



Immigration and
Refugee Board

La Commission de l'immigration
et du statut de réfugié

Immigration and Refugee Board

**1999-2000
Estimates**

A Report on Plans and Priorities

Approved

Lucienne Robillard
Minister of Citizenship and Immigration

Canada 

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SECTION I: Messages

A. Chairperson's Message

I am pleased to present the *Report on Plans and Priorities for 1999-2000* for the Immigration and Refugee Board (IRB). The report outlines our most recent accomplishments and sets out our key priorities and goals for the next three years.

The Board is the largest administrative tribunal in Canada, and each year its three divisions—the Convention Refugee Determination Division, the Immigration Appeal Division, and the Adjudication Division—render more than 40,000 decisions which affect the lives, security and liberty of individuals, and the public interest.

As stated in our most recent *Performance Report* to Parliament, 1997-1998 marked an important turning point for the IRB. All three divisions performed remarkably well and the Board made significant progress towards meeting its commitments to Parliament and the Canadian people. During 1997-1998, productivity was higher than it has been in several years, we reduced the size of our pending inventory of cases, and we decreased our average case processing times. Most significantly, we succeeded in making these productivity improvements while maintaining the quality of our decisions. This report describes what the Board is doing to ensure that it sustains these levels of performance and service.

Although we often speak about performance in terms of numbers, at the heart of the Board's mandate is the respect we show towards the people who appear before us, our partners, stakeholders and the Canadian public. Since its inception, the IRB has recognized the importance of learning and professional development to fulfilling its mandate. In recent months, the Board has enhanced its approach to learning by adopting a National Learning Framework that integrates all learning initiatives for both decision makers and public servants.

In 1990, the IRB became one of the first federal tribunals to formally appraise the performance of its decision makers. The Board is continuing to strengthen its formal evaluation program and has established a Performance Review Committee. These are important steps in ensuring that Board decision makers meet the highest standards of professionalism.

As Chairperson of the IRB, I have the authority under the *Immigration Act* to issue Guidelines to assist decision makers in carrying out their duties. Currently, the Board is developing Guidelines on appeals of removal orders. These Guidelines will lead to improved objectivity, transparency and consistency. As well, the Board will provide additional guidance to decision makers on the issue of state protection.

The IRB is committed to being a leading-edge tribunal. Within the area of technological improvement, two recent initiatives highlight this commitment. First, the Board has recently upgraded its videoconferencing equipment across the country. All three divisions are expected to make optimal use of this technology to increase the Board's efficiency and accessibility. Second, the Board is implementing a new case management system. Among other benefits, a modern case management system will address the Auditor General's concerns regarding the type and quality of information available to Parliament about the refugee determination process.

Further evidence of our leading-edge practices came with the news that the United States Immigration and Naturalization Service has recently adopted guidelines on child refugee claimants, and has invited the IRB to help train their decision makers on the guidelines. The IRB issued its guidelines on child refugee claimants in 1996, making Canada the first refugee determination system in the world to do so.

In addition to being a leading-edge administrative tribunal at home, the IRB is working to build a strong international consensus on refugee matters, which are by definition global issues. Last October, the Board co-chaired with the Federal Court of Canada the Third Annual Conference of the International Association of Refugee Law Judges (IARLJ). Delegates from 51 countries were in attendance in Ottawa, and for the first time, many of the delegates came from the developing world and the emerging democracies of Eastern Europe. By actively participating in the work of the IARLJ, the IRB can advance Canadian values within the international community of decision makers who deal with refugee and asylum issues.

In a rapidly changing world, the Government is committed to ensuring that our immigration and refugee legislation meets the opportunities and challenges of the coming decades. In January 1999, the Minister of Citizenship and Immigration, the Honourable Lucienne Robillard, announced the direction the Government intends to pursue in modernizing immigration and refugee protection legislation and policy. The proposals are the result of a process that began with the work of the Immigration Legislative Review Advisory Group (ILRAG) in 1997, followed by ministerial consultations in early 1998.

From the outset, the IRB has been an active partner in the legislative review process. Over the coming months, the IRB will continue to provide the Minister with information and practical advice on the specific policies and legislation that will enable the Government to achieve the broad directions that have been set out.

Finally, it is with pride that I note that 1999 is the tenth anniversary of the IRB. The past ten years have seen remarkable growth and achievements for the Board. We have demonstrated that we are a learning organization committed to excellence. We are fulfilling our commitments to the people of Canada, and we are doing so in a way that is recognized internationally. Because of this, we are heading into the millennium with the prospect of a renewed mandate. Over the coming years, we will continue to meet the challenges before us, as we sustain the productivity, quality and consistency of the important and consequential work that we are charged with doing on behalf of Canadians.

Nurjehan Mawani
Chairperson

B. Management Representation Statement

I submit, for tabling in Parliament, the 1999-2000 Report on Plans and Priorities (RPP) for the Immigration and Refugee Board.

To the best of my knowledge the information:

- accurately portrays the Board's mandate, plans, priorities, strategies and expected key results of the organization;
- is consistent with the disclosure principles contained in the *Guidelines for Preparing a Report on Plans and Priorities*;
- is comprehensive and accurate; and
- is based on sound underlying departmental information and management systems.

I am satisfied as to the quality assurance processes and procedures used for the RPP's production.

The planning and reporting structure on which this document is based has been approved by Treasury Board Ministers and is the basis for accountability for the results achieved with the resources and authorities provided.

Acting Executive Director

Date

SECTION II: Agency Overview

A. Mandate, Mission and Vision

Mandate

The Immigration and Refugee Board's mandate is contained in Part IV of the *Immigration Act*. This Act provides a refugee determination process in order to protect Convention refugees (Canada is a signatory of the *1951 United Nations Convention Relating to the Status of Refugees* and the *1967 Protocol to the Convention*). The Board's mandate includes its role as an independent appeal tribunal for certain immigration decisions. The Board also adjudicates immigration inquiries and detention reviews.

Mission

The Immigration and Refugee Board is an independent administrative tribunal with quasi-judicial functions. Its mission, on behalf of Canadians, is:

to make well-reasoned decisions on immigration and refugee matters, efficiently, fairly and in accordance with the law.

Vision

The IRB's vision statement is:

We will excel in everything we do and will deal simply, quickly and fairly with everyone. Through innovation, we will be a leading-edge administrative tribunal and a creative partner in building the future of the Canadian immigration system.

B. Objectives

The Board's objective is to meet Canada's immigration and refugee related obligations as defined in the *Immigration Act* and as a signatory to the *1951 United Nations Convention Relating to the Status of Refugees* and the *1967 Protocol to the Convention*. It does this by:

- determining claims to Convention refugee status made by persons within Canada;
- hearing appeals of certain persons who have been denied admission to or have been ordered removed from Canada;

- hearing appeals from Canadian citizens and permanent residents whose family members have been refused permanent resident status in Canada;
- hearing appeals from the Minister;
- conducting inquiries involving persons alleged to be inadmissible to or removable from Canada; and
- conducting detention reviews for persons detained for immigration reasons.

C. Organization

The Chairperson is the Board's chief executive officer and reports to Parliament through the Minister of Citizenship and Immigration. The Executive Director, who reports to the Chairperson, is responsible for the administration of the Board and functions as the Board's chief operating officer. The General Counsel advises the Chairperson and reports to the Executive Director as Director of Legal Services.

The Immigration and Refugee Board has three divisions: the Convention Refugee Determination Division (CRDD), the Immigration Appeal Division (IAD), and the Adjudication Division.

- The CRDD deals exclusively with the determination of claims to refugee status made within Canada. Its decision makers are appointed by the Governor in Council. They report to a Deputy Chairperson (also appointed by the Governor in Council) within the division.
- The IAD hears appeals against removal orders and refusal of sponsored applications for permanent residence. The decision makers of the IAD are also appointed by the Governor in Council and report to a Deputy Chairperson (appointed by the Governor in Council) within the division.
- The Adjudication Division conducts detention reviews and immigration inquiries for certain categories of people believed to be inadmissible or removable from Canada. The decision makers of this division are appointed under the *Public Service Employment Act* and report to the Director General of the Adjudication Division.

The head of each division reports directly to the Chairperson. All three divisions are supported by staff who report through directors general and directors to the Executive Director. In addition, one member of the Board is designated as the Assistant Deputy Chairperson responsible for professional development and reports directly to the Chairperson. See Table 2.1 in the Supplementary Information section for an organizational chart of the Board.

Business Line Structure

Treasury Board approved a Planning, Reporting and Accountability Structure (PRAS) effective April 1, 1998 dividing the Board's program into the following four business lines:

- Refugee Determination
- Immigration Appeals
- Inquiries and Detention Reviews
- Corporate Management and Services

Location

The Board's head office is located in the National Capital Region. There are regional offices in Montreal, Toronto and Vancouver, and district offices in Calgary and Ottawa. To enable the Board to provide service throughout Canada, cases may be heard in other locations.

D. Operating Environment

As human rights violations, internal strife and civil wars continue to be a serious problem worldwide, large numbers of people are being forced to leave their homes. In January 1997, the United Nations High Commissioner for Refugees estimated the number of persons of concern to the organization to be about 22 million. This mass migration of people poses serious challenges for the governments of both refugee producing and refugee receiving countries.

In responding to these challenges, refugee receiving nations have to reconcile their dual responsibilities of meeting their humanitarian commitments to refugees—obligations which they have confirmed through the Geneva Convention and other international human rights treaties—while at the same time protecting their borders. The critical challenge faced by Canada and other Western countries is to grant protection to those who need it while discouraging economic and other migrants from using the refugee determination system.

The Domestic Context

Immigration and refugee issues are a sensitive and highly debated public policy area. In Canada, immigration and refugee decision making is particularly challenging because it involves making case-by-case decisions that affect individual lives, security and liberty, and the public interest. At the same time, although no two cases are exactly the same, fairness and the principles of natural justice require consistency at every stage of the decision-making process.

A variable and unpredictable caseload is another characteristic of the immigration and refugee environment. Social and political changes in source countries can generate large influxes of claims to the IRB's Refugee Division. Similarly, policy changes at the Department of Citizenship and Immigration can affect the workload of all three divisions of the Board. A sudden change in the number of refugee claims, immigration appeals or inquiries will have significant repercussions on the Board's operations.

Despite the inherent complexity of decision making in the immigration and refugee area, Canadians expect and are demanding an immigration and refugee system that is both fair and efficient. In particular, they are concerned about the efficiency and integrity of the inland refugee determination system.

In his December 1997 report, the Auditor General of Canada identified two main concerns related to the efficiency of refugee claims processing in Canada: the size of the backlog of cases and the lengthy processing times. The Board was well aware of the problems the report focused on and had already begun to take measures to improve the efficiency and speed of refugee claims processing. These case management initiatives have resulted in productivity improvements. The Board has succeeded in reducing both the size of the backlog and processing times while maintaining the high quality of its decisions.

The Legislative Framework

In January 1999, the Minister of Citizenship and Immigration, the Honourable Lucienne Robillard, announced the broad direction the Government intends to pursue in modernizing immigration and refugee protection legislation and policy. The proposals are designed to improve the effectiveness and efficiency of the immigration and refugee protection system.

The proposals represent an important step toward the goal of new legislation and policy for the 21st century. They are the result of a process that began with the work of the Immigration Legislative Review Advisory Group (ILRAG) in 1997, followed by ministerial consultations in early 1998.

From the outset, the IRB has been an active partner in the legislative review process. In 1996, the Board established a working group to support legislative review and to respond to the information needs of the ILRAG. During the Minister's consultations on the ILRAG report, the IRB worked jointly with the Department of Citizenship and Immigration to analyze the report's recommendations. Over the coming months, the IRB will continue to provide the Minister with information and practical advice that will enable the Government to achieve the broad directions that have been set out.

E. Financial Spending Plan*

(millions of dollars)	Forecast Spending 1998-1999	Planned Spending 1999-2000	Planned Spending 2000-2001	Planned Spending 2001-2002
Gross Program Spending by Business Lines				
Refugee Determination	49.0	41.6	41.6	41.6
Immigration Appeals	5.3	4.8	4.8	4.8
Inquiries and Detention Reviews	3.8	6.2	6.2	6.2
Corporate Management and Services	26.3	29.3	30.6	25.9
Net Program Spending	84.4	81.9	83.1	78.5
Cost of Services Provided by Other Departments	10.5	12.0		
Net Cost of the Program	94.9	93.9		

* Figures have been rounded and may not add to totals.

NOTE:

The Planned Spending amounts for 1999-2000 and future years do not reflect reallocations among business lines which, once finalized, will result in business line spending levels similar to those forecasted for 1998-1999. These reallocations will be formally proposed in the next Annual Reference Level Update.

SECTION III: Plans, Priorities and Strategies

A. Chart of Key Results Commitments

<i>to provide Canadians with:</i>	<i>to be demonstrated by:</i>
well-reasoned, timely decisions on immigration and refugee matters in accordance with the law	<ul style="list-style-type: none"> • The number of cases finalized by each division • The age and size of inventory • Cost per case • Processing times • The number of decisions set aside by the Federal Court • a consistent approach to decision making
a leading-edge administrative tribunal	<ul style="list-style-type: none"> • innovative and optimal use of technology • case management process initiatives • professional development • recognition from individuals and organizations, both international and domestic
a creative partner in the Canadian immigration system	<ul style="list-style-type: none"> • an integrated approach to portfolio management • responsiveness to emerging issues • effective relationships with clients and stakeholders (other administrative tribunals and non-governmental organizations)

B. Plans and Priorities by Business Line

1. REFUGEE DETERMINATION

Planned Spending*

(\$ millions)	Forecast Spending 1998-1999	Planned Spending 1999-2000	Planned Spending 2000-2001	Planned Spending 2001-2002
Net Expenditures	49.0	41.6	41.6	41.6

* See the note on page 10 regarding Planned Spending.

Objective

The Refugee Determination business line fulfils Canada's obligations as a signatory to the *1951 United Nations Convention Relating to the Status of Refugees* to protect those with a well-founded fear of persecution in their own

country. It does this by hearing and deciding claims for refugee status made within Canada. Refugee determination at the IRB deals exclusively with claims to refugee status made by persons who have arrived in Canada.

Key Plans and Strategies

Oral Decisions

The IRB will continue to move towards its goal of making the rendering of oral decisions the norm in each of its three divisions. The oral delivery of decisions and supporting reasons enhances the timeliness of decision making in the refugee determination process. Decision makers have been provided with extensive training to enable them to render reasons for decisions orally at the conclusion of a hearing. Refugee claims officers have also received training on the preparation and presentation of cases to support the rendering of oral decisions.

It is left to the decision makers hearing each individual case to determine whether to reserve their decision or to deliver it orally. Decision makers are expected to reserve their decisions in cases where the outcome is not clear at the conclusion of the hearing, or where the complexity of the evidence or the novelty of legal arguments raised justify more extensive reflection or analysis.

Consistency

Variation among regional offices of the Refugee Division has been noted with respect to operational processes as well as outcomes in cases from the same source countries. Since decisions are rendered by independent decision makers, based on the specific evidence submitted in each individual case, a certain degree of variation in outcomes among offices is inevitable. However, there should be less variation in processes. The Board is committed to keeping both types of variation within acceptable limits.

The following initiatives have been put in place to promote consistency in operational processes and decision making:

- developing formal policies that will require the use of consistent processes from one regional office to another;
- grouping decision makers and refugee claims officers into teams specialized in particular source countries. These teams are networked nationally and they share information;
- issuing quarterly memoranda to provide statistical information on variation rates to focus geographic networks;

- holding national conferences on country conditions in particular source countries;
- requiring written reasons for both positive and negative decisions for countries where there is a significant regional variation;
- issuing Chairperson's Guidelines on key issues; and
- initiating the practice of lead-cases for countries where some difference of opinion exists not only at the Board level but internationally in other refugee determination systems.

Professional Development

In addition to the regular training provided to hearing room participants, the following areas will receive special attention over the planning period.

Issue Identification and Screening of Claims: A hearing runs more efficiently if the issues have been clearly articulated in a manner that will usefully guide the participants' presentations. This session will consist of skills-training exercises designed to assist decision makers and refugee claims officers in articulating the issues narrowly and in focussing the hearing.

Taking charge of the CRDD Hearing: The objective of this learning priority is to assist hearing room participants in enhancing the requisite presiding skills in order to take charge of the hearing fairly but firmly.

Oral Decisions Update: This training session will consist of a progress review, sharing of best practices and discussion of model reasons.

Guidance for Members on State Protection

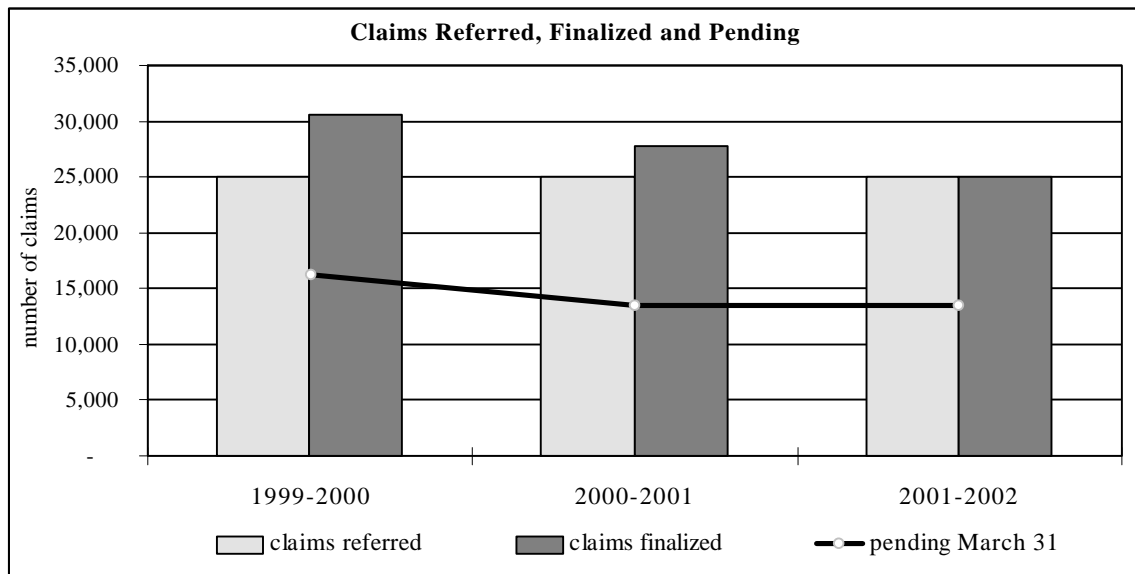
State protection is a key concept to the determination of refugee status. In light of emerging trends in claimant profiles, the issue of state protection will be the subject of a detailed analysis for the purpose of providing guidance to members.

Expected Results

Claims Referred and Finalized

Intake is a variable that is critical to any performance forecast. However, the number of claims referred is subject to significant fluctuations that cannot, generally, be predicted or controlled. A change in intake would affect all other performance indicators. In line with trends over the past several years, it is projected that 25,000 claims will be referred to the CRDD in each of the next three years.

The CRDD expects to finalize over 30,000 claims in 1999-2000. This projection is based on a stable member complement of 182 decision makers. In each of the next two years the complement would be reduced gradually, so as to reach a level of output in balance with the projected level of intake. In 2000-2001, almost 28,000 claims will be finalized and in 2001-2002 this will decrease to 25,000, the same as the expected number of referrals.



	1999-2000	2000-2001	2001-2002
Pending April 1	21,800	16,300	13,550
Claims referred	25,000	25,000	25,000
Claims finalized	30,500	27,750	25,000
Pending March 31	16,300	13,550	13,550

Claims Pending

Finalizing claims six to eight months after they are referred is a realistic goal under present legislation. So, an appropriate inventory of pending claims for the CRDD would be equivalent to six to eight months of intake, which would be 13,000-17,000 claims at projected levels. It is estimated that there will be fewer than 22,000 claims pending on April 1, 1999. The CRDD expects to reduce this inventory by over 5,000 claims in 1999-2000 and a further 3,000 in 2000-2001. This would leave 16,300 claims pending at the end of 1999-2000 and 13,550 pending at the end of 2000-2001. The inventory is expected to stabilize at this level.

Over the course of the 1999-2000 fiscal year, the CRDD expects to reduce the proportion of cases that have been pending for over one year from 25% to 10%.

Reducing Processing Time

The previous Report on Plans and Priorities projected that the CRDD's goal of finalizing claims within eight months of referral from CIC would be met in the 2000-2001 fiscal year. Thanks to gains in productivity during 1998-1999 combined with an increase in the member complement, the CRDD should achieve this goal by the end of fiscal year 1999-2000.

Cost per Claim

The average cost per finalized claim in 1999-2000 is expected to be approximately \$2,300, down from the forecasted average cost of \$2,400 in 1998-1999.

Decisions Set Aside by the Federal Court

The number of decisions set aside by the Federal Court is expected to remain small over the next three fiscal years. It is expected that the Federal Court will, as in past years, set aside less than one percent of all CRDD decisions.

2. IMMIGRATION APPEALS

Planned Spending*

(\$ millions)	Forecast Spending 1998-1999	Planned Spending 1999-2000	Planned Spending 2000-2001	Planned Spending 2001-2002
Net Expenditures	5.3	4.8	4.8	4.8

* See the note on page 10 regarding Planned Spending.

Objective

The Immigration Appeals business line makes available to Canadian citizens and permanent residents whose family members have been refused landing in Canada, as well as to persons who have been denied admission to or ordered deported from Canada, a quasi-judicial tribunal to which they may appeal. This is done by hearing appeals of refusals of sponsored applications for permanent residence, appeals against removal orders issued against permanent residents, persons found to be Convention refugees or by persons in possession of valid visas and appeals of the Minister of an adjudicator's decision to grant admission or not to order removal.

Key Plans and Strategies

Alternative Dispute Resolution

The purpose of alternative dispute resolution (ADR) is to resolve cases through negotiation and mediation to avoid the emotional and financial costs as well as the delay of a formal hearing.

In July 1997, a working group was set up to examine the viability of ADR for the Immigration Appeal Division. The group focused on an assessment of ADR initiatives in the context of sponsorship appeals. Sponsorship appeals are made by Canadian citizens or permanent residents against refusals by visa officers abroad of applications to sponsor close family members. These appeals constitute approximately 75 percent of the workload of the division. Currently, the majority of sponsorship appeals are resolved through a quasi-judicial adversarial hearing. Alternative dispute resolution attempts to resolve cases in a less confrontational, more consensual way. This would be appropriate, particularly in the context of immigration sponsorship appeals, which are highly personal in nature and are founded on the principle of family reunification.

In July 1998, the Board launched a one-year pilot project to test the usefulness of ADR techniques in resolving sponsorship appeals. At the conclusion of the project, the Appeal Division will assess the viability of expanding ADR to a larger number of sponsorship appeals. It will also assess the viability of ADR for its other jurisdiction, that is, removal order appeals.

Case Management

The Immigration Appeal Division is committed to further progress on its ongoing case management initiatives, such as:

- assignment courts;
- pre-hearing conferences to narrow the issues that must be dealt with in the hearing room; and
- regional case management teams to oversee processes and make effective use of monitoring reports.

As well, the division expects to complete development of additional case management initiatives that would streamline the appeal process, such as:

- early identification of straightforward cases;
- paper review of appeals where an oral hearing may not be necessary; and
- development of special procedures to clarify and streamline the processing of medical inadmissibility appeals.

Other plans for the upcoming year are to increase the use of oral decisions in appropriate cases and enhance both the conduct of hearings and hearing room techniques.

Guidelines on Appeals of Removal Orders

The Chairperson of the IRB has the authority under the *Immigration Act* to issue Guidelines to assist decision makers in carrying out their duties. Currently, the Board is developing Guidelines on appeals of removal orders. These Guidelines will lead to improved objectivity, transparency and consistency.

Professional Development

In addition to the regular training provided to hearing room participants, the following areas will receive special attention over the planning period.

Dealing with Unrepresented Appellants: This session will explore ways to make hearings simpler, quicker and more accessible to unrepresented appellants.

Oral Decisions Update: This training session will consist of a progress review, sharing of best practices and discussion of model reasons.

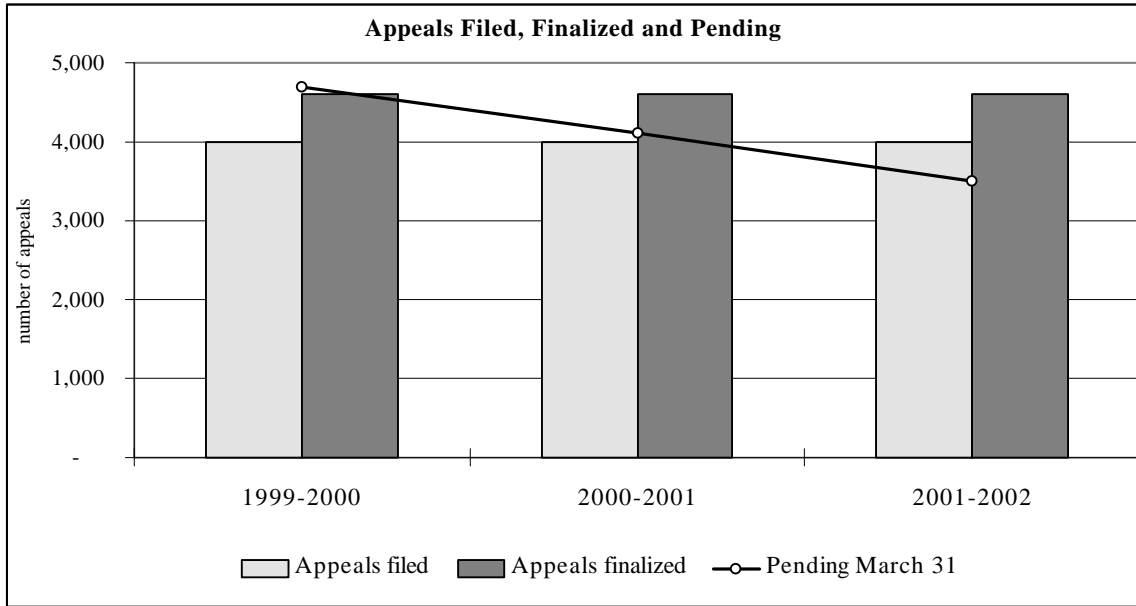
Written Reasons: This session will consist of a review of the pros and cons of various structural and stylistic approaches to clear, concise and simple reasons writing.

Expected Results

Appeals Filed and Finalized

Intake increased significantly in mid 1997-1998 to an average of 1,000 appeals filed per quarter, an annual rate of 4,000. Until then, intake had been steady at 800 appeals filed per quarter, or 3,200 per year. This higher level of intake has continued, so projections for the next three years have been revised from the last Report on Plans and Priorities. It is now projected that the IAD will receive 4,000 appeals in each of the next three years.

The IAD should finalize 4,600 appeals in each of the next three years, assuming a complement of 28 decision makers.



	1999-2000	2000-2001	2001-2002
Pending April 1	5,300	4,700	4,100
Appeals filed	4,000	4,000	4,000
Appeals finalized	4,600	4,600	4,600
Pending March 31	4,700	4,100	3,500

Pending Inventory

The significant increase in the number of appeals filed means the division will begin 1999-2000 with over 1,000 more appeals pending than was forecast in the last Report on Plans and Priorities, and will reduce the caseload more slowly than had been expected last year.

The IAD expects the inventory of pending cases to decrease by 600 appeals annually during the three-year period, from over 5,300 pending at the beginning of 1999-2000 to 3,500 pending at the end of 2001-2002. This decrease depends on intake remaining stable at 4,000 appeals filed, and on achieving the level of output mentioned above.

Reducing Processing Time

In the last Report on Plans and Priorities, it was projected that the IAD would reach the goal of processing an average appeal in less than nine months by the end of 1999-2000. This goal was achieved in the second half of 1998-1999. The

goal now is to keep processing time under nine months despite the significant increase in intake.

Cost per Appeal

In 1999-2000, the average cost per finalized appeal is expected to be approximately \$1,650, down from the forecasted average cost of \$1,750 in 1998-1999.

Decisions Set Aside by the Federal Court

The number of decisions set aside by the Federal Court is expected to remain small over the next three fiscal years. It is expected that the Federal Court will, as in past years, set aside less than one percent of all IAD decisions.

3. INQUIRIES AND DETENTION REVIEWS

Planned Spending*

(\$ millions)	Forecast Spending 1998-1999	Planned Spending 1999-2000	Planned Spending 2000-2001	Planned Spending 2001-2002
Net Expenditures	3.8	6.2	6.2	6.2

* See the note on page 10 regarding Planned Spending.

Objective

The Inquiries and Detention Reviews business line contributes to ensuring the safety of Canadian society by conducting inquiries on persons seeking admission at a Canadian port of entry believed to be inadmissible or persons in Canada believed to be removable; and by conducting detention reviews for persons who have been detained during the examination, inquiry or removal process.

Key Plans and Strategies

Training

The environment within which adjudicators work has become increasingly complex. It has been complicated by existing and emerging issues such as war crimes and crimes against humanity and considerations regarding long-term

detention. With this in mind, a national training session including all adjudicators has been planned for the fall of 1999-2000. The objectives of the session will mirror the corporate objectives of enhanced productivity, consistency and quality decision making.

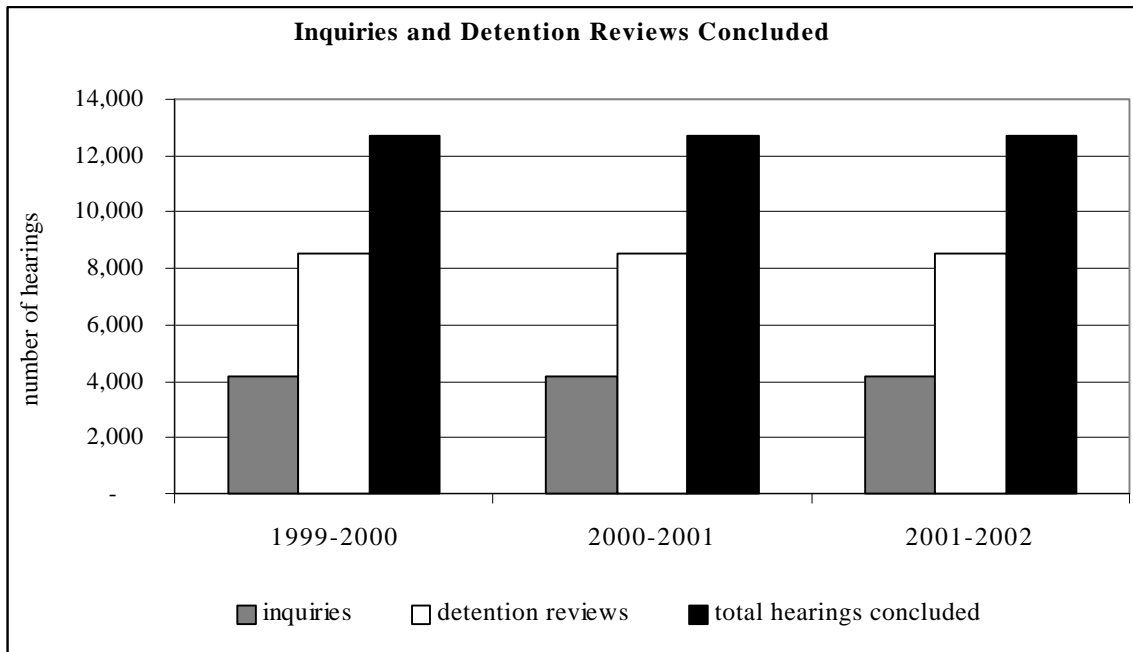
War Crimes Initiative

In July 1998, the federal government allocated \$46.8 million over three years to the CIC-sponsored War Crimes Initiative. The ongoing impact of this initiative on the IRB is yet to be determined. For the time being, the Adjudication Division is monitoring the situation with a view to further refining its original estimate of related workload changes and ensuring that the Board is well positioned to contribute to the success of the initiative.

Expected Results

Inquiries and Detention Reviews Concluded

In 1999-2000, the Adjudication Division expects to conclude 4,200 inquiries and 8,500 detention reviews. This projection is based on the number of inquiries and detention reviews forecasted to be concluded in 1998-1999.



Cost per Inquiry and Detention Review

In 1999-2000, the average cost per inquiry is expected to be approximately \$575 and the average cost per detention review is expected to be approximately \$350.

4. CORPORATE MANAGEMENT AND SERVICES

Planned Spending*

(\$ millions)	Forecast Spending 1998-1999	Planned Spending 1999-2000	Planned Spending 2000-2001	Planned Spending 2001-2002
Net Expenditures	26.3	29.3	30.6	25.9

* See the note on page 10 regarding Planned Spending.

Objective

The Corporate Management and Services business line provides the Board with efficient management processes and administrative services.

Key Plans and Strategies

Case Management System

The IRB's operational software is outdated and needs to be replaced. The Board is developing a new case management system that will allow managers to measure progress on a case as it occurs, rather than after the fact. With the new system, managers will be able to analyze case inventories to achieve optimal use of resources. It will replace both the System for Tracking Appellants and Refugees (STAR) and the Adjudication Tracking System (ATS), providing a single source of information for case histories that may span both systems.

Videoconferencing

The Board has recently upgraded its videoconferencing equipment across the country. All three divisions are expected to make optimal use of this technology to increase the Board's efficiency and accessibility.

Regional Performance Expectations

In October 1997, Regional Performance Expectations for the processing of cases in the Refugee Division were established with each of the Board's three largest regional offices. Over the planning period, the focus of these performance expectations will be broadened to include corporate priorities and the processing of cases in both the Immigration Appeal and Adjudication Divisions. Furthermore, this initiative will be expanded to include the district offices as well.

New Policy Framework

The Board has expanded its operational policy capacity by creating a policy committee, a policy development framework, and a strategic planning calendar. Combined, these initiatives will assist the IRB to develop operational policy which is timely, effective and based on the Board's strategic priorities.

The first two policies to be issued under the new policy framework have been released: *The Treatment of Unsolicited Information in the Refugee Division* and *Court-Ordered Rehearings*

The Board develops its policies in consultation with its stakeholders, including Citizenship and Immigration Canada.

Public Complaint Process

In January 1995, the IRB put in place the Public Complaint Process to ensure a fair and clear examination of complaints with respect to violation of Board members' Code of Conduct or duties under the *Immigration Act*. The IRB is among the first federal administrative tribunals to have instituted such a process. The process is designed to provide a fair examination of each and every complaint received with a view to promoting the highest standard of quality and respecting the rights of all concerned.

The Public Complaints Process has been in place now for three years. It is an appropriate time to review the process. On October 1, 1998, the Board committed to reviewing its process for dealing with complaints. The Board is examining its process for handling complaints and will explore ways to ensure that the procedures are flexible and transparent.

Quality Service Initiative

The Government of Canada is committed to strengthening client-centred service delivery and has launched a government-wide Quality Service Initiative. At the October 1998 IRB National Executive Planning Meeting, the Board's senior

managers committed to developing and introducing a Quality Service Initiative within the organization. On December 15, 1998, the Chairperson communicated this commitment to all employees at the Board and launched an initiative to develop service standards.

The Board's Quality Service Initiative will be co-ordinated by the Policy, Planning and Research Branch at headquarters. Senior managers will be expected to provide leadership and share the responsibility for developing and introducing the initiative in their areas.

National Learning Framework

Since its inception, the IRB has recognized the importance of learning and professional development as essential components to the successful delivery of its mandate. In 1997-1998, senior management renewed its commitment to making the Board a continuous learning organization by adopting a new National Learning Framework. The Framework is designed to ensure that IRB learning programs are managed effectively and efficiently, that they are delivered in an integrated, co-ordinated, and inclusive manner, that they support the implementation of corporate policies, objectives and goals and that they further the Board's mission, vision and values.

As part of this Framework, a National Learning Committee was established to oversee the development and implementation of a yearly National Learning Plan incorporating all national learning initiatives for both members and public servants. Also forming part of the National Learning Framework are Regional Learning Committees established to assist Regional Executive Committees in ensuring the implementation of the National Learning Plan in addition to such regional learning initiatives as may be adopted.

Professional development initiatives mentioned earlier under specific business lines are components of the National Learning Plan for the coming year. As well, specific learning events will focus on the following priorities: conduct in the workplace, cross-cultural communications and a core learning program that addresses sixteen learning requirements identified as core for all employees of the IRB.

Portfolio Management

Although the IRB and CIC are independent federal government institutions, they share the same commitment to realizing the goals of the Canadian immigration and refugee program.

In November 1997, the IRB and CIC signed two sub-agreements under the existing Administrative Framework Agreement: the Information Sharing Agreement and the Priorities Coordination Agreement. The IRB and CIC have agreed to negotiate two additional sub-agreements: an agreement on the use of videoconferencing technology and an agreement regarding claimant information CIC collects at ports of entry that would be useful to the IRB in refugee determination.

The agreement on port-of-entry notes is being finalized. It will determine the process for gathering and transmitting information obtained by CIC from refugee claimants at ports of entry.

Effective Relationships – Consultative Committee on Practices and Procedures (CCPP)

The Consultative Committee on Practices and Procedures is designed to allow for systematic communications between the IRB and groups interested in Board activities. Members include representatives from key non-governmental organizations, the Canadian Bar Association, and the United Nations High Commissioner for Refugees. The CCPP's mandate is to provide comment and advice on IRB policies and procedures.

The Board is currently in the process of reviewing the role, membership and function of the CCPP with the objective of maintaining a constructive dialogue with its stakeholders.

Member Performance Appraisal Program

In 1995, the IRB was among the first federal tribunals to implement a formal performance appraisal program for its decision makers.

The Member Performance Appraisal Process is designed to foster and maintain the highest standards of performance; to provide a forum for the sharing of experiences; to recognize positive contributions by members; and to provide a basis for members' continuing tenure with the Board.

In January 1999, the Chairperson of the IRB established the Performance Review Committee. The Committee provides a formal framework that fosters consistency in the appraisal of members' performance.

Member Appointments

The *Immigration Act* stipulates that members of the IRB be appointed by Governor in Council. In March 1995, the Minister of Citizenship and Immigration established an independent ministerial advisory committee to assist in the selection of Board members. The committee was given a mandate to assess candidates and to submit lists of qualified candidates to the Minister. The Board provides administrative support to this committee.

The proposed directions for reform of immigration and refugee protection legislation and policy released in January 1999 include changes related to member appointments. The Government is considering making the selection process more transparent by including in the new legislation the selection criteria and process, as well as the role and membership of the ministerial advisory committee.

C. Consolidated Reporting

1. Year 2000 Initiatives

In October 1998, the Chief Informatics Officer of the Treasury Board Secretariat confirmed that the IRB's systems are 80 percent Year 2000 compliant. The remaining 20 percent will involve minor modifications.

The IRB is now developing a business resumption plan and examining its potential vulnerability from external sources.

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Table 1 Spending Authorities*

Vote (millions of dollars)		1999-2000 Main Estimates	1998-1999 Main Estimates
Immigration and Refugee Board			
15	Program Expenditures	71.6	66.5
(S)	Contributions to employee benefit plans	10.2	10.5
Total Agency		81.9	77.0

* Figures have been rounded and may not add to total.

Personnel Information

Table 2.1 Organizational Structure

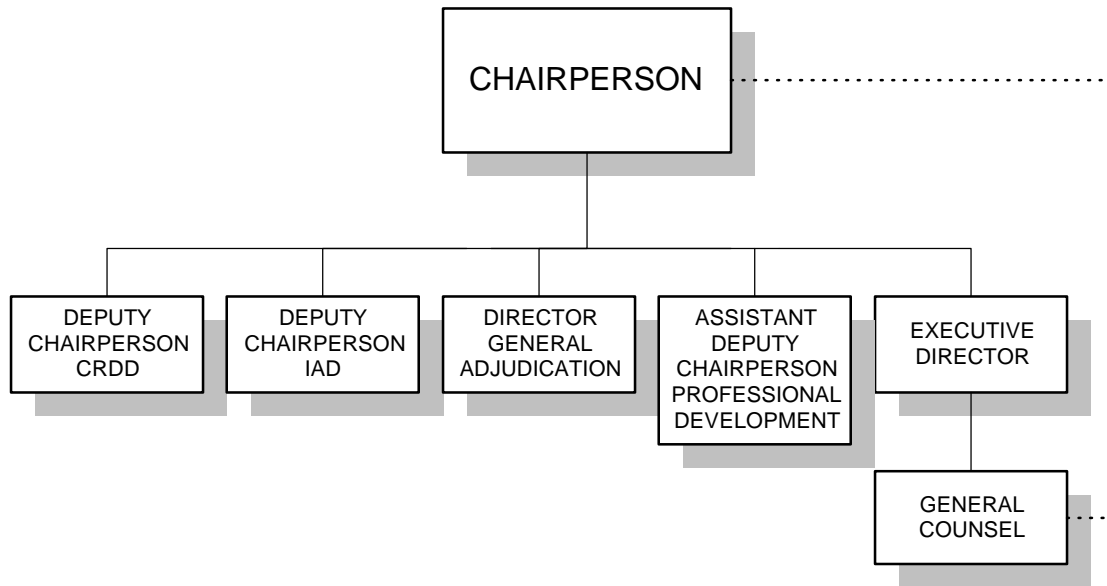


Table 2.2 Planned Full Time Equivalents (FTEs) by Business Line

	Forecast 1998-1999	Planned 1999-2000	Planned 2000-2001	Planned 2001-2002
Refugee Determination	642	645	645	645
Immigration Appeals Inquiries and Detention Reviews	68	69	69	69
Corporate Management and Services	50	50	50	50
	250	263	263	263
Agency Total	1,010	1,027	1,027	1,027

Additional Financial Information

Table 3.1 Agency Summary of Standard Objects of Expenditure*

(\$ millions)	Forecast Spending 1998-1999	Planned Spending 1999-2000	Planned Spending 2000-2001	Planned Spending 2001-2002
Personnel				
Salaries and wages	56.4	51.1	51.1	51.1
Contributions to employee benefit plans	10.5	10.2	10.2	10.2
	66.9	61.3	61.3	61.3
Goods and services				
Transportation and communications	3.4	3.8	4.3	4.2
Information	.4	.5	.6	.5
Professional and special services	6.9	9.4	8.8	7.7
Rentals	1.1	1.7	1.4	1.1
Purchased repair and maintenance	1.0	.5	1.3	1.3
Utilities, materials and supplies	1.6	1.4	1.9	1.9
Other subsidies and payments	.0	.0	.0	.0
Minor capital	3.2	3.2	3.5	.5
	17.6	20.5	21.8	17.2
Total operating	84.4	81.9	83.1	78.5
Total	84.4	81.9	83.1	78.5

* Figures have been rounded and may not add to total.

Table 3.2 Agency Resources by Business Line for 1999-2000*

(\$ millions)	Budgetary					Non-Budgetary	Gross Planned Spending	Less: Revenue Credited to the Vote	Net Planned Spending
	FTE	Operating	Capital	Transfer Payments	Planned Spending				
Business Lines						Plus: LIAs			
Refugee Determination	645	41.6	-	-	41.6	-	41.6	-	41.6
Immigration Appeals	69	4.8	-	-	4.8	-	4.8	-	4.8
Inquiries and Detention Reviews	50	6.2	-	-	6.2	-	6.2	-	6.2
Corporate Management and Services	263	29.3	-	-	29.3	-	29.3	-	29.3
Total Agency	1027	81.9	-	-	81.9	-	81.9	-	81.9

* See the note on page 10 regarding Planned Spending.

Table 3.3 Net Cost of the Program for 1999-2000

(\$ millions)	Immigration and Refugee Board
Gross Planned Spending	81.9
Plus:	
<i>Services Received without Charge</i>	
Accommodation provided by Public Works and Government Services Canada (PWGSC)	9.2
Contributions covering employees' share of insurance premiums and costs paid by TBS	2.8
	12.0
Net Cost of Program	93.9
1998-1999 Estimated Net Program Cost	94.9

Other Information

Table 4.1 Listing of Statutes and Regulations

Legislative Authority: *Immigration Act*, subsection 65(1)

A. Regulations Currently in Force

Regulations	
<i>Convention Refugee Determination Division Rules.....</i>	SOR/93-45
<i>Immigration Appeal Division Rules.....</i>	SOR/93-46, as amended
<i>Adjudication Division Rules.....</i>	SOR/93-47

B. Proposed Regulations

1. Current Initiatives	
<i>Convention Refugee Determination Division Rules – General (Amendment).....</i>	Carry over from 1994 and 1996 (low cost)
<i>Adjudication Division Rules – General (Amendment).....</i>	Carry over from 1994 (low cost)
2. Future Initiatives	
<i>Immigration Appeal Division Rules – Medical Refusal (Amendment).....</i>	Carry over from 1996 (low cost)
<i>Immigration Appeal Division Rules – Sponsorship (Amendment).....</i>	Carry over from 1997 (low cost)
<i>Immigration Appeal Division Rules – Case Management (Amendment).....</i>	Carry over from 1997 (low cost)

Table 4.2 References

Publications

- Convention Refugee Determination
What it is and How it Works
- Immigration Appeal Division
What it is and How it Works
- Facts about the Adjudication Division

Website

<http://www.irb.gc.ca>

For more information on the IRB contact:

Public and Parliamentary Affairs
(613) 947-2965

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