who are already in Canada and are considered to be inadmissible; and conducts

detention reviews for foreign nationals or permanent residents who are detained for immigration reasons.

Immigration Appeal Business Line

- Hears appeals of sponsorship applications refused by CIC; appeals from certain removal orders made against permanent residents, refugees and other protected persons, and holders of permanent resident visas; appeals by permanent residents who have been found outside of Canada not to have fulfilled their residency obligation; and appeals by the Minister from decisions of the Immigration Division at admissibility hearings.

Corporate Management and Services Business Line

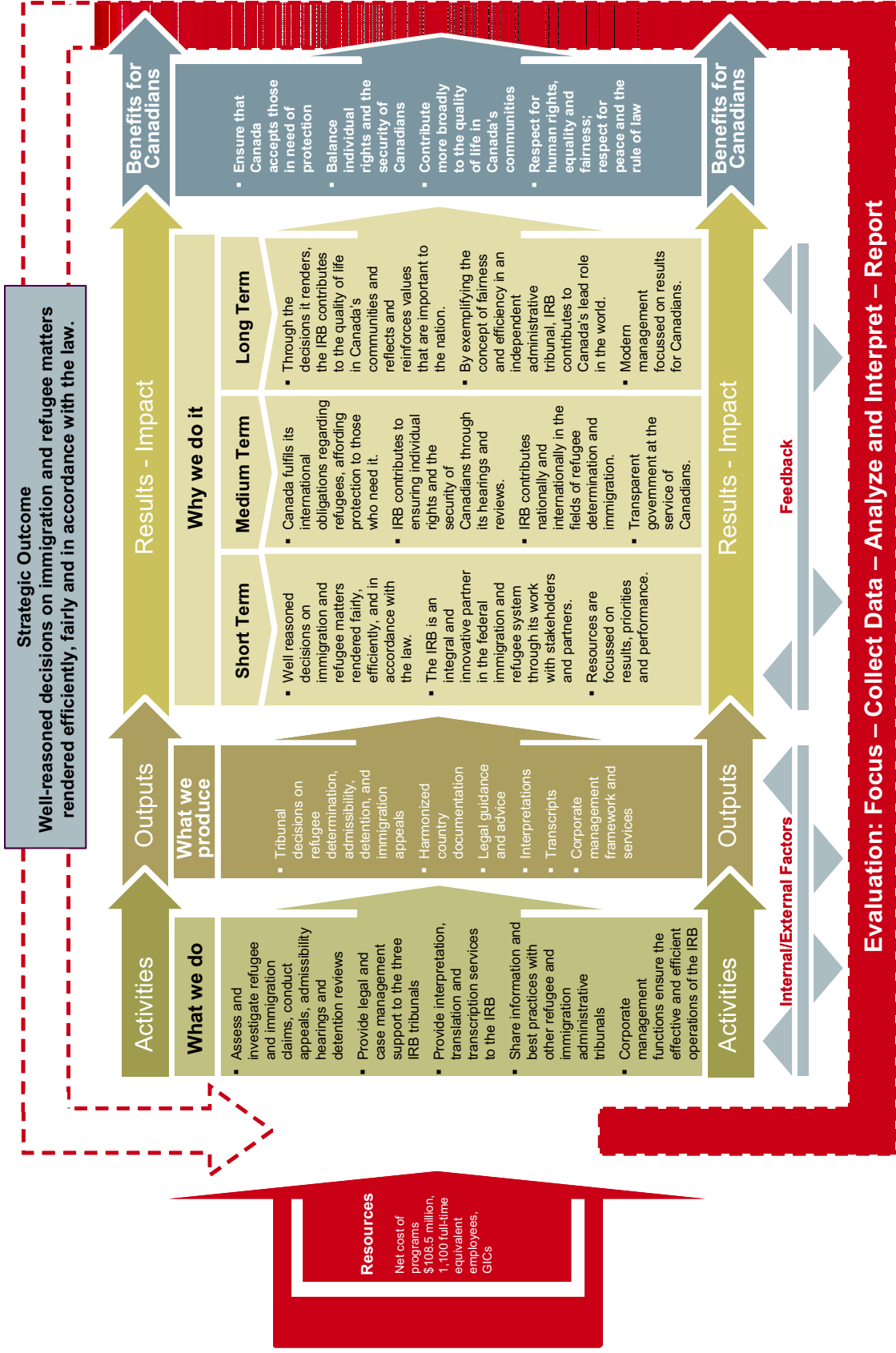
- Supports the three IRB decision-making tribunals through a range of strategic planning, financial services and management activities. Provides the IRB with efficient management processes and administrative services while promoting organizational effectiveness and supporting the organization in adapting to its changing environment.

Results Chain

What we do, what we produce, and the impact of these activities are captured in the following diagram.

This represents a dynamic process in which information is shared throughout the IRB to ensure that everyone at the Board is focused on the appropriate activities and outputs in order to achieve the expected results for Canadians.

Results Chain



Total Financial and Human Resources

The total financial and human resources tables in this section contain summary data presented under various column headings.

Total Financial Resources (\$ Millions)		
Planned Spending	Total Authorities	Actual Spending
133.1	136.6	125.9
Spending planned at the beginning of the fiscal year as presented in the <i>2004-2005 Report on Plans and Priorities</i> .	Level of spending authorized by the Government, including Supplementary Estimates in order to take into account the development of priorities, increased costs and unexpected events.	Amounts actually spent during the 2004-2005 fiscal year presented in the Public Accounts.

Total Human Resources		
Planned Utilization	Actual Utilization	Variance
1,180	1,170	10
Full time equivalents planned at the beginning of the fiscal year as presented in the <i>2004-2005 Report on Plans and Priorities</i> .	Full time equivalents actually utilized during the 2004-2005 fiscal year.	The difference between planned and actual full time equivalents utilization.

Summary of Performance: Strategic Outcome, Priorities and Commitments

Based on its legislated mandate, the IRB is focused on achieving one fundamental strategic outcome: To provide Canadians with well-reasoned, timely decisions on immigration and refugee matters efficiently, fairly and in accordance with the law.

To achieve this strategic outcome, the IRB identified four priorities in its *2004-2005 Report on Plans and Priorities*. The following table outlines the strategic outcome, ongoing priorities, expected results and the planned and actual spending. Detailed information on the IRB's specific initiatives and results is provided in Section 2.

STRATEGIC OUTCOME: Provide Canadians with well-reasoned, timely decisions on immigration and refugee matters efficiently, fairly and in accordance with the law.		
2004-2005 Priorities / Commitments (\$ millions)	Planned Spending 133.1	Actual Spending 125.9
1. Sustain a high volume of quality and fair decisions in the IRB's three tribunals, with an overriding commitment to reducing the number of refugee claims waiting for a decision and reducing processing times.		
Expected Results and Current Status: Successfully Met Expectations		
<ul style="list-style-type: none"> ▪ IRB's tribunals rendered approximately 55,000 decisions in 2004-2005 ▪ Reduced the number of refugee claims waiting for a decision by 31% 		
2. Promote further integration of quality, consistency and efficiency measures.		
Expected Results and Current Status: Successfully Met Expectations		
<ul style="list-style-type: none"> ▪ Competency-based selection process for decision-makers ▪ Updates to the National Documentation Packages (NDPs) ▪ Introduced the Fast-Track Policy 		
3. Ensure strategic case management of all stages involved in handling a case.		
Expected Results and Current Status: Successfully Met Expectations		
<ul style="list-style-type: none"> ▪ Improved Streamlining Framework simplifies and standardizes the IRB's processes ▪ Initiated the Integrated Case Management System (ICMS) 		
4. Build organizational capacity to sustain a high volume of decisions by ensuring that necessary infrastructure is in place in the areas of strategic management, human resources, information technology and communications.		
Expected Results and Current Status: Successfully Met Expectations		
<ul style="list-style-type: none"> ▪ Introduced the Management Accountability Framework (MAF), a results-focused corporate priority ▪ Initiated an Integrated People Management Strategy and improved management planning cycles ▪ Increased outreach and communications to key audiences ▪ Continued development of the ICMS and implementation of the Digital Audio-Recording System (DARS) 		

Overall Performance

Operating Environment and Context

For the fiscal year 2004-2005, the IRB is reporting on its performance based on the Business Line framework.

The IRB carries out its mandate within a complex and ever-changing environment. As outlined in the *2004-2005 Report on Plans and Priorities*, a wide range of factors shaped the operating environment and context in which the IRB delivered its commitments in 2004-2005.

A key aspect of the Board's planning and operating environment is that it has virtually no control over the forces affecting the number of cases it receives in any of its tribunals. Both international and domestic factors can influence the Board's working environment and context.

For example, conflicts and country conditions abroad can result in refugee movements, which affect the number of protection claims made in Canada.

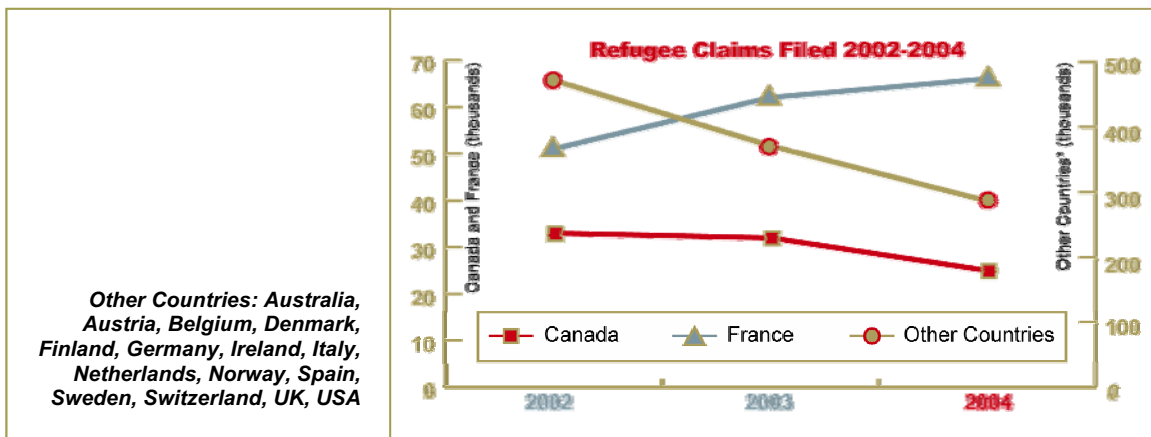
The same is true for unexplained shifts in international patterns of migration, which can affect the number of people seeking admission to Canada. More recently, an increased global focus on border protection and security has affected the overall movement of people.

Declining global refugee populations

Although people are still moving around the world, the numbers of displaced people and refugee claimants have generally declined. By the end of 2004, the global number of refugees reached an estimated 9.2 million persons, which represents a net decrease of 4 percent from 2003. This is the fourth consecutive year the global refugee population has decreased.

The sustained decline is due to many factors, including refugees having access to lasting solutions, such as voluntary repatriation; a reduction in interstate conflicts; increasing stability in some fragile states; improved human rights conditions in some states, and enhanced refugee protection measures implemented largely in the industrialized countries.

All major Western refugee-receiving countries share Canada’s experience of a declining trend in refugee claims, with the exception of France, which is the only country that has continued to receive a growing number of refugee claims after 2002. Since the peak, Canada, Western Europe, Australia and USA combined have received 250 thousand fewer claims, while France has received 20 thousand additional claims.

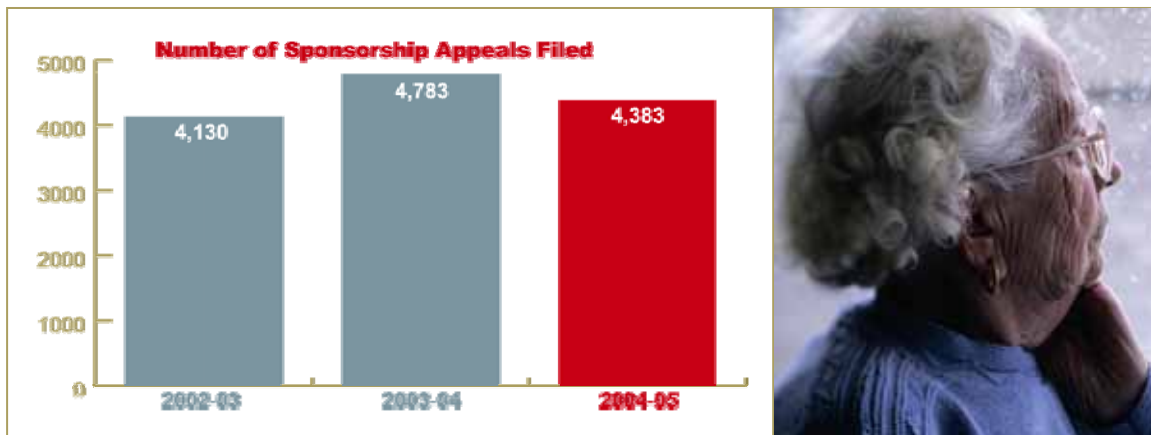


Changing workload and domestic factors

In 2004-2005, the IRB responded to changing workload pressures as well as to a changing domestic environment. Although the Board received nearly a third fewer refugee claims than anticipated for this year and made solid progress in finalizing more refugee claims awaiting decision, it is still dealing with a large volume of claims waiting for a decision. As noted, the number of immigration appeals increased (as forecasted) while the number of admissibility hearings and detention reviews remained fairly stable (as forecasted).

Growing trend of family sponsorships

Immigration continued to be very important for Canada in 2004, with immigrants making up an increasing part of our population. In this context and given the Government of Canada priority to promote family reunification, family-class sponsorship applications have increased at Canadian visa posts around the world. As a result, the IRB continued to experience a high volume of family sponsorship appeals, which also affected the Board's work in the areas of admissibility hearings and detention reviews.



Strong and effective partnerships

Although independent in nature, the IRB does not operate alone, and works cooperatively, where appropriate, with CIC and the CBSA, which was established in December 2003. It is CIC that determines the eligibility of all refugee claims made in Canada and refers these claims to the IRB. And it is CBSA that enforces the detention, removal, investigation, and intelligence and immigration control

functions. Together, we collaborate, where appropriate, to strengthen the integrity of Canada's immigration and refugee system.

Enhanced representation

New regulations governing counsel who may appear before the Board came into effect in April 2004. These are aimed at enhancing the quality of representation in IRB proceedings by requiring that any person who, for a fee, represents, advises or consults with a person who is the subject of a proceeding before the IRB is an authorized representative. During the past year, the IRB began the process of adapting its existing procedures to reflect this new requirement.



“A regulated immigration consultant professional is an integral part of a fair and accessible refugee and immigration system.”

Krista Daley
General Counsel

Legal aid changes in British Columbia

In light of the announcement in 2003 by the British Columbia government to cease funding for immigration and refugee legal aid, a federal-provincial agreement was signed in February 2004 to provide legal aid funding for 2004-2005 that included a reduction in the level of funding in British Columbia. In response to an expected decrease in legal aid services and an increase in the number of people who appear before it without representation in British Columbia, the IRB initiated contingency planning measures, which included information and orientation sessions for unrepresented claimants.

Modernization and accountability

Public interest in the work of the IRB and a greater demand for accountability and transparency in government continued in 2004-2005. The IRB responded by adopting more modern management practices and performance measurements, establishing new committees to formalize its strategic direction and set corporate priorities, and sharing its best business practices.

Alignment with Government of Canada outcomes

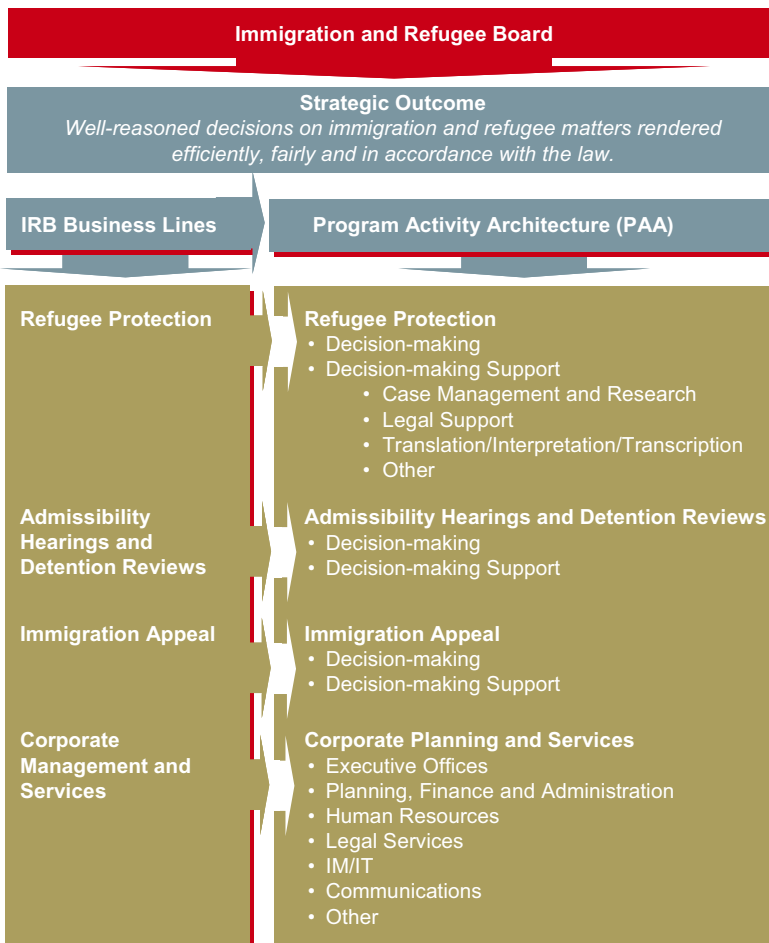
The central goal of the Government of Canada is to improve the quality of life of Canadians. All government policies, programs and activities are directed toward accomplishing this key objective.



Section 2: Performance Analysis by Strategic Outcome

This section provides detailed performance information against the plans and priorities set out in the IRB's 2004-2005 Report on Plans and Priorities and as they relate to the IRB's strategic outcome: To provide Canadians with well-reasoned decisions on immigration and refugee matters efficiently, fairly and in accordance with Canadian law. The work of each of the four IRB business lines is focused on achieving this single, critical outcome.

Business Line / PAA Crosswalk



As noted in Section 1, the IRB is reporting its 2004-2005 performance using the Business Line framework; it will report on its 2005-2006 performance using the new PAA structure. The crosswalk shows this evolution.

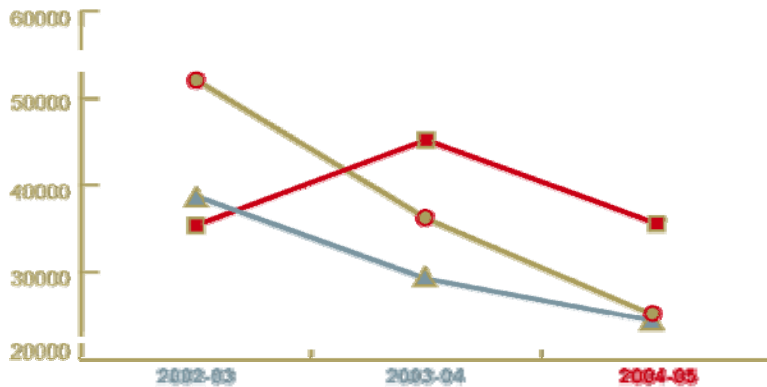
Refugee Protection Business Line

The refugee protection business line plays a pivotal role in enabling the Board to achieve its strategic outcome. A major share of IRB resources is devoted to this business line, which strives to render quality decisions in a timely manner on refugee protection claims made in Canada.

Refugee Protection Financial Spending 2004-2005 (\$ Millions)

Main Estimates	Planned Spending	Total Authorities	Actual	FTEs
73.8	85.2	89.5	83.0	791

Refugee Claims Referred, Finalized and Waiting for a Decision



	2002-03	2003-04	2004-05
Claims Referred	38,731	29,220	24,250
Claims Finalized	35,356	45,181	35,580
Waiting (March 31)	52,120	30,150	24,880

Top Priorities

In 2004-2005, the refugee protection business line identified three key priorities: To sustain the record number of case finalizations, improve its case management processes and enhance the quality of its decisions in order to further reduce both the number of refugee claims waiting for a decision and the average processing time, as stated in the *2004-2005 Report on Plans and Priorities*.

To realize its ambitious priorities for 2004-2005, the refugee protection business line implemented new quality and efficiency initiatives, as outlined in the following table. The table also summarizes the expected results, performance indicators, data sources and targets for the refugee protection business line in 2004-2005.

STRATEGIC OUTCOME: Provide Canadians with well-reasoned, timely decisions on immigration and refugee matters efficiently, fairly and in accordance with the law.

Refugee Protection Top Priorities

Priorities	Results Achieved	Performance Indicators
Sustain the record number of case finalizations.	Decision-makers provided with comprehensive training and professional development to support the implementation of changes to hearing and case management processes.	Stability or downward trend

Data Source: IRB Operations Branch and IRB Finance Division

Target: March 2005

Improve case management processes and enhance the quality of decisions in order to further reduce the number of refugee claims waiting for a decision and the average processing time.	Increased number and use of national documentation packages which sped disclosure; Fast-Track Policy enabled quicker scheduling with standard disclosures.	Percentage of incoming claims finalized within 12 months or less
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Data Source: IRB Operations Branch and IRB Finance Division

Target: March 2005

Refugee Protection Planned Initiatives

Planned Initiatives	Results
Build on the use of national geographic networks of decision-makers and employees involved in case preparation and hearings to promote the exchange and consistent use of human rights information specific to particular geographic regions.	Enhanced efficiency and impact by building on the use of national geographic networks by decision-makers and employees involved in case preparation; regular conference calls held on 8+ countries where consistency challenges exist; Quality Issue Sessions held on Palestinian, Mexican and Turkish claims.
Identify a representative case or sample of similar cases to be conducted as "lead cases" in order to facilitate efficient and in-depth examination of issues that recur in similar cases.	Lead cases were considered as appropriate, with careful reflection on their use.
Implement new technological tools to enable electronic filing of personal information forms (PIFs) and electronic disclosure of case documentation.	E-PIF filing trial ongoing; national documentation packages posted on website facilitate disclosure.
Designate three-member panels to support the exchange of ideas, address important substantive or procedural issues and provide training and practical experience to new decision-makers.	Panels were initiated as appropriate, and provided training to new decision-makers.
Develop innovative approaches to ready cases for hearing more quickly; improve foreign language interpretation services that support hearing activities through innovative ways of delivering training to interpreters.	Increased number and use of national documentation packages which sped disclosure; Fast-Track Policy implemented where appropriate for fast scheduling with standard disclosures.
Monitor the administrative transfer of files between regions to better match resources and workload demands, and optimize the use of videoconferencing facilities.	Enhanced allocation of resources to match workload demands, management response provided a review of the use of videoconferencing and optimized use of videoconferencing.
Continue to review and develop national documentation packages for countries of origin to ensure consistent documentary evidence for decision-making.	National documentation strategy reviewed; new approach is facilitating production and updating.
Provide a comprehensive training and professional development program to support the implementation of changes to hearing and case management processes.	Fast Track training provided; Integrated Case Management System training needs survey concluded; training plan under development; Digital Audio-Recording System training provided.

Refugee Protection Planned Initiatives	
Planned Initiatives	Results
Intervene at the Federal Court in key cases involving a legal or policy issue or an issue that is of institutional interest.	Interventions carried out in accordance with the policy on higher court interventions.
Continue to establish jurisprudence, and share decisions among decision-makers.	Decisions are regularly shared and collected for analysis and to support quality issue sessions.
Increase the number of reasons for decisions to be delivered orally at hearings to reduce the time required to conclude a case.	Increased number of national documentation packages and a renewed effort to introduce persuasive decisions increased the number of oral decisions and/or within seven-day decisions.
Issue jurisprudential guides (JGs) to assist decision-makers on matters of substantive and procedural importance in considering cases.	Costa Rican JGs issued in accordance with the policy on the use of jurisprudential guides.
Identify persuasive decisions, that is, decisions of high quality that are of value in developing jurisprudence.	Renewed initiative to identify persuasive decisions, e.g., on Fast Track hearings, countries, and certain claim types to facilitate decision-making.

Key 2004-2005 Highlights



“The tremendous amount of work accomplished last year was matched only by what we learned. Because our work has a profound effect on people’s lives, our decisions have to be of the highest possible quality. So we improved our training of decision-makers, streamlined our case management processes, and strengthened the consistency and standardization of our decisions. The result: we significantly reduced the backlog of claims waiting for a decision and greatly reduced the processing time of new claims.”

Gaétan Cousineau
Deputy Chairperson, Refugee Protection Division

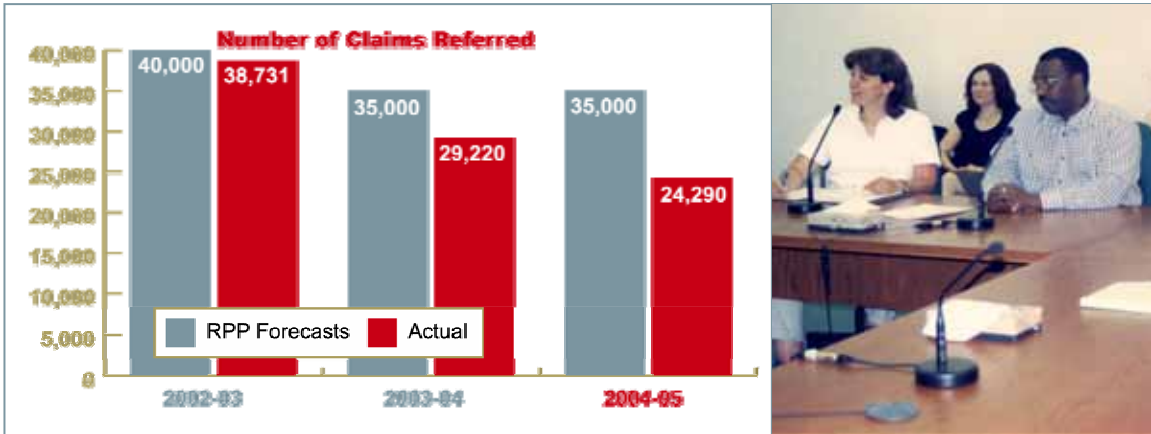
Fewer new claims

Reflecting the global trend of declining refugee claims, Canada experienced a sharp drop in new refugee claims. Nearly a third less new claims were received than were forecasted in our *2004-2005 Report on Plans and Priorities*. Contributing factors to this decline were:

- The implementation of visa requirements for selected countries.
- The interdiction by CBSA of undocumented or improperly documented travellers from coming to Canada.

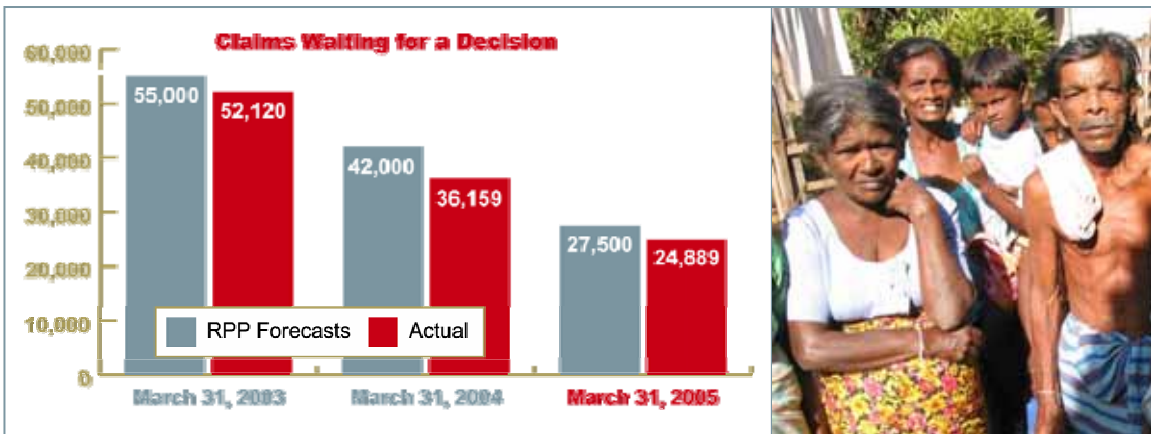
- The requirement under the Canada-United States Safe Third Country Agreement for refugee protection claimants who travel through the United States or Canada, with some exceptions, to make their claims in the country where they first arrived

China, Colombia and Mexico remained the top three source countries for refugee claims in Canada, with Colombia replacing Mexico as the top source country.



Reduced waiting claims

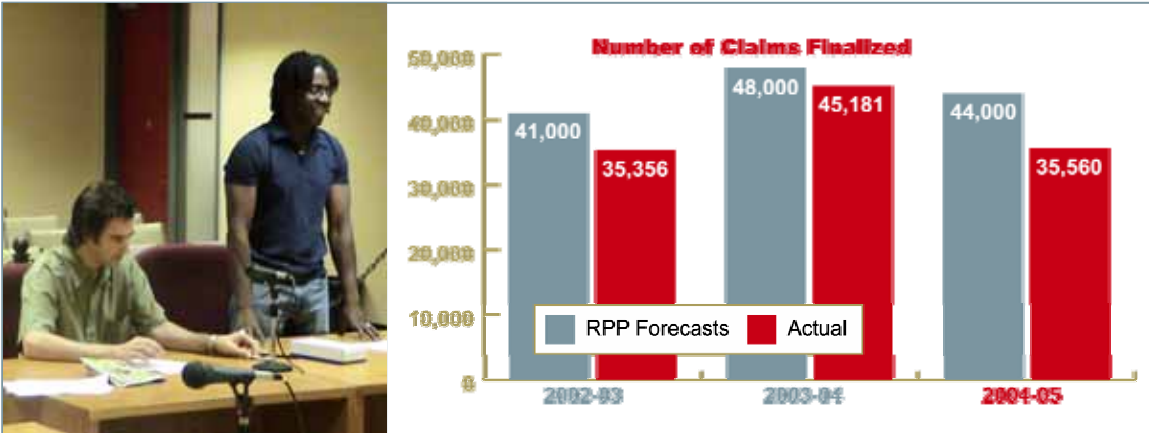
For the second consecutive year, the IRB was very successful in reducing the number of claims waiting for a decision. Greatly improved case management processes and a decrease in the number of new claims referred enabled the IRB to finalize more than 90 percent of its forecasted number of claims waiting for a decision.



Finalized claims

Although the IRB finalized the second highest number of total claims in its history, it fell short of its 2004-2005 forecasts. Contributing factors to the shortfall include:

- Fewer decision-makers
- More complex cases processed
- Reduced flexibility to schedule hearings



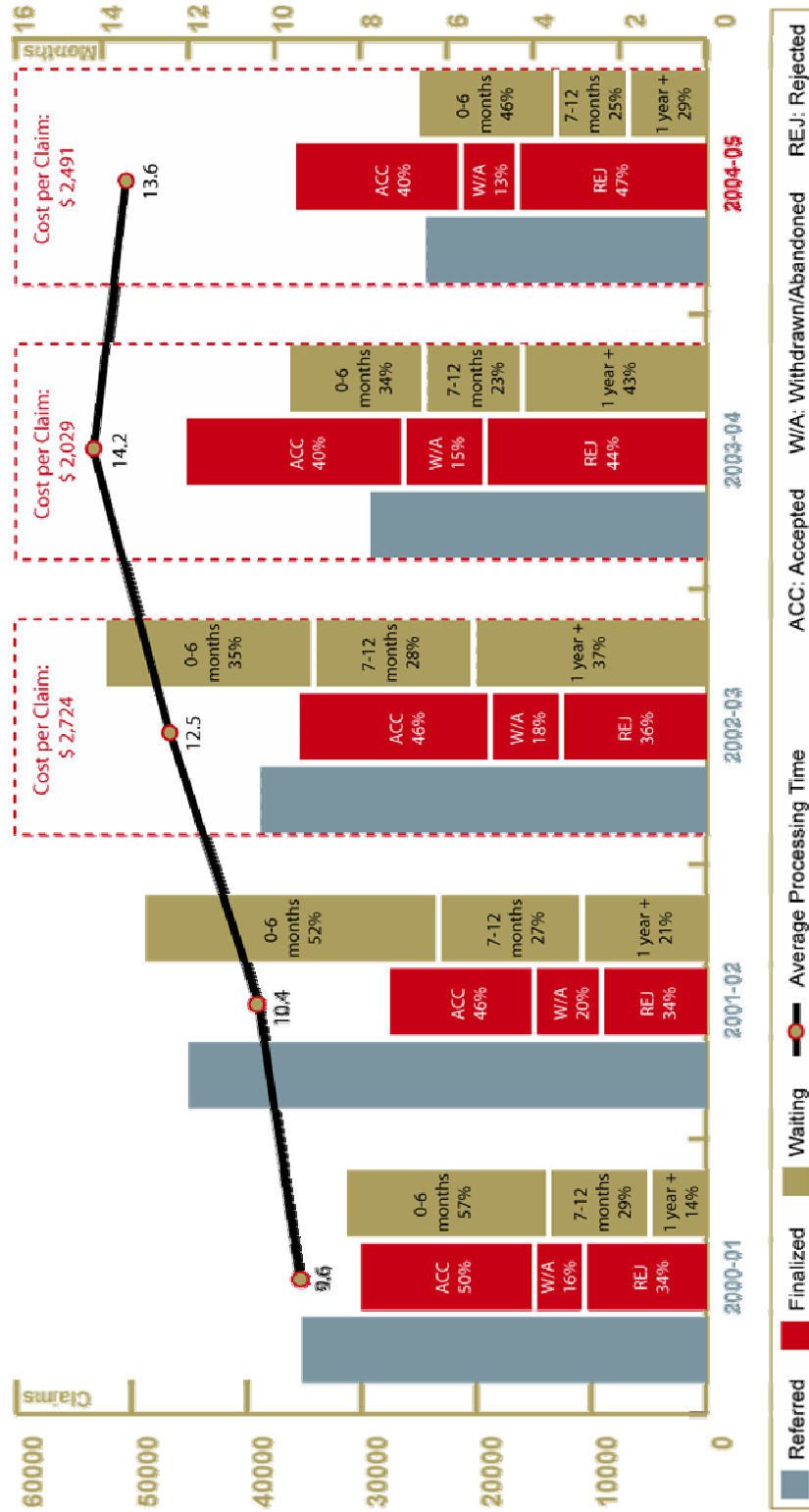
Cost per claim finalized

The cost per claim includes the decision-making costs and costs of related activities such as case preparation, research, scheduling of hearings, legal services, foreign-language interpretation, technological support, translation services and administrative support. It also includes a share of the cost of support services from the Corporate Management and Services business line, which is allocated to the three decision-making business lines, based on respective expenditure trends.

The average cost per claim for 2004-2005 was approximately \$2,500 compared with \$2,030 in 2003-2004. Unit costs per claim ranged from \$880 for an expedited case to \$3,400 for complex cases. The increase in the cost per claim is attributable mostly to increases in salary wages, a higher share of fixed costs per unit caused by a drop in volume, as well as an increase in hearing time, adjournments and postponements. It is important to note that the exceptional production levels of 2003-2004 could not be sustained. The results for 2004-2005 reflect more normalized productivity levels. The actual cost per claim is equal to the \$2,500 forecast reported in the *2004-2005 Report on Plans and Priorities*.

Refugee Protection Division - Master Graph

The following Refugee Protection Division graph provides detailed information and offers a comparison of the main activities during the past few years. It shows Refugee Protection Claims Referred, Finalized, Waiting, Processing Time, Cost per Claim, and Outcomes.



Admissibility Hearings and Detention Reviews Business Line

“In the past year, our employees’ commitment to the IRB mission and the specific division mandate has once again been demonstrated by their continued efforts to meet statutory obligations and deadlines, while maintaining a high quality of decisions.”

Ghislaine Charlebois
Director General
Immigration Division

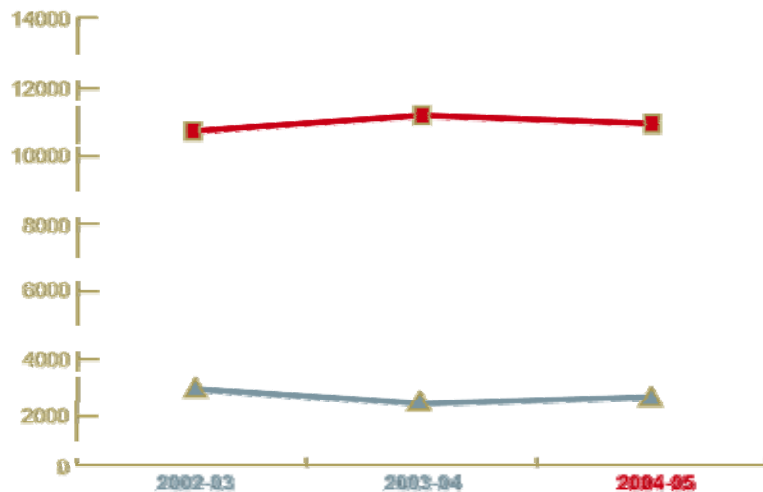
The admissibility hearings and detention reviews business line plays a key role in enabling the Board to achieve its strategic outcome. Admissibility hearings are held for foreign nationals or permanent residents who are believed to have contravened IRPA. These hearings are adversarial, involving opposing views.

At the request of CBSA, this business line conducts detention reviews for foreign nationals or permanent residents that are detained for immigration purposes. IRPA provides that the IRB must review the reasons for continued detention within specific timeframes. Decision-makers must balance the rights of individuals to liberty and the security of Canadians and persons in Canada.

Admissibility Hearings and Detention Reviews Financial Spending 2004-2005 (\$ Millions)

Main Estimates	Planned Spending	Total Authorities	Actual	FTEs
9.6	10.1	9.6	8.1	52

Admissibility Hearings and Detention Reviews Finalized



Admissibility Hearings Finalized	2002-03 2,562	2003-04 2,880	2004-05 2,277
Detention Reviews Finalized	11,264	11,818	11,535

Cases before this tribunal are often complex and involve sensitive information; many concern security issues such as terrorism or international human rights violations, serious criminality or organized crime.



Top Priorities

In 2004-2005, the admissibility hearings and detention reviews business line identified the following priorities: To renew its workforce and improve its processes in order to finalize all the admissibility hearings and detentions reviews referred to it.

To achieve its priorities, this IRB business line implemented a number of quality and efficiency initiatives, as outlined in the table below. This table also summarizes the expected results, performance indicators, data sources and targets for the admissibility hearings and detention reviews business line in 2004-2005.

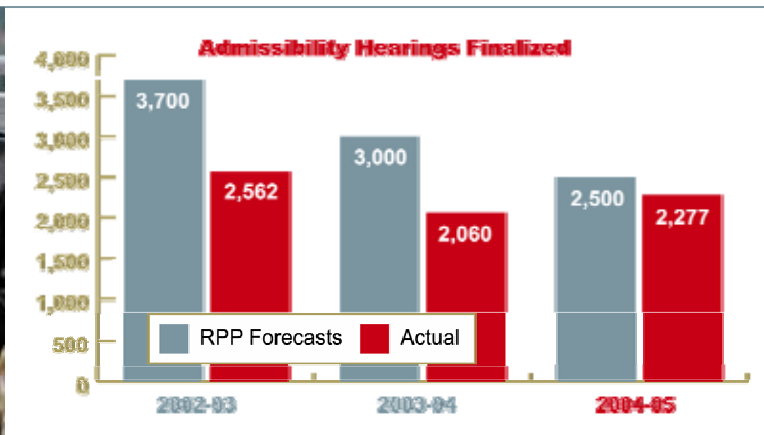
STRATEGIC OUTCOME: Provide Canadians with well-reasoned, timely decisions on immigration and refugee matters efficiently, fairly and in accordance with the law.		
Admissibility Hearings and Detention Reviews Top Priorities		
Priorities	Results Achieved	Performance Indicators
Renew workforce.	A human resources strategy was developed and implemented. More advanced selection tools were developed. New decision-makers were hired. Tribunal directors were recruited in the three regions following retirements and early departures.	Competency of decision-makers
Data Source: Directors of Immigration Division		
Target: Competency of all new members assessed upon appointment; yearly thereafter		
Improve processes in order to finalize all admissibility hearings and detention reviews referred to it.	Focused training and tools to address emerging issues were provided. A national training conference for decision-makers was held and other initiatives to promote the quality and consistency of decisions were implemented.	Number of admissibility hearings finalized, number of detention reviews finalized
Data Source: IRB Operations Branch		
Target: Develop and pilot Quality Assurance Program to provide more detailed information		

Admissibility Hearings and Detention Reviews Planned Initiatives	
Planned Initiatives	Results
Make significant investments in professional development and tools to support new decision-makers.	Training and coaching program for new members was set up to ensure availability of qualified decision-makers and continuity in expertise.
Centralize offices in the Toronto region.	Centralization was initiated and most decision-makers were relocated to the new facility shared with CBSA. This has reduced travel time to detention centres and increased overall efficiency.
Optimize efficiencies in all offices by examining the structure and approaches that support decision-making and related human resources requirements.	Initiated a review of the operations of the regional offices, including satellite offices, and a review of the human resources strategy.

Key 2004-2005 Highlights

Increase in admissibility hearings

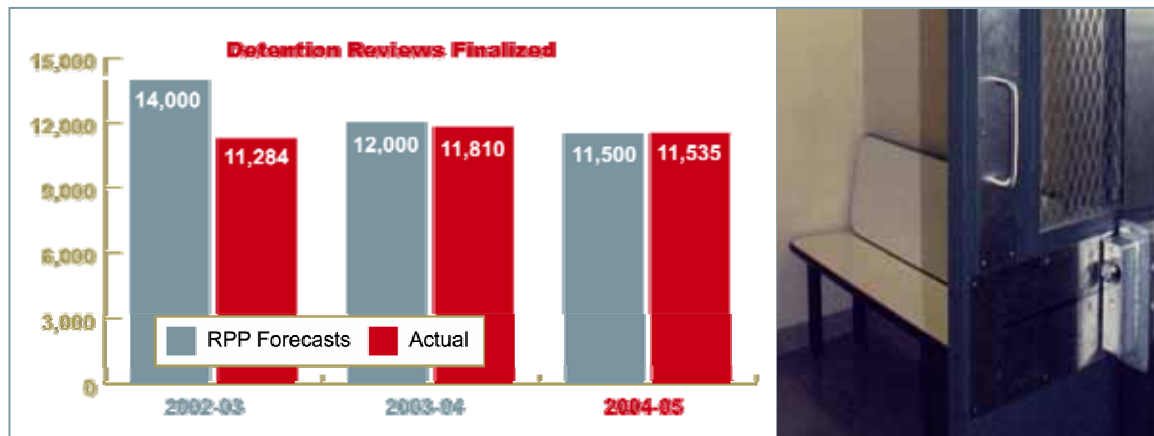
In 2004-2005, the IRB finalized 99 percent of all admissibility hearing cases referred by the CBSA and finalized 96 percent of its forecasted number of admissibility hearings. Although the overall number of admissibility hearings is lower than prior to the implementation of IRPA, the number of finalized admissibility hearings increased by 11 percent over 2003-2004.



Detention reviews stabilize

Forecasts in the *2004-2005 Report on Plans and Priorities* for requests for detention reviews and finalized detention reviews were virtually on target: The IRB received slightly more requests for detention reviews than projected. This high level of productivity was achieved due to the ability of

decision-makers to make quality decisions in an efficient manner while respecting the detention review timeframes as set out in IRPA.



Cost per admissibility hearing and detention review finalized

The cost per admissibility hearing and detention review includes decision-making costs and costs of related activities such as case preparation, research, scheduling of hearings, legal services, foreign-language interpretation, technological support, translation services, and administrative support. It also includes a share of the costs of support services from the Corporate Management and Services business line, which is allocated to the three decision-making business lines, based on respective expenditure trends.

In 2004-2005, the average cost for an admissibility hearing was approximately \$1,050 as compared to \$1,150 in 2003-2004. The decrease in cost resulted from a decrease in the average hearing time partly offset by increases in salary wages. The 2004-2005 average cost for a detention review was \$720 as compared to \$650 in 2003-2004. The increase in cost resulted from increases in salary wages and one-time accommodation related costs. In the *2004-2005 Report on Plans and Priorities*, the forecast cost per admissibility hearing was \$1,450 and \$800 per detention review. The decrease in cost was due to lower than planned translation costs and a better allocation of the fixed costs per unit.

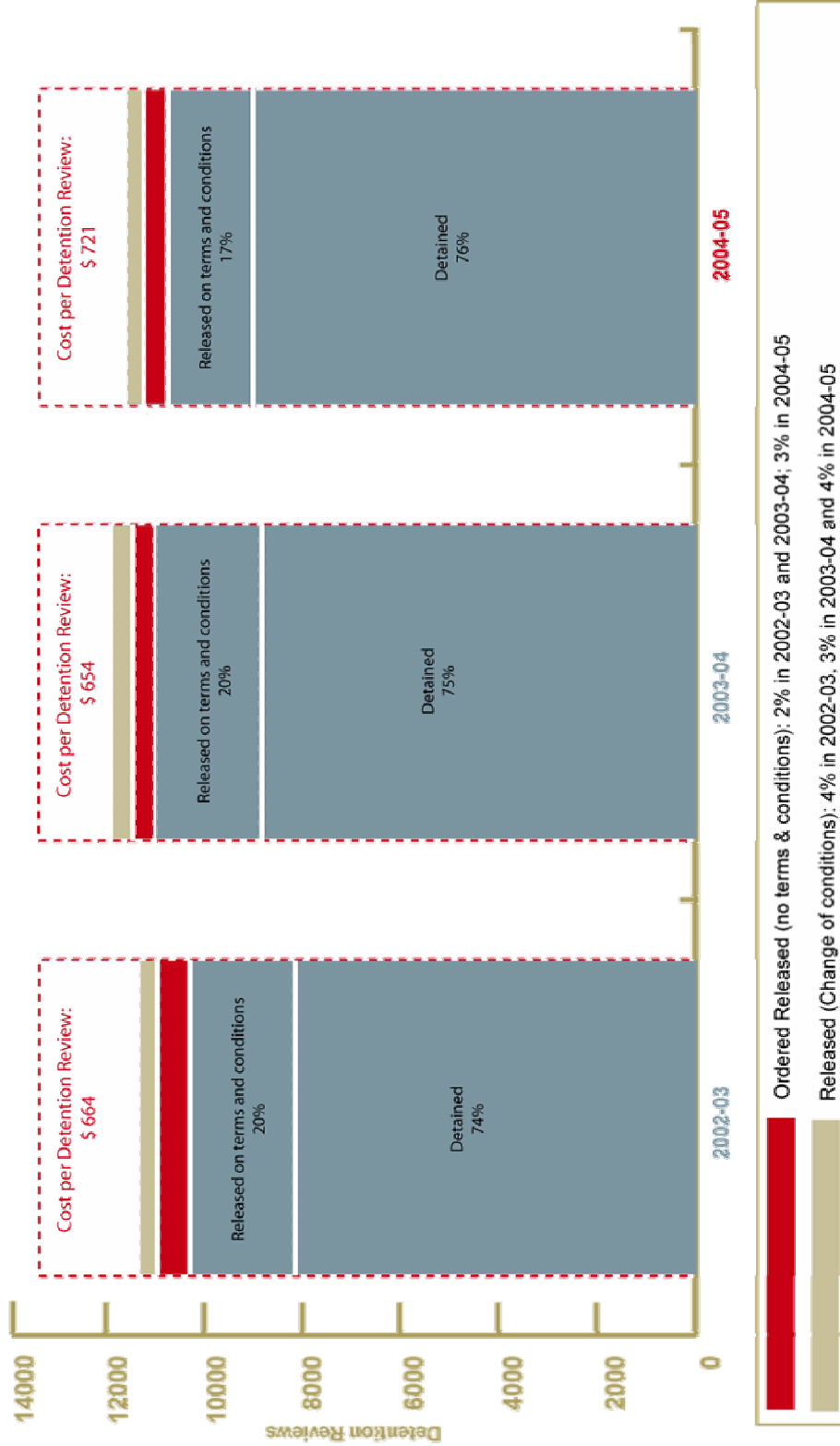
Immigration Division - Admissibility Hearings Master Graph

The following Immigration Division graph provides detailed information and offers a comparison of the main activities during the past few years. This graph shows Admissibility Hearings Finalized, Breakdown and Cost per Hearing.



Immigration Division - Detention Reviews Master Graph

The following Immigration Division graph provides detailed information and offers a comparison of the main activities during the past few years. This graph shows the Detention Reviews Finalized, Breakdown and Cost per Detention Review.



Immigration Appeal Business Line

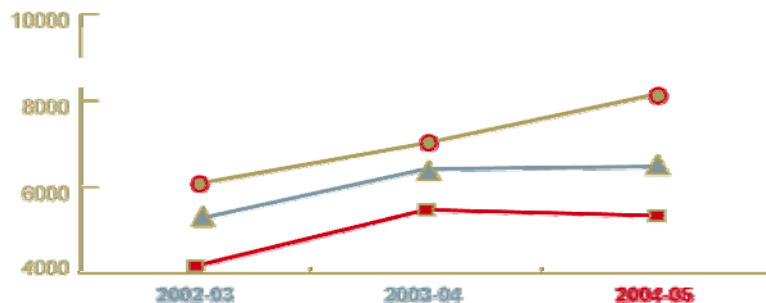


Most cases are family sponsorship appeals. Decision-makers also consider appeals of removal orders. Many decisions can involve sensitive issues such as the best interests of a child, or balancing an appellant's future in Canada and the safety of the Canadian public.

This IRB business line hears immigration appeals from Canadian citizens and permanent residents whose applications to sponsor close family members to Canada have been refused. Other key functions include hearing appeals from permanent residents, foreign nationals with a permanent resident visa, and protected persons who have been ordered removed from Canada, as well as from permanent residents outside of Canada who have not fulfilled their residency obligation. Once the IRB renders its decisions on appeals, cases are referred to CIC or CBSA for processing.

Immigration Appeal Financial Spending 2004-2005 (\$ Millions)				
Main Estimates	Planned Spending	Total Authorities	Actual	FTEs
8.1	8.1	8.2	8.3	73

Appeals Filed, Finalized and Waiting for a Decision



▲ Appeals Filed	2002-03	5,052	2003-04	6,420	2004-05	6,476
■ Appeals Finalized		4,176		5,475		5,340
● Waiting (March 31)		6,090		7,915		8,151

Top Priority

The immigration appeal business line identified a key priority for 2004-2005: To enhance its capacity to sustain a high volume of decisions in order to reduce the number of appeals waiting for a decision. To achieve this key priority, this business line implemented a number of key quality and efficiency initiatives. The table below summarizes expected results, performance indicators, data sources and targets for the immigration appeal business line in 2004-2005.

STRATEGIC OUTCOME: Provide Canadians with well-reasoned, timely decisions on immigration and refugee matters efficiently, fairly and in accordance with the law.		
Immigration Appeal Top Priorities		
Priorities	Results Achieved	Performance Indicators
Enhance capacity to sustain a high volume of decisions by improving case management processes and promoting the quality and consistency of decision-making.	Improved case management processes and promoted the quality and consistency of decision-making.	Sustained high level of productivity; extent to which independent internal reviewers determine that decisions made are in accordance with related legislation and jurisprudence and meet quality standards (well reasoned, well written and understandable)
Data Source: Statistical reports; member management review; Legal Services review; external feedback from consultative and advisory committees		
Target: Sustained productivity; stability or downward trend in the level of concerns raised about decisions		
Immigration Appeal Planned Initiatives		
Planned Initiatives	Results	
Consolidate and build on the use of the Alternative Dispute Resolution Program and Early Review Process, two key case management mechanisms.	Productivity sustained due to increased use of Alternative Dispute Resolution Program and Early Review processes.	
Examine methods to make scheduling more efficient, reduce postponements and adjournments, shorten hearing times, and increase hearing room use.	Focused more generally on the screening and streaming of cases to increase completions outside the hearing rooms. Although hampered by a shortage of members to deal with the growing caseload, each region examined its practices in scheduling and its various case streams in order to make improvements in efficiency.	
Review case management processes, combined with increased communications between regional offices and the conduct of file audits, in order to adopt best practices across Canada.	The promotion of best practices and cross-regional consistency continued with respect to both forms and procedures. The Division holds regular national conference call meetings with the member managers. Also, the deputy registrars met regularly.	
Share best practices and consistent approaches through a national conference and monthly professional development sessions for decision-makers.	Extensive professional development continued for members, with monthly sessions on various topics and general updates of the jurisprudence. A three-day national conference with speakers and presentations was held in November 2004.	
Provide timely legal interpretation and advice and the review of draft decisions upon request for selected legal issues to obtain maximum benefits from the growing body of jurisprudence on new legislative provisions.	Continued legal interpretation and advice of draft decisions in a timely fashion to ensure maximum benefits are derived from new legislation via electronic folders for immigration appeal decision-makers.	
Continue to monitor the application of new legislative provisions and related Federal Court decisions to identify emerging issues and provide professional development focused on key issues and processes.	Legal Services and member managers continued to monitor the application of new legislative provisions and related Federal Court decisions to identify emerging issues and provide focused professional development.	

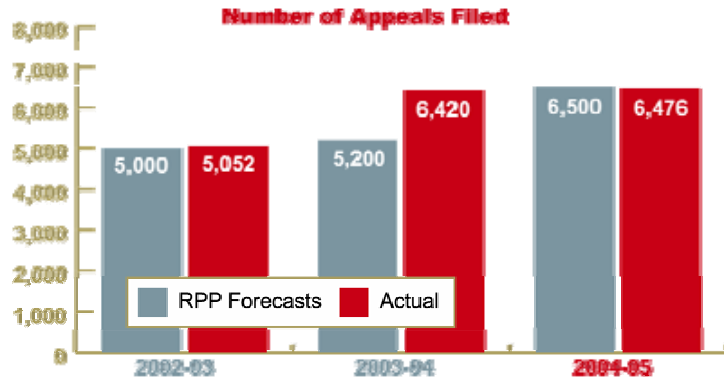
Key 2004-2005 Highlights

Increase in filed appeals

The number of filed appeals increased only by one percent this past year versus the surge of appeals experienced in fiscal year 2003-2004. This year's small increase is due primarily to an increase in residency obligation appeals.

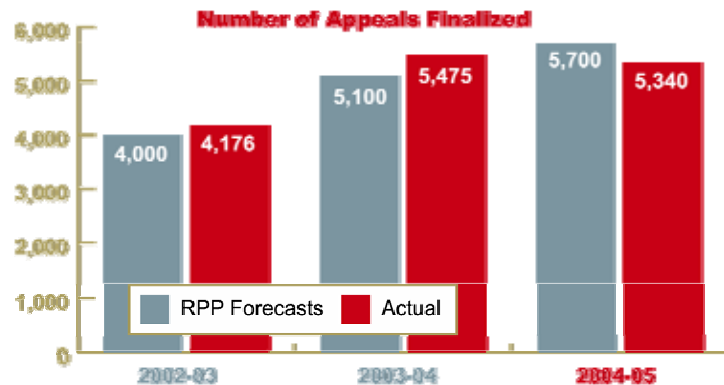
"We are very proud of our award-winning Alternative Dispute Resolution (ADR) Program. In working cooperatively and creatively with our stakeholders, the use of ADR has contributed significantly to the efficiency, effectiveness and quality of IRB's administrative justice."

Marcie Bourassa
Deputy Chairperson,
Immigration Appeal Division



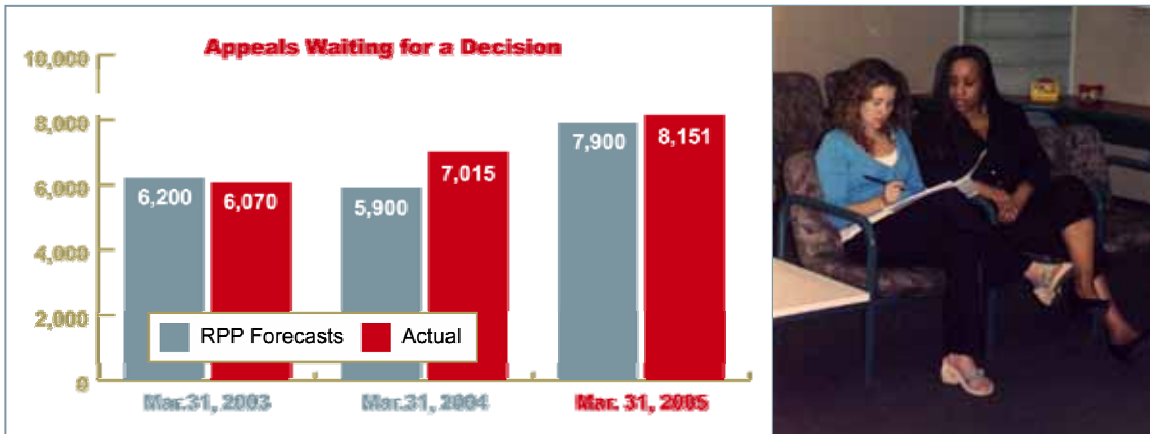
Finalized appeals stabilize

The Immigration Appeal Division finalized 94 percent of the number of appeals projected in the *2004-2005 Report on Plans and Priorities*. This high level of productivity was the result of the increased use of the Alternative Dispute Resolution and the Early Review processes. Factors contributing to the minor shortfall included delays in appointments and reappointments in all regions.



Increase in appeals waiting

The number of appeals waiting for a decision was three percent higher than forecasted in the *2004-2005 Report on Plans and Priorities*. The small increase was the result of the number of filed appeals exceeding the number of finalized appeals; 83 percent of all appeals filed in 2004-2005 were finalized.



Cost per appeal

The cost per appeal includes decision-making costs and costs of related activities such as case preparation, research, scheduling of hearings, legal services, foreign-language interpretation, technological support, translation services, and administrative support. It also includes a share of the costs of support services from the Corporate Management and Services business line, which is allocated to the three decision-making business lines, based on respective expenditure trends.

The average cost per finalized appeal for 2004-2005 was approximately \$1,975 compared to \$1,890 in 2003-2004. Unit costs per appeal ranged from \$1,800 for a removal order appeal to \$2,300 for a residency obligation, and to \$2,000 for a sponsorship appeal. The increase in the average cost per appeal is due primarily to increases in salary wages and a higher share of appeals being completed with full hearings. The average cost per appeal is higher than the forecast of \$1,800 reported in the *2004-2005 Report on Plans and Priorities* due to the same factors.

Immigration Appeal Division - Master Graph

The following Immigration Appeal Division graph provides detailed information and offers a comparison of the main activities during the past few years. It shows Immigration Appeals Filed, Finalized, Waiting, Processing Time and Cost per Appeal.



Corporate Management and Services Business Line

The corporate management and services business line provides important infrastructure to support the IRB's decision-making function as an effective, efficient operation, and to implement government-wide management initiatives. As outlined in its *2004-2005 Report on Plans and Priorities*, the IRB made significant commitments to provide decision-makers with up-to-date management practices, infrastructure tools and resources in order to sustain a high volume of quality decisions at the Board.

Corporate Management and Services Financial Spending 2004-2005 (\$ Millions)				
Main Estimates	Planned Spending	Total Authorities	Actual	FTEs
29.7	29.8	29.3	26.5	254

“Making progress on the management front is critical to our success as an organization. It enables us to sustain our capacity to fulfil our decision-making function while meeting current government-wide management priorities.”

Jean Bélanger
Director General
Corporate Planning
and Services

Top Priority

In 2004-2005, the corporate management and services business line identified a key priority: To support the consistency, efficiency and fairness of IRB processes and decision-making, as stated in the *2004-2005 Report on Plans and Priorities*.

To achieve this priority, this IRB business line implemented a number of strategic management, modernization and infrastructure initiatives in 2004-2005, as outlined in the table below. The table also summarizes the expected results, performance indicators, data sources and targets for the corporate management and services business line in 2004-2005.

STRATEGIC OUTCOME: Provide Canadians with well-reasoned, timely decisions on immigration and refugee matters efficiently, fairly and in accordance with the law.		
Corporate Management and Services Top Priorities		
Priorities	Results Achieved	Performance Indicators
Support the consistency, efficiency and fairness of IRB processes and decision-making.	Developed a results chain aligning priorities, outputs and results with IRB's strategic outcome and Government of Canada priorities.	Alignment of priorities, outputs and results with IRB's strategic outcome
Data Source: Corporate Planning and Management Practices		
Target: Adoption of IRB's results chain		

Corporate Management and Services Planned Initiatives	
Planned Initiatives	Results
Continue to modernize and strengthen strategic management practices to enhance the overall performance of the organization.	Developed comprehensive performance measurement indicators that are aligned with IRB business lines.
Refine an integrated action plan for the coordination of all management improvement efforts and initiatives in support of the Management Accountability Framework (MAF).	Made progress in integrating planning, spending and performance. New governance approach adopted with clear accountabilities for results, e.g., Chairperson's Management Board, Policy Advisory Committee, Audit and Evaluation Committee, and the Executive Director's Executive Management Committee. Governance structure realigned to make it more efficient and results oriented.
Expand and implement the Board's activity-based planning and budgeting model, which supports the integration of financial and non-financial information and improves the planning and management of workload and resources.	Improved the planning and management of workload and resources by applying the IRB's activity-based planning and budgeting model to all three tribunals, which in turn links activities, resources and results. Improvements to financial management practices continued in 2004-2005. New financial policies were developed and approved, and training on and monitoring of financial policies continued.
Enhance the Board's integrated risk management process, which provides managers with information key to strategic and operational planning.	Senior managers systematically assessed inherent risks in their programs and policies for more effective operations.
Invest in a sustainable internal audit and evaluation function for managers.	Developed a risk-based audit and evaluation plan that provided managers with enhanced information to make better operational decisions and improve overall results.
Continue to affirm and exemplify values-based and ethical behaviour on the part of staff and decision-makers. Continue to emphasize the importance of the <i>Values and Ethics Code for the Public Service</i> and the Oath or Solemn Affirmation of Office.	Invested dedicated resources in the promotion of values and ethics, enforcement of the codes, and provision of advice to managers and employees on the application of the codes.
Move toward a fuller integration of IRB's strategic, operational and resource planning and policy development.	Developed and adopted an integrated business cycle which aligns strategic, operational, financial, IT and human resources planning and policy activities.

Strategic Management of Human Resources

“Engaged people are the IRB’s greatest resource in achieving business excellence. We are committed to supporting our people to learn, grow and succeed.”

Danica Shimbashi
A/Director General
Human Resources and
Professional
Development

Building on its organizational talent and the unique and varied expertise of its employees and decision-makers is an overriding priority of the Board. As outlined in the *2004-2005 Report on Plans and Priorities*, the IRB places particular emphasis on competency-based human resource management and learning activities. This is essential to ensure that the people of the IRB are equipped to operate effectively in the face of heavy workload demands and a changing operating environment.

As a result, in 2004-2005, the IRB integrated its human resources management and learning and professional development branches to create the Human Resources and

Professional Development Branch. To more fully support the recognition that people are the primary critical success factor that enables the IRB to meet its mandate, the IRB initiated an Integrated People Management Strategy and a Learning and Development Strategy. These strategies are the fundamental roadmaps that ensure that activities are aligned with the overall IRB strategic objectives and that key initiatives link and respond to identified priorities.

STRATEGIC OUTCOME: Provide Canadians with well-reasoned, timely decisions on immigration and refugee matters efficiently, fairly and in accordance with the law.	
Strategic Management of Human Resources and Professional Development Planned Initiatives	
Planned Initiatives	Results
Professional Development	
Emphasize support of the hearing process, the quality and consistency of decision-making, and case management initiatives in the 2004-2005 national learning plan.	Developed and implemented an Orientation Program for New Employees, which helps them better understand the IRB's business and environment. Member managers of the IRB tribunals received training on how to provide effective feedback. Progress was made in the area of competency-based human resources management, with a competency dictionary, profiles and learning support tools being developed.
Focus on development of a training program for newly appointed decision-makers in the area of detention reviews and admissibility hearings. Continue to conduct classroom training followed by a customized, on-the-job learning program for new IRB decision-makers in the areas of refugee protection and immigration appeals and for Refugee Protection Officers (RPOs).	Conducted training for new members of the Immigration Division. The IRB continues to invest in the professional development of these decision-makers to assist them in carrying out the Board's mission. Continued to respond to the learning needs of decision-makers and professional staff supporting the hearing process. Provided training for RPOs and newly appointed IRB members.
Continue to deliver a customized training program for experienced decision-makers to complement ongoing group training.	Continued to provide individual training customized to the needs of newly appointed and experienced decision-makers. This training focused primarily on hearing room conduct and the writing/delivery of reasons.
Human Resources	
Development of an Integrated People Management Strategy to reflect IRB's commitment to employees.	Initiated the IRB's Integrated People Management Strategy that effectively meets the challenges and opportunities of the IRB's mandate.
Revise human resources plans to incorporate principles of employment equity, diversity and modernization of human resources management.	Initiated the revitalization of the Departmental Advisory Committees, and the development of frameworks for programs to improve and maintain alignment with IRB commitments to employment equity, diversity and official languages and to overall improved people management. Established working groups composed of bargaining agents, management and human resources representatives to develop staffing policies to meet the requirements of the Public Service Employment Act 2003. These policies will tailor the IRB's appointment system to better meet departmental needs and operational requirements. Similar work on the co-development of the IRB Informal Conflict Resolution system also took place. This reflects a key Government commitment to strengthen labour-management relations by introducing a new approach for the prevention and resolution of workplace disputes.

Strategic Management of Human Resources and Professional Development Planned Initiatives	
Planned Initiatives	Results
Human Resources	
	The Departmental Classification Strategy initiative is progressing on schedule. It is designed to ensure that work descriptions are updated to reflect duties being performed.
Develop an implementation framework for a new policy on education leave.	A policy has been developed and is being incorporated and aligned in the overall Learning and Development Strategy.
Implement a new orientation program to better respond to workforce recruitment and retention needs.	Revised the Orientation Program for New Employees (which was launched in early 2005) under a co-development initiative between bargaining agents and management. It demonstrates the IRB's commitment to more collaborative labour-management relations.
Analyze data collected at exit interviews conducted in 2003 with a view to learning from departing employees and enhancing the work environment.	Exit interview surveys were reviewed for an indication of any systematic issues that should be addressed or otherwise incorporated into departmental strategies and initiatives.
Reinforce competency-based human resources management for decision-makers in the Admissibility Hearings and Detention Reviews tribunal and RPOs to support strategic approaches and enhance service delivery.	Developed competency profiles and tools for specific target groups, including decision-makers of the Immigration Division, as part of the Competency-based Human Resources Management approach established in 2003.
Complete the delivery of IRB's Employment Equity, Diversity, Culture course, which was developed in 2003.	Held ongoing Employment Equity and Diversity information and training sessions in the regions. Initiatives to revitalize the Program and Advisory Committee are ongoing.
Continue to implement improvements within the RPO community, building on a 2002 initiative to better understand the issues that face them.	Implemented key recommendations aimed at addressing issues facing the RPO community. In response to these recommendations, the IRB created and staffed, in December 2004, a National RPO Coordinator position to support ongoing work related to this initiative.
Develop a human resources strategy with a focus on recruitment, retention and workforce renewal.	Initiated the IRB's human resources strategy with a focus on recruitment, retention and workforce renewal.

Enhanced Communications

Canadians have a growing interest in immigration and refugee matters. Stakeholders have a direct interest in the application of legislation and in IRB rules and processes that affect their work and their clients who appear before the Board. Elected officials also seek answers for concerned constituents and have an abiding interest in the achievement of results for Canadians. As noted in the *2004-2005 Report on Plans and Priorities*, all these groups have a vested interest in understanding how the IRB makes determinations in immigration cases and refugee claims, and in knowing that the IRB's decisions are rendered efficiently, fairly and in accordance with Canadian law.

In 2004-2005, the IRB enhanced its internal and external communications by focusing on a range of initiatives, and achieved the following results.

STRATEGIC OUTCOME: Provide Canadians with well-reasoned, timely decisions on immigration and refugee matters efficiently, fairly and in accordance with the law.

Enhanced Communications Planned Initiatives

Planned Initiatives	Results
Identify opportunities to intensify communications with officials across all levels of government.	Improved relationships with portfolio partners by initiating more regular contact and partnership opportunities.
Seek opportunities to engage in information exchange with stakeholders (academics, immigration consultants, lawyers, individuals appearing before the tribunals, and other interest groups) to discuss issues of mutual interest.	Increased outreach and communications to key audiences to enhance their understanding of the IRB, including MPs and their staff, academics, immigration consultants, lawyers, and other interest groups.

Innovative Use of Technology

In today’s working environment, a successful and talented workforce requires leading-edge technological support. In managing a high volume of cases across five regional and district offices, the IRB relies on up-to-date, automated technological systems and tools to enable decision-makers and employees to share and exchange information, support case preparation, manage the flow of cases through various stages, and communicate and consult with stakeholders.

Integrated Case Management System Financial Spending (\$ Millions)

Current Estimated Total Cost	Cumulative Spending to March 31, 2005	Forecast Spending 2005-2006	Planned Spending 2006-2007
37.0	24.1	8.9	4.0

Integrated Case Management System

At the heart of the IRB’s drive to modernize its information technology is the development of the new Integrated Case Management System (ICMS).

Representing the Board’s single most cost-intensive infrastructure initiative, the ICMS will transform the way in which the IRB does business and processes cases. As a priority for both the Government and the Board, the ICMS will:

- Significantly improve case processing time
- Reduce the backlog and overall cost of processing refugee cases

“Our work on developing the Integrated Case Management System is not simply about building a better computer system, it is about building a better way of delivering administrative justice.”

**Paul Aterman
Director General
Operations**

- Promote consistency in decisions that will enhance the protection of refugees and the overall security of Canadians
- Increase the security and integrity of data
- Improve the existing IT infrastructure

In 2004-2005, the IRB initiated the delivery of the ICMS, which will be implemented in three stages. (Information on the overall implementation plan for the ICMS is provided in Section 3.) In addition, the IRB built on the progress made in 2003-2004 in expanding the use of its Digital Audio-Recording System (DARS).

STRATEGIC OUTCOME: Provide Canadians with well-reasoned, timely decisions on immigration and refugee matters efficiently, fairly and in accordance with the law.	
Innovative Use of Technology Planned Initiatives	
Planned Initiatives	Results
Integrated Case Management System (ICMS)	
Initiate the staged delivery of ICMS, which will enable the IRB to efficiently manage its workload electronically from receipt to final decision in regional and head office operations.	Stage 1 incorporates the processes of the Refugee Protection tribunal and will be completed in 4 releases. The first release of Stage 1 was successfully implemented in June 2004. It provides the IRB with a more robust computer system by replacing the existing claim type management application, and automating screening and streamlining activities.
Digital Audio-Recording System (DARS)	
Finalize plans to expand DARS and replace analogue tape recorders with digital audio recording equipment in regional offices.	Digital audio recording equipment was installed in IRB hearing rooms in the Western Region and provides improved sound quality, enhanced information sharing, and reduced storage requirements.

Modernized Selection Process for Decision-Makers

In March 2004, the Minister of Citizenship and Immigration announced a fundamental reform of the process for Governor-in-Council appointments and future Chairpersons. This reform represents another step in the evolution of the IRB's processes to ensure the quality and effectiveness of its decisions and to respond to the complex environment in which the Board operates.

Enhanced accountability and transparency

The changes to the new selection process for decision-makers appointed through Governor-in-Council orders address issues of accountability, merit and independence. As Chief Executive Officer, the Chairperson of the IRB is now fully accountable for the selection and quality of IRB decision-makers.

New standards instituted

In 2004-2005, most IRB decision-makers were assessed against the new competencies, enabling the use of the standards in performance evaluations and helping to identify individual training needs. The Chairperson also used the results as the basis of recommendations on the reappointment of decision-makers in his advice to the Minister.

The IRB will continue to reform the terms and conditions of employment of its Governor-in-Council appointees and will continue to put in place measures to promote quality decision-making.

Effective Relationships with Immigration and Refugee Portfolio Partners

As key partners within the immigration and refugee portfolio, CIC and the IRB have established communication and co-ordination efforts on issues related to the overall management of the immigration and refugee portfolio. With the creation of the CBSA, the IRB has devoted effort over the past year to developing similar relations and a delineation of roles and responsibilities with the new CBSA. In so doing, the institutional independence of the IRB and its decision-makers is maintained, while the integrated management of the portfolio is advanced. In working with its portfolio partners CIC and CBSA, the IRB is always aware that they may appear as a party in IRB proceedings.

STRATEGIC OUTCOME: Provide Canadians with well-reasoned, timely decisions on immigration and refugee matters efficiently, fairly and in accordance with the law.

Portfolio Partners Planned Initiatives

Planned Initiative	Results
Continue to strengthen communication and coordination efforts on issues related to the management of the portfolio (e.g., Review of refugee determination system, legal aid services changes in British Columbia and review of the 1996 Administrative Framework Agreement between CIC and IRB).	Developed internal and external communications strategies and support material to reinforce ongoing collaboration with portfolio partners.

Memorandum of Understanding

The IRB and the CBSA developed a Memorandum of Understanding that once approved will define key elements of the institutional relationship between the two organizations. This Memorandum of Understanding parallels the one established with CIC in 1996. In light of this new agreement with the CBSA, the IRB and CIC will be renewing their existing agreement in 2005-2006 to reflect changes in responsibility within the portfolio. Discussions were also initiated between the three organizations to establish specific sub-agreements in areas such as information sharing and case processing priorities.

Collaborative initiatives

The IRB worked collaboratively with the CBSA and CIC to respond to challenges such as the implementation of the Safe Third Country Agreement between the United States and Canada, and the security screening of refugee claimants. As a result of the new regulations (which came into force in April 2004) governing counsel who may appear before the Board, the IRB collaborated with CIC to develop approaches to these new regulatory requirements. In addition, the IRB was a key contributor to Canada's response in the aftermath of the tsunami crisis in Asia, expediting the determination of cases of victims' families and supporting international research efforts.

The IRB is an independent tribunal. However, in light of the priority within the portfolio to review the refugee determination system, when requested, the IRB participates in these discussions to contribute its knowledge, experience and expertise. Though the IRB does not have the policy lead in the review, it provides comments regarding the impact of proposed courses of action on the Board.

Effective Relationships with Clients and Stakeholders

It is a priority for the Board to maintain effective relations with external stakeholders and clients, while maintaining its adjudicative independence. Several initiatives were undertaken in 2004-2005 to strengthen these relationships.

STRATEGIC OUTCOME: Provide Canadians with well-reasoned, timely decisions on immigration and refugee matters efficiently, fairly and in accordance with the law.	
Clients and Stakeholders Planned Initiatives	
Planned Initiatives	Results
Strengthen relationships with stakeholders including a renewed approach to the Consultative Committee on Practices and Procedures (CCPP) (i.e., Canadian Council for Refugees, United Nations High Commissioner for Refugees, Canadian Bar Association, Association québécoise des avocats et avocates en droit de l'immigration, Refugee Lawyers Association)	Revamped management of the CCPP provided stakeholders with more timely access to information on policy changes, audits and reviews.
Engage stakeholders in a dialogue to ensure that relationships continue to be responsive to evolving needs.	Increased the frequency of direct communication between partners, serving to strengthen working relationships between government and NGOs.
Build on efforts in establishing new and flexible approaches and mechanisms to enhance ongoing dialogue.	Established a communications sub-committee to enhance coordination between partners.

Client service improvements

In 2004-2005, the IRB continued to place importance on the needs of parties who appear before it, and to respond to the particular needs of unrepresented claimants and appellants. These activities are important to ensure fairness in IRB processes and to increase access to justice.

The Board revised the Claimant's Guide for refugee claimants, which is distributed with the Personal Information Form (PIF) that claimants are required to complete. Updated in consultation with stakeholders, the simple language guide uses a format based on frequently asked questions. The PIF and the guide are both available on the IRB's website.

In 2004-2005, the IRB responded to decreased legal aid funding in British Columbia by putting in place contingency measures, including efforts to ensure that all claimants fully understood the hearings process. Measures included:

“The Immigration and Refugee Board makes every effort to maintain a very active system of professional development to improve the quality of its members.”

Bonnie Teng
Chair
Immigration Section
Canadian Bar
Association, BC Branch

- Weekly information sessions in seven languages to provide an orientation on our forms and processes for refugee claimants
- One-on-one sessions with claimants in advance of hearings to ensure they are prepared to proceed
- Weekly meetings with newly detained claimants
- 1-800 line to answer questions

The Board continues to participate with CIC in the efforts of Justice Canada to shape a long-term and sustainable strategy for the provision of legal aid across key immigration and refugee activities.

Mechanisms to Address Complaints about IRB Proceedings

In 2004-2005, the IRB continued to monitor the Protocol Addressing Member Conduct Issues instituted in October 1999 and took action where it was warranted. The IRB was the first administrative tribunal to institute a formal process for addressing complaints about the conduct of Governor-in-Council appointed members (decision-makers). The Protocol recognizes that high standards of conduct are required of public officials, such as IRB decision-makers, whose decisions profoundly affect people's lives.

During 2004-2005, 29 complaints were filed under the Protocol. Of these, eight were determined to be outside the scope of the Protocol, 14 were unfounded, one was founded in part, one was resolved to the parties satisfaction, and five are still active. No appeals were filed.

Sharing Best Practices

The IRB is an integral part of the Canadian immigration and refugee portfolio. It is also a member of an international community involved in adjudicating refugee matters. In 2004-2005, the IRB continued building relationships with other tribunals in Canada and abroad to keep apprised of emerging trends and practices.

Research and refugee protection

The IRB is an internationally recognized leader in the research, collection and production of country-of-origin (COI) information. Its research holdings and publications are widely used by other governmental and non-governmental organizations around the world.

As part of helping other states to develop refugee determination systems and/or research programs, the IRB hosted delegations from the UNHCR, Hong Kong and Ireland in 2004-2005.

Council of Canadian Administrative Tribunals

The IRB continued to participate actively in the annual conferences of the Council of Canadian Administrative Tribunals (CCAT). These meetings provide an opportunity for all Canadian administrative tribunals to share best practices and new approaches to emerging issues. The IRB is an active member of CCAT and its representatives have made important contributions both as speakers and regular participants. As co-chair of the annual CCAT conference in June 2005, the IRB devoted considerable effort to the planning and organization of the conference over 2004-2005.

Intergovernmental consultations

In 2004-2005, the IRB continued to participate in the work of the Country of Origin Information (COI) Working Group of the Intergovernmental Consultations (IGC) on Asylum, Refugee and Migration Policies in Europe, North America and Australia. The COI Working Group held multiple discussions on documentation and research issues pertaining to Colombia, China, Turkey and the Democratic Republic of Congo.

To identify best practices among member states, the Working Group examined approaches to training of researchers, the application of COI in the decision-making process, the research-client relationship, and the application and interpretation of COI. The IRB continued to lead on several action items and to support the sharing of information among member states.

The IRB also participated as a member of the Canadian delegation to Eurasil, the European Community forum on refugee matters. IRB involvement in Eurasil consultations related to COI matters on Nigeria and the Board also provided IRB research to support discussions on various other countries.

As a member of the IGC's Data Working Group, the IRB also participated in a dialogue regarding comparative analysis of refugee claims made in the various IGC countries. The IRB's participation helps place Canada's experience within the international context and promotes understanding of global trends and emerging issues shared by other countries of destination for refugee claimants.

International Association of Refugee Law Judges

The IRB was particularly active in the International Association of Refugee Law Judges (IARLJ) during the past fiscal year. In June 2004, the IARLJ Americas Chapter, led by the IRB Chairperson, held its historic First Conference in San Jose, Costa Rica. Recognized as an outstanding success with some 60 refugee and asylum law judges in attendance from 19 countries in the Americas, the conference focused on emerging trends and evolving best practices in refugee and asylum law and practice in the region. In November 2004, senior IRB representatives participated in the IARLJ European Chapter Conference and Council meeting held in Scotland. The conference examined new European Union (EU) directives on the qualifications and procedures for asylum applicants to be granted international protection in EU states.

The Board played a key role in preparing for the IARLJ World Conference, which was held in Sweden in April 2005. A number of members, including the IRB Chairperson and the RPD Deputy Chairperson, presented papers and reports and chaired conference sessions and meetings.

The IRB's continued leadership and participation in the IARLJ is helping to ensure that the Board remains at the forefront of resolving critical issues facing refugee and asylum law and practice while encouraging the standardization of interpretation of refugee and asylum law and practice in the world today.

Sharing with other refugee determination systems

Exchanges with refugee determination bodies of other countries provide the IRB with an opportunity to share best practices, approaches and solutions. An important part of the role of the IRB Chairperson is participating in such exchanges to learn how other countries manage their immigration and refugee programs and apply that insight to Canadian processes. In 2004-2005, the Immigration Refugee Board hosted delegations from Ireland, South Africa and Sweden. Also the Chairperson visited the United States, Switzerland, Kenya and South Africa.

United Nations High Commissioner for Refugees

Canada's relationship with the United Nations High Commissioner for Refugees (UNHCR) is managed by the Department of Foreign Affairs, the Canadian International Development Agency and CIC. CIC is the main interlocutor with UNHCR on refugee protection issues. In recent years, the three departments have worked together on initiatives related to the UNHCR. The IRB continued to receive updates from CIC on these developments and engaged in further exchanges directly with the UNHCR, when appropriate, on initiatives related to refugee protection.

An *Agenda for Protection*, which was unanimously endorsed in 2002 at the Executive Committee of the UNHCR and the UN General Assembly, provides a blueprint for the future of refugee protection. Canada has and will continue to play a critical role in the development of this action plan. The Agenda sets out goals to be pursued over a multi-year period in order to progressively reinforce refugee protection internationally.

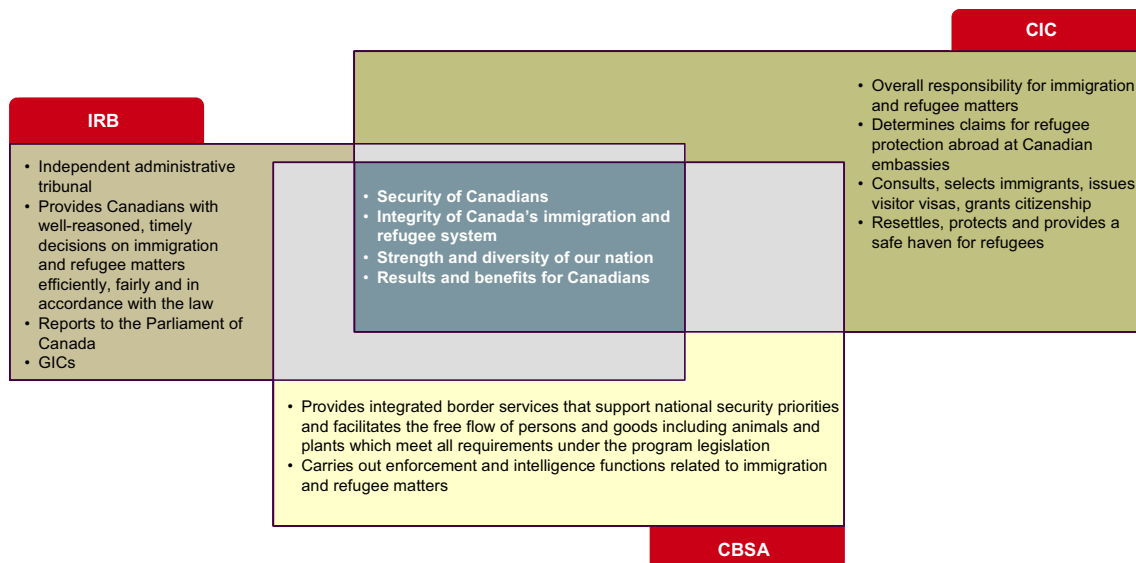
Section 3: Supplementary Information

How we are organized

Governance and accountability

The IRB reports to Parliament through the Minister of Citizenship and Immigration. The Minister is also responsible for Citizenship and Immigration Canada (CIC), which has specific responsibilities related to immigration and refugee protection.

In addition, the IRB works closely with the Canada Border Services Agency (CBSA), which also has specific responsibilities related to immigration and refugee protection. The diagram below illustrates the interrelationships of these organizations and how we work together to strengthen Canada's immigration and refugee protection system.



Responsibilities

Chairperson

The Chairperson is the IRB's Chief Executive Officer and spokesperson. Providing overall leadership and direction to the Board's three tribunals, the Chairperson is responsible for creating and promoting a vision of the IRB that unifies all IRB personnel around the common purpose of making timely and just decisions on immigration and refugee matters.

In addition to the broad responsibility of the management of Governor-in-Council appointees, the Chairperson has a range of statutory powers at his disposal to provide assistance to decision-makers in order to enhance the quality, consistency and efficiency of decision-making at the IRB. The Chairperson is accountable to Parliament and reports through the Minister of Citizenship and Immigration.

Executive Director

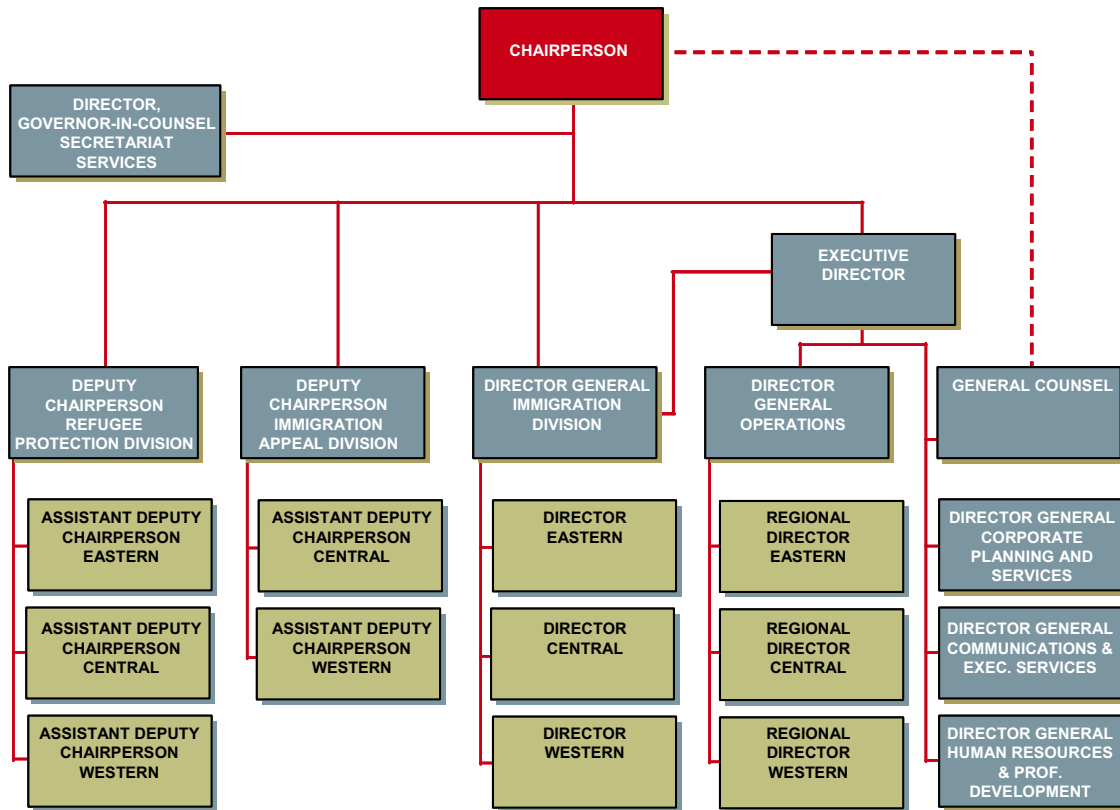
The Executive Director is the IRB's Chief Operating Officer and reports to the IRB Chairperson. The Executive Director is responsible for IRB operations and the administration of the Board's three tribunals. The Executive Director is also responsible for approximately 1,000 public servants, including those who provide direct support to decision-making activities at the IRB.

Senior Management

Two Deputy Chairpersons (appointed by the Governor-in-Council) and one Director General (appointed under the Public Service Employment Act) oversee the decision-making in the three tribunals.

Four Directors General and a General Counsel (all appointed under the Public Service Employment Act) are responsible for the corporate management and services functions, operations of the Board, and legal services.

IRB Organization Chart



Overview of Financial Performance

IRB's total authorities of \$136.6 million increased by \$3.5 million from its planned spending of \$133.1 million in the *2004-2005 Report on Plans and Priorities*. This increase was attributable mainly to:

- An additional amount in the Refugee Protection business line of \$4.7 million in funding carried forward from 2003-2004 to 2004-2005
- An additional amount mostly allocated to the Refugee Protection business line of \$0.6 million to defray costs related to new collective agreements
- A reduction affecting all business lines of \$1.8 million associated with employee benefit plans

Actual spending for fiscal year 2004-2005 was \$125.9 million, \$10.7 million less than total authorities. Unused resources are attributable mainly to:

- A surplus in the special purpose allotment fund for the translation of decisions (\$7.3 million), due primarily to an overestimation of the workload
- An approved deferral of expenditures and budget to 2005-2006 relating to the ICMS in the amount of \$2.5 million
- A surplus of \$0.9 million resulting mainly from an adjustment to the employee benefit plans

The following tables contain summary financial data for the fiscal year 2004-2005.

Table 1: Comparison of Planned to Actual Spending (incl. FTEs) ¹

This table offers a comparison of the Main Estimates, Planned Spending, Total Authorities, and Actual Spending for the most recently completed fiscal year, as well as historical figures for Actual Spending.

(\$ millions)	2004–2005					
	2002–03 Actual	2003–04 Actual	Main Estimates	Planned Spending	Total Authorities	Actual
Refugee Protection	63.4	82.7	73.8	85.2	89.5	83.0
Admissibility Hearings and Detention Reviews	4.7	7.5	9.6	10.1	9.6	8.1
Immigration Appeal	6.1	7.9	8.1	8.1	8.2	8.3
Corporate Management and Services	42.6	24.8	29.7	29.8	29.3	26.5
Total	116.8	122.8	121.1	133.1	136.6	125.9
Less: Non-Respendable revenue						
Plus: Cost of services received without charge	16.9	18.9		19.0		19.3
Net cost of Department	133.7	141.7		152.1		145.2
Full Time Equivalents (FTEs)	1,166	1,200	1,100	1,180	1,180	1,170

¹ Due to rounding, figures may not add to totals shown.

FTE Utilization by Business Line	
Refugee Protection	791
Admissibility Hearings and Detention Reviews	52
Immigration Appeal	73
Corporate Management and Services	254
Total	1,170

Table 2: Use of Resources by Business Lines

The following table provides information on how resources were used for the most recently completed fiscal year.

2004–2005								
Business Lines - BL	Budgetary (\$ Millions)						Plus: Non-Budgetary	Total
	Operating	Capital	Grants and Contributions	Total: Gross Budgetary Expenditures	Less: Responsible Revenue	Total: Net Budgetary Expenditures	Loans, Investments and Advances	
Refugee Protection								
Main Estimates	73.8			73.8		73.8		73.8
Planned Spending	85.2			85.2		85.2		85.2
Total Authorities	89.5			89.5		89.5		89.5
Actual Spending	83.0			83.0		83.0		83.0
Admissibility Hearings and Detention Reviews								
Main Estimates	9.6			9.6		9.6		9.6
Planned Spending	10.1			10.1		10.1		10.1
Total Authorities	9.6			9.6		9.6		9.6
Actual Spending	8.1			8.1		8.1		8.1
Immigration Appeal								
Main Estimates	8.1			8.1		8.1		8.1
Planned Spending	8.1			8.1		8.1		8.1
Total Authorities	8.2			8.2		8.2		8.2
Actual Spending	8.3			8.3		8.3		8.3
Corporate Management and Services								
Main Estimates	29.7			29.7		29.7		29.7
Planned Spending	29.8			29.8		29.8		29.8
Total Authorities	29.3			29.3		29.3		29.3
Actual Spending	26.5			26.5		26.5		26.5

Table 3: Voted and Statutory Items

The table below explains the way Parliament votes resources to the IRB and basically replicates the summary table listed in the Main Estimates. Resources are presented to Parliament in this format. Parliament approves the voted funding and the statutory information is provided for information purposes.

		2004–2005			
Voted or Statutory Items (\$ Millions)	Truncated Vote of Statutory Wording	Main Estimates	Planned Spending	Total Authorities	Actual
10	Operating expenditures	106.7	117.2	122.5	111.8
(S)	Contributions to employee benefit plans	14.4	15.9	14.1	14.1
Total		121.1	133.1	136.6	125.9

Table 4: Net Cost of the IRB

The following table shows the net cost of the IRB. It begins with the actual spending and adds services received without charge. It then adds or subtracts spendable and non-spendable revenue to arrive at the net cost of the IRB.

2004 - 2005	
Total Actual Spending (\$ Millions)	125.9
<i>Plus: Services Received without Charge</i>	
Accommodation provided by Public Works and Government Services Canada (PWGSC)	13.0
Contributions covering employers' share of employees' insurance premiums and expenditures paid by TBS (excluding revolving funds)	6.3
Worker's compensation coverage provided by Social Development Canada	
Salary and associated expenditures of legal services provided by Justice Canada	
<i>Less: Non-spendable Revenue</i>	
2004–2005 Net cost of the IRB	145.2

Table 5: Contingent Liabilities

This table explains contingent liabilities that the IRB may have outstanding or that have changed in the past year.

(\$ Millions)		
Contingent Liabilities	March 31, 2004	March 31, 2005
Claims, Pending and Threatened Litigation	6.8	6.8
Total	6.8	6.8

Table 6: Resource Requirements by Organization and Business Line

The following table explains the distribution of funding to the IRB at the Organization level.

2004-2005 (\$ Millions)					
Organization	Refugee Protection	Immigration Appeal	Admissibility Hearings and Detention Reviews	Corporate Management and Services	Total
Chairperson, Executive Director and Secretariat ¹					
Main Estimates ³					
Planned Spending ³					
Total Authorities	23.6	3.9	0	1.5	29.0
Actual Spending	23.3	3.7	0	1.5	28.5
Refugee Protection Division					
Main Estimates ³					
Planned Spending ³					
Total Authorities	1.0	0	0	0	1.0
Actual Spending	1.0	0	0	0	1.0
Immigration Appeal Division					
Main Estimates ³					
Planned Spending ³					
Total Authorities	0	0.8	0	0	0.8
Actual Spending	0	0.8	0	0	0.8
Immigration Division					
Main Estimates ³					
Planned Spending ³					
Total Authorities	0	0	3.9	0	3.9
Actual Spending	0	0	3.9	0	3.9
Communication and Executive Services ²					
Main Estimates ³					
Planned Spending ³					
Total Authorities	4.8	1.0	3.0	5.4	14.2
Actual Spending	1.5	0.9	1.4	3.0	6.8

2004-2005 (\$ Millions)					
Organization	Refugee Protection	Immigration Appeal	Admissibility Hearings and Detention Reviews	Corporate Management and Services	Total
Human Resources and Professional Development					
Main Estimates ³					
Planned Spending ³					
<i>Total Authorities</i>	1.0	0	0	3.6	4.6
Actual Spending	0.9	0	0	3.6	4.5
Legal Services					
Main Estimates ³					
Planned Spending ³					
<i>Total Authorities</i>	3.5	0	0	1.6	5.1
Actual Spending	4.0	0	0	1.1	5.1
Corporate Planning and Services					
Main Estimates ³					
Planned Spending ³					
<i>Total Authorities</i>	0.6	0	0.1	9.8	10.5
Actual Spending	0.6	0	0.1	9.8	10.5
Operations (including regions and ICMS)					
Main Estimates ³					
Planned Spending ³					
<i>Total Authorities</i> ⁴	55.0	2.5	2.6	7.4	67.5
Actual Spending	51.7	2.9	2.7	7.5	64.8
Grand Total Authorities	89.5	8.2	9.6	29.3	136.6
Grand Total Actual Spending	83.0	8.3	8.1	26.5	125.9

¹ includes Governor-in-Council salaries

² includes special purpose account for translation of decisions

³ information will be reported beginning in fiscal year 2005-2006

⁴ includes \$2.5 million deferred budget to 2005-2006

Table 7: Details on Project Spending (ICMS)

This table identifies IRB projects, information technology and Major Crown projects underway or completed during the reporting period.

Current Estimated Total Cost	Cumulative Spending to March 31, 2005	Forecast Spending 2005-2006	Planned Spending 2006-2007
(\$ Millions)			
37.0	24.1	8.9	4.0
Planned Activities		Results and Timelines	
Stage 1			
Release 1: Replace the current Claim Type Management System and automation of the screening and streamlining activities		More robust system that will improve IRB's case management — <i>Implemented in June 2004</i>	
Release 2: Research processes		Increased the effectiveness of the research processes by the automation of the research requests — <i>Implemented in April 2005</i>	
Release 3: Electronic Personal Information Form (e-PIF)		Enhanced client services by allowing counsels to send PIFs electronically — <i>Pilot implemented in May 2005</i>	
Release 4: Automation of the Refugee Protection Division (RPD) processes		Increase the delivery of the program by automating functions and improving decision-making by providing timely, integrated, comprehensive and accurate information on cases.	
Stage 2			
Automation of the Immigration Appeal Division (IAD) processes		Building on Stage 1, development of the various ICMS elements required to provide actual appeal processing and scheduling for the IAD.	
Stage 3			
Automation of the Immigration Division (ID) processes		Building on Stage 2, development of the various ICMS elements required to provide actual appeal processing and scheduling for the ID.	

Table 8: Response to Parliamentary Committees, Audits and Evaluations for FY2004–2005

This table provides a list of internal and/or external audits and evaluations that pertain to the IRB's work for the fiscal year under review.

Response to Parliamentary Committees
No recommendations were received.
Response to the Auditor General
No recommendations were received.
External Audits
(i.e. The Public Service Commission or the Office of the Commissioner of the Official Languages or the Official Languages Branch of the Public Service Human Resources Management Agency) No external audits were requested.
Internal Audits or Evaluations
Review of the Human Resources Function http://www.irb-cisr.gc.ca/en/about/transparency/reviews/hr/index_e.htm Videoconferencing in Refugee Hearings http://www.irb-cisr.gc.ca/en/about/transparency/reviews/video/index_e.htm

Section 4:

Other Items of Interest

Immigration and Refugee Protection Act

The enactment of the Immigration and Refugee Protection Act (IRPA) in 2002 reflects the Government of Canada's policy on immigration and refugee matters and sets out the rights and obligations of all those affected.

Impact on immigration

The new legislation stipulates that, with regard to immigration, respect for the multicultural character of Canada, respect for human rights, the integration of immigrants, the economic development of the country through immigration, and family reunification remain key objectives of the immigration program.

Changes to the legislation affected immigration appeals in several ways. Although some appeal rights to the Immigration Appeal Division were removed (notably for serious criminals), there was a new category of appeals against decisions made outside Canada by CIC in cases where permanent residents abroad have been found not to have met the new residency obligations. In addition, there were changes to the regulations under IRPA that expanded the categories of persons who may be sponsored, for example, a common-law or conjugal partner.

Impact on refugee protection

IRPA expressly states that refugee protection is, first and foremost, about saving lives and that providing fair consideration to those who come to Canada claiming persecution is a fundamental expression of Canada's humanitarian ideals. As a result, the new legislation maintains Canada's commitment to offering a safe haven.

Broadened scope of work

Although the mandate and the mission of the IRB remain unchanged under the new legislation, the scope of the Board's refugee protection work has expanded. The IRB is now responsible for deciding whether persons are in need of protection, that is, persons whose removal to their country of origin would subject them personally to a danger of torture, to a risk to their life, or to a risk of cruel and unusual treatment or punishment. Under the former Immigration Act of 1976, Citizenship and Immigration Canada made the determinations on the new grounds.

Key operational changes

The new legislation introduced provisions to expedite the referral of refugee claims to the IRB. Immigration officers must now determine whether a claim is eligible to be referred within three business days of receiving the refugee protection claim and, if so, refer it to the IRB. The introduction of single-member panels was another key change and has become the norm at the IRB.

Chairperson's Action Plans

Launched in March 2003, the Chairperson's Action Plans are focused on returning the IRB to its roots as a tribunal that makes fair decisions in a simpler and faster way. The IRB has demonstrated through its efforts that a quality decision is one that is fair, sound in law and is reached in an efficient manner. A three-year initiative, the Action Plans represent a long-term transformation of the way the IRB operates. This organizational transformation is moving the IRB tribunals away from court-like processes to a simple inquiry where appropriate.

A new way of doing business

To that end, significant achievements were made in executing the Action Plans during fiscal years 2003-2004 and 2004-2005:

- Standardized and simplified case management processes such as the Streamlining Framework and Fast-Track Policy
- More focused and proactive hearings
- Innovative tools to guide decision-makers, including new guidelines and jurisprudential guides, new national documentation packages, and the use of ongoing discussion groups for various countries of origin
- New independent, merit-based selection process to ensure the Board attracts only the best candidates as decision-makers
- Expanded use of the Alternative Dispute Resolution mechanism and the Early Review Process in the Immigration Appeal Division to promote a more integrated approach to decision-making
- New human resources plan to address the possible retirement of a third of all decision-makers in the Immigration Division

“The results to date are nothing short of remarkable: in 2003-2004, the IRB’s three divisions rendered more than 64,000 decisions, and in 2004-2005, nearly 55,000 decisions were rendered.”

Jean-Guy Fleury
Chairperson

It is important to note that the Action Plans are not focused only on efficiency and reducing the IRB’s backlog. Equal attention is given to providing support for the decision-making process in order to improve the quality and consistency of IRB decisions.

Key initiatives of the Chairperson’s Action Plans include Videoconferencing, Streamlining Framework, Fast-Track Policy, Front-end Security Screening and National Documentation, which are briefly described below.

Videoconferencing

The IRB is committed to conducting hearings fairly, simply, and quickly. As part of that commitment it has maintained a long-standing practice of conducting hearings by videoconference in the three divisions. The Board’s use of videoconferencing is consistent with the spirit and letter of the Immigration and Refugee Protection Act, and parallels the increased use of videoconferencing in other jurisdictions of the Canadian legal system. Although the legal authority of the Board to use videoconferencing is clear, the IRB sought an assessment of what impact videoconferencing may have on its hearings and to identify areas of improvement. The IRB acknowledges the

challenge of reconciling fairness and efficiency in the work of a high-volume, human rights tribunal, and recognizes the value of the use of videoconferencing in improving the Board's case management processes.

Streamlining Framework

Streamlining is an integral part of the Chairperson's Action Plans. It is designed to simplify and standardize the IRB's Refugee Protection Division processes and to provide greater guidance for decision-making. The goal of prompt review of all claims referred to the Refugee Protection Division is to ensure that claims are quickly sent to the most appropriate stream.

Improved caseload management

By properly streaming its caseload, the IRB can better allocate the appropriate level of resources to each case, improve consistency in decision-making and achieve greater scheduling efficiency. Each claim is streamed on its own merits and the stream in which a claim is placed has no bearing on the decision in the claim. Claims are handled through one of four streams: Expendable, Straightforward, Regular and Complex.

At present, the IRB is centralizing the streamlining process in each region and refining country claim type criteria for streaming decisions.

Fast-Track Policy

Fast Track is a tool for allocating time and resources to the preparation of simple refugee protection claims in a way that corresponds to their complexity. It consists of two instruments: the Expedited Process (EP) and the Hearings Process (HP). Claims that appear to be simple may either be determined without a hearing through the Expedited Process or through a hearing in the Hearings Process.

Launched in March 2005, this policy represents an ongoing evolution of the Chairperson's Action Plans to improve IRB case management processes. The IRB is committed to the principle that preparation and scheduling timeframes should correspond to the relative complexity of claims, and free resources for more complex claims.

Quality decisions maintained

Assigning claims to the Fast Track is a case management tool that in no way influences the adjudication of the merits of a claim, or the quality of the process. Ultimately, decision-makers decide whether to accept or reject a claim based solely on the merits of the individual cases. Claims initially assigned to either the Expedited Process or the Hearings Process may be removed at any time and assigned to the regular or complex stream.

Simple claims processed quickly

The Fast-Track policy requires the simplest claims to be quickly identified and processed for finalization within two to four months with the eventual goal of reducing the overall average processing time to six months. Essential to the success of this initiative will be a rapid, front-end security screening process.

Front-end Security Screening

In 2002, the Government of Canada made a commitment that persons claiming refugee protection in Canada would receive front-end security screening. The IRB introduced Instructions Governing the Management of Refugee Protection Claims Awaiting Front-end Security Screening in August 2004 to ensure a consistent national approach to dealing with claims awaiting screening. The Instructions state that the IRB will not proceed with hearings until the Board receives confirmation that security screening has been completed.

In order to fulfill its mandate, the IRB does schedule hearings. However, in the interests of public security and in order to protect the integrity of the refugee claim process, the IRB will not hear a claim until it has received confirmation from the CBSA that front-end security screening has been completed.

While responsibility for security screening rests with the CBSA, the IRB continues to work closely with the CBSA to ensure that the Board receives confirmation of security screening for claims in a timely manner.

National Documentation

The harmonization of country of origin national documentation packages is another important step in the IRB's goal to achieve consistency in decision-making. The consistent use of the same documentary evidence in similar cases in all offices of the Refugee Protection Division is fundamental to the quality of refugee protection decisions. An inconsistent approach to documentation between regions can raise questions about the equality of treatment of claimants by the IRB. As a result, the national documentation initiative was launched in 2003 as another critical process under the Chairperson's Action Plans.

Better screening and streaming

The consistent use of documentary evidence is important for screening and streaming claims. By properly streaming claims, the IRB can better allocate available resources to process each claim, and prepares and schedules claims more efficiently.

A single documentation package

Document harmonization consists of producing a single documentation package for all regions. Each package begins with a section on general information and another on human rights and security conditions in a country of origin. These are followed by one or more sections, which provide information about types of refugee protection claims.

Information and Contacts

Legislation Administered

Immigration and Refugee Protection Act
(S.C. 2001, c. 27, as amended)

Immigration and Refugee Protection Regulations
(SOR/2002-227, as amended)

Refugee Protection Division Rules
(SOR/2002-228)

Immigration Division Rules
(SOR/2002-229)

Immigration Appeal Division Rules
(SOR/2002-230)

Oath or Solemn Affirmation of Office Rules (Immigration
and Refugee Board)
(SOR/2002-231)

IRB Processes

Visit these websites to find out how each IRB tribunal
processes its cases:

- Process for Making a Claim for Refugee Protection
http://www.irb-cisr.gc.ca/en/about/processes/rpdp_e.htm
- Admissibility Hearing Process
http://www.irb-cisr.gc.ca/en/about/processes/ahp_e.htm
- Detention Review Process
http://www.irb-cisr.gc.ca/en/about/processes/drp_e.htm
- Sponsorship Appeal Process
http://www.irb-cisr.gc.ca/en/about/processes/sap_e.htm
- Removal Order Appeal Process
http://www.irb-cisr.gc.ca/en/about/processes/roap_e.htm

Related Information

UNHCR website: www.unhcr.ch/cgi-bin/texis/vtx/home

Contact us

For more information, visit the IRB website at <http://www.irb-cisr.gc.ca/> or contact the IRB Communications Directorate at (613) 947-0803 or contact one of the IRB offices listed below.

National Headquarters

Immigration and Refugee Board
Minto Place, Canada Building
344 Slater Street, 12th Floor
Ottawa, Ontario K1A 0K1
Tel: (613) 995-6486 Fax: (613) 943-1550

Regional Offices

200 René Lévesque Boulevard West
Guy Favreau Complex
East Tower, Room 102
Montreal, Quebec H2Z 1X4
Tel: (514) 283-7733 Fax: (514) 283-0164

74 Victoria Street, Suite 400
Toronto, Ontario M5C 3C7
Tel: (416) 954-1000 Fax: (416) 954-1165

Library Square, Suite 1600
300 West Georgia Street
Vancouver, British Columbia V6B 6C9
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Fording Place
205-9th Ave. S.E., 9th Floor
Calgary, Alberta T2G 0R3
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Minto Place, Canada Building
344 Slater Street, 11th Floor
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