



Immigration and Refugee Board of Canada
Refugee Protection Division
presentation at the
BC Refugee Hub Webinar

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RPD Practice Notices in Response to Pandemic

- Extension of time limit for filing BOC to 45 days after referral.
- In-person correspondence not accepted. Use mail, fax, email or epost (preferred).
- Fax limit increased to 50 pages.
- BOC signature / BOC original requirement removed.
- No need for affidavits for applications, no need to file a medical certificate.
- No need to file application to have late disclosure accepted; other Rule 36 factors still apply.
- No need to file application to have voluminous country condition evidence accepted.
- RPD will apply rules flexibly due to pandemic.
- Carefully review info in Notice to Appear for in-person hearings.
- Accompanied children under 18 not required to appear at hearing.



RPD Paper-Based File Review Process (FRP)

- Task Force on Less Complex Claims (TFLCC) leading the initiative to identify and finalize a significant number of the pending inventory's less complex claims that are appropriate for the paper-based file review process (FRP).
- RPD has revised and expanded the triage criteria for assessing whether a claim is eligible to be considered by TFLCC.
- Greater use of case management conferences to narrow determinative issues.
- Will allow counsel to request a claim be reviewed for potential processing under FRP.
- RPD has more than doubled number of members on TFLCC from 18 to 40



RPD Remote Hearings

- Began in early July as a small-scale pilot.
- All participants connected remotely on the Microsoft Teams digital platform.
- During pilot: strictly voluntary, limited to represented claimants, required consents.
- Requires sufficiently private and reliable technology, such as cyber-safe laptop/smartphone and high-speed internet.
- In a short period of time, we developed training material, consent forms and communications products to help all involved participate successfully.
- As of September 30th, approximately 100 remote hearings conducted in Western region.
- Stakeholder feedback has informed procedural fairness interests of remote hearings.
- Now offering remote hearings as an option for all eligible claims at the time we schedule the hearing.



RPD In-Person Hearings

- Transition to in-person hearings with all parties in same room began mid-September.
- Extensive health and safety measures are in place and communicated as part of the Notice to Appear package.
- Non-medical masks are always to be worn in hearing rooms.
- Hearing rooms and public spaces are sanitized.
- Other measures: Self assessment screening questions, temperature checks, increased ventilation & filters, monitored traffic flow, staggered start times.
- As we move forward, we will continue to adjust by examining our procedures, learning from our experience, and benefiting from your feedback.



Gender-Related Task Force (GRTF)

- This dedicated team is tasked to enhance the respectful and consistent determination of gender-related claims. The GRTF will do so by:
 - Presiding over gender-related claims for refugee protection in a respectful and trauma-informed manner;
 - Identifying, implementing, and refining best practices for the adjudication of such claims;
 - Sharing best practices for the adjudication of such claims broadly within the RPD.
- The GRTF is a national team currently composed of 21 experienced members, including 6 highly qualified Western region members.
- GRTT members participated in an ambitious and extensive 5-week training program, one of the most comprehensive curriculums on the adjudication of gender-related claims.
- This important training will later be offered to all members to ensure all members:
 - Consistently display an awareness of the current understandings of gender-related persecution in refugee law;
 - Are oriented to recognize and assess relevant grounds of gender-based persecution, including those that have not been expressly advanced;
 - Are mindful of the possibility of re-traumatization of victims of gender-related persecution and able to question witnesses in a trauma-informed context;
 - Are equipped to elicit and consider relevant evidence in a respectful and sensitive manner appropriate to the context of the hearing; and
 - Are mindful of impediments to witness testimony in gender-based claims and prepared to apply appropriate procedural accommodations to aid with witness testimony.
- A comprehensive update to *Guideline 4 – Women Refugee Claimants Fearing Gender-Related Persecution* is underway.



Update on Western Region RPD Operations

- Western region cadre - 31 members
- Western region inventory – 5,400 total (3,200 principal)
- Western region referrals – impacted by Pandemic, approx. 30 refugee claims per month April to September.
- Western region finalizations – 1,100 total claims (650 principal claims) finalized April to September.



END

- Thank you for listening to the presentation.
 - Questions and Discussion.