



THE CANADIAN
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Via email: Daniel.mills@cic.gc.ca

Daniel Mills
Senior Assistant Deputy Minister, Operations
Immigration, Refugees and Citizenship Canada
365 Laurier Avenue West
Ottawa ON K1A 1L1

Dear Mr. Mills:

Re: Improving communications with IRCC Program Managers

We write on behalf of the Immigration Law Section of the Canadian Bar Association (CBA Section) to thank you for our open and constructive dialogue over the past few months. The CBA Section values its relationship with you and your Department and is grateful for your time.

In this spirit, we would like to share reports that some Program Managers no longer respond to authorized representatives' emails. We have been made aware of this development recently and would like to offer concrete suggestions and practical improvements to communication methods with visa offices abroad.

The usual practice has been for authorized representatives to exchange by email with Program Managers when the usual communication channel via case specific enquiry (web form) has not produced a substantive response or solution, or in the event of an urgent matter.

As indicated above, we have been made aware that some Program Managers recently started refusing to respond to emails sent by lawyers and other authorized representatives alleging that it is against their Code of Conduct¹ and would result in preferential treatment. As a result, the program managers have started to refuse to communicate and no longer act on any requests, including urgent ones.

¹ They allege that this would be contrary to section 5.3 of Immigration, Refugees and Citizenship Canada's (IRCC): "A public servant's general responsibilities and duties include: [...] Not assisting private entities or persons in their dealings with the government where this would result in preferential treatment of the entities or persons. This includes family, friends, consultants, legal representatives, service provider organizations, and clients; [...]".

The CBA Section respectfully submits that communicating with a program manager does not result in a shortcut, and the client service delivery instructions allow for communications with Program Managers and has been a common practice for several years.² Program Managers are not expected to fetter the discretion of immigration officers, but rather to communicate the request to the appropriate unit, resulting in effective file management.

A. Established communication channels between authorized representatives and Program Managers have existed for a long period of time

Communication channels between authorized representatives and Program Managers are essential in cases involving urgency³, serious errors, and reconsideration requests.⁴ There is no specific or dedicated communication channel for emergency situations – some of which involve important social, economic or other considerations for Canada.

Most visa offices abroad have migration-specific email addresses (e.g., DELHI-IMMIGRATION@international.gc.ca) that are publicly available. Applicants and their counsel can send inquiries on specific cases to these email addresses. Unfortunately, inquiries submitted this way receive dramatically different treatment depending on the visa office. Some offices address these inquiries promptly, while others do not respond, even in the case of a clear emergency. Generally speaking, these generic email addresses are an unreliable and unpredictable communication method, making emails to Program Managers the only reliable way to communicate time sensitive information.

In the past, IRCC made contact information for visa office Program Managers available to counsel through the CBA Section, as well as through Access to Information and Privacy (ATIP) requests.

RECOMMENDATION

We recommend that IRCC resume this practice. In the alternative, we propose that IRCC create a generic email address for a manager at each visa office. This email address would need to be reviewed and emails triaged to enable responses.

B. Authorized representatives' shared responsibility to communicate effectively

The CBA Section understands the importance of preventing situations of abuse when communicating with Program Managers.

We would be pleased to work with IRCC on guidelines for communicating with Program Managers, understanding that communications with Program Managers or senior decision-makers should always be a last resort, when regular communication methods with the visa office are exhausted.

C. Conclusion

The CBA Section will continue to monitor this evolving situation and would be pleased to share further updates with your office. In addition, we have several ideas for ways the CBA can support IRCC's efforts to implement effective communication channels for time sensitive requests, which we

² IRCC, Operational Instructions and Guidelines, Response to inquiries (migration offices): Clients and representatives, [online](#).

³ E.g., where a foreign national requires a visa and work permit to carry out critical and time-sensitive repair work in Canada.

⁴ For all other cases, the CBA Section understands that communications with visa offices abroad should be done via webform inquiries.

look forward to discussing with you at an upcoming meeting. The CBA Section Table Officers will be in Ottawa from May 31st to June 4th and would welcome an opportunity to exchange in person.

We thank you again for the opportunity to share our comments and to collaborate with your team.

Yours truly,

(original letter signed by Véronique Morissette for Lisa Middlemiss)

Lisa Middlemiss
Chair, Immigration Law Section