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June 18, 2018

Via email: Minister@cic.gc.ca

The Honourable Ahmed Hussen, P.C., M.P.
Minister of Immigration, Refugees and Citizenship
Immigration, Refugees and Citizenship Canada
365 Laurier Avenue West
Ottawa, ON K1A 1L1

Dear Minister Hussen:

Re: Processing time for Permanent Resident Cards

I write on behalf of the Immigration Law Section of the Canadian Bar Association (CBA Section) to express our concern with Immigration, Refugees and Citizenship Canada's lengthy processing times for initial permanent resident cards (PR cards) and renewal applications. The delay negatively impacts permanent residents of Canada, their family members and employers.

The CBA is a national association of over 36,000 members, including lawyers, notaries, academics and law students, with a mandate to seek improvements in the law and the administration of justice. The CBA Section has approximately 1,000 members practicing all areas of immigration law. Our members deliver professional advice and representation in the Canadian immigration system to thousands of clients in Canada and abroad.

Immigration, Refugees and Citizenship Canada (IRCC) currently processes 80% of new PR card applications in approximately two months and 80% of renewals in approximately four months. In 20% of cases, the processing times are longer. CBA Section members are now reporting instances of PR card applications taking 6-12 months. Not all of these excessively delayed cases are complex.

The delay presents difficulties ranging from inconvenience to emotional and financial hardship for the applicant, their family members and their employers. Just a few examples:

1. Permanent residents, like others, frequently need to travel, whether for business, employment, school, leisure or to attend to personal responsibilities. A permanent resident traveling outside Canada without a valid PR card cannot board a return flight to Canada (a country they have a right to enter based on their status). Their only option is to obtain a Permanent Resident Travel Document (PRTD) from a visa office in the country they are visiting. This is feasible only if the processing visa office is geographically accessible to their location, and if information on the PRTD processing times is readily available (so they can include this step in their itinerary).

For example, if the applicant is traveling on business to several locations, it may not be possible to wait in one city for days or weeks while the PRTD is processed (especially without advance notice of processing times). A travelling permanent resident without a valid PR card risks the cost and disruption of being unable to return home for an indefinite time to their employment, school, family, medical treatments, or to attend to any other needs and responsibilities, while a PRTD is secured.

The other choice is to delay travel from Canada until the new PR card is issued, resulting in missed personal and business opportunities. Being forced to choose between traveling, with the risk of being unable to return to Canada as scheduled, or canceling a trip and missing an important event, is a source of tremendous stress and anxiety for permanent residents.

2. New permanent residents must receive a Social Insurance Number (SIN) from Employment and Social Development Canada (ESDC) before seeking employment. ESDC may accept the executed Confirmation of Permanent Residence (COPR) for 30 days after the person has landed. However, if the 30 days have passed, or if ESDC is not satisfied with how the COPR was executed, a SIN will not be issued until a PR card is presented. The resulting delay in employment creates an economic hardship for the newcomer (and a loss of potential tax dollars).
3. Permanent residents renewing their cards encounter barriers when seeking provincial or territorial services when only a valid PR card is accepted as evidence of status in Canada. This is particularly common with drivers' licences, medical insurance and educational institutions.
4. Other service issues exacerbate the problem of long processing times, such as: failing to change the mailing address, to which the issued PR cards are sent, for the whole family (not just the principal applicant); long waits to speak with an agent at the Call Centre; and the Call Centre not recognizing the Use of Representative form filed with the PR application, preventing the individual's lawyer from accessing needed information.

Our recommendations are as follows:

1. Provide a document, at the time of landing as a permanent resident, that will permit travel immediately. This might be:
 - an electronic Travel Authorization (eTA), or equivalent electronic document only for permanent residents, valid for 90 days post-landing; or
 - a PRTD or similar counterfoil to the COPR, validated with a landing stamp and then valid for 90 days (for visa-required nationals, indicate the Permanent Resident Visa counterfoil is valid for multiple entries up to the expiry date on the COPR).
2. Post PRTD processing times at visa offices – for straightforward cases and for complex cases – so travelers know what to expect and can plan accordingly. Straightforward cases, such as permanent residents landed in the preceding three years, should be processed in one business day.
3. Establish a means by which provincial and territorial service providers can quickly confirm permanent residency status with IRCC, rather than denying permanent residents services for lack of a PR card. This might be priority access to the IRCC Call Centre, accessible only by government entities.

4. Consider having the Passport Program (overseen by ESDC) process PR card renewal applications, within 10 days for straightforward cases. Applications with residence issues could be flagged and sent to a local IRCC office for further assessment. Random audits could be conducted to address integrity issues.
5. Address other service issues, for example by instructing the Call Centre to accept Use of Representative forms previously filed with the PR application for inquiries related to the initial PR card, and instructing IRCC and Canada Border Services Agency to change mailing addresses for all family members at the time of landing.

We urge you to implement changes in processing PR card applications to shorten, and improve predictability, of processing time. Making the efficient delivery of this service an IRCC priority is consistent with the department's goal of improving the client experience.

We trust that our comments on PR card processing will be of assistance, and welcome the opportunity to discuss our recommendations further.

Yours truly,

(original letter signed by Sarah MacKenzie for Barbara Jo Caruso)

Barbara Jo Caruso
Chair, CBA Immigration Law Section