

Submission to House of Commons Standing Committee on Citizenship and Immigration (CIMM) Study on Recruitment and Acceptance Rates of Foreign Students

By Dr. Gideon Christian, President, African Scholars Initiative (ASI-Canada)

Introduction

Thank you, Madam Chair and Honourable members of the Committee for the privilege to appear before you once again to discuss a very important issue relating to the growing difficulty by foreign students from African to secure study visa to pursue education in Canada. On November 30, 2020 I appeared before this Committee and raised some concerns with regards to the high study visa refusal rate for applicants from Africa especially at the Canadian Visa Office in Nairobi, Kenya. Madam Chair, I am privileged to appear before this Committee again – 14 months later to report that things have changed – sadly not for the better.

Nigeria as a case study

Madam Chair, Nigeria is the most populous country in African. With over 200 million people, it is also among the top 10 source countries for Canadian study visa – specifically number 3 after China and India. It is the only African country on the top 10 list. It also has the lowest Canadian study visa approval rate on the list. For example, Korea and Japan are on the top 10 list. At a point when Korea and Japan had 95% and 97% study visa approval rates, Nigeria had a dismal 11.8% study visa approval rate. May I refer you to **Exhibit 3** attached to my submission (Study Permit Approval Rate by Country For January 1 - May 31, 2020).

For many years, scholars and academics of African descent in Canada and stakeholders have sought answers or reasons for the high study visa refusal rates from Canadian visa offices in Africa. That answer seems to emerge in October 2021 when the IRCC Anti-Racism Employee Focus Groups Report was released. That report noted among other things: (1) that racism in IRCC had impact on the processing of immigration applications in certain countries; (2) widespread reference to African countries as “**the dirty 30**” by IRCC agents; (3) the stereotyping of Nigerians as particularly corrupt and untrustworthy. The report specifically noted additional financial document requirements for applicants from Nigeria as part of the discriminatory rules reflecting on racism in IRCC. This fact was evident in a recent Federal Court judicial review relating to a study visa application from Nigeria – I refer the Committee to the case of *Iriekpen v. Canada (Citizenship and Immigration)*, 2021 FC 1276.

Student Direct Stream (SDS) versus Nigerian Student Express (NSE)

Further evidence of discriminatory policy relating to study visa application can be seen by comparing of two IRCC study permit programs – the Student Direct Stream (SDS) and the Nigerian Student Express (NSE).

The financial requirement under the SDS requires the applicant to show they “**have a Guaranteed Investment Certificate (GIC) of CAN\$10,000**”. Compare this to the financial requirement under the Nigerian Student Express (NSE) – the applicant is required to produce a bank statement showing existence of the “**equivalence of CAD\$30,000 for at least six months**”. So the applicant from Nigeria is required to show proof of fund three times more than applicants from the SDS countries. And yet, even after overcoming this higher burden of proof, most of the applications from Nigeria still get refused.

Madam Chair and members, I recommend the IRCC Anti-Racism Employee Focus Groups Report to this Committee for review. That Report will greatly assist this Committee in contextualizing the real reason behind the high study visa refusals by IRCC. That reason is the elephant in the room. It is **racism**.

Strain on the federal court

The high study visa refusal rate by IRCC has resulted in increased judicial review applications before the Federal Court. Greater percentage of judicial review applications at the federal courts today relates immigration decisions by IRCC officers. Immigration lawyers who prepare study visa applications for clients from Africa prepare the applications in anticipation of litigation. For each application, they know for certain that there is over 80% possibility that the application will be refused. Then applicants who have the means will have to hire a lawyer to go to the Federal Court to challenge the refusal decision. Even when they are successful in overturning the decision and having the application sent back to the visa office for redetermination, the visa officers will look for another bogus reason to refuse the application again, forcing the applicant to return to the Federal Court again for another round of judicial review. A study permit application costs about \$235. But I have seen applicants spend some \$8,000 in legal fees fighting unreasonable refusal decisions by IRCC visa officers at the Federal Court.

Recommendation

Madam Chair and members, I know I have very limited time for this opening statement. So let me quickly conclude with a summary of recommendations:

1. I strongly recommend that the Committee review the IRCC Anti-Racism Employee Focus Groups Report. I have submitted a draft and final copy of the Report which I obtained through Access to Information and Privacy (ATIP) Request;
2. The Committee request the IRCC Minister take immediate steps to address the findings in the IRCC Anti-Racism Employee Focus Groups Report especially as it relates to the so-called “dirty 30” African nations;
3. The establishment of an independent Ombudsman conferred with power to among others redetermine visa applications where a refusal decision by a visa officer has been successfully challenged at the Federal Court. This will address the current systemic practice where such application is sent back to the visa office only for another visa officer to refuse the application again based on some new bogus reason.

Thank You

Exhibits:

1. Exhibit 1: IRCC Anti-Racism Employee Focus Groups Report (Draft and Final Copy)
2. Exhibit 2: Canadian Association of Professional Immigration Consultants, Submission on Nigerian Study Permit Declining Approval Rates, 2015-2020
3. Exhibit 3: Study Permit Approval Rate by Country For January 1 - May 31, 2020
4. Exhibit 4: ASI-Canada Letter to House of Commons’ Standing Committee on Citizenship and Immigration (CIMM) dated 17 January 2022
5. Exhibit 5: Letter to IRCC Minister dated November 29, 2021

TO:

EXHIBIT 1

FROM:

DATE: March 31, 2021

RE: **IRCC's Anti-Racism Focus Groups Topline Summary**

Methodology Overview

Pollara Strategic Insights conducted a total of ten (10) Anti-Racism focus groups with 55 IRCC employees between March 18 and March 26 of 2021.

Summary of Findings

Positive Views of IRCC

We started most groups asking what participants liked about working at IRCC and why they thought people stay. The following themes arose often:

- **The department's mission.** As the result of immigration, many participants felt strongly about being able to work in an environment where they can contribute and give back to the process that got them or their families to Canada. For many, this was coming from a place of gratitude for the system that allowed them to settle here and empathy for those who have to go through that process.
 - For many, this belief in the importance of the IRCCs mission makes the disappointment and concern about racism witnessed from within more emotionally acute because it is associated with concern about the beliefs and values of decision-makers in the system that affect the lives of people like them.
- **The racial and ethnic diversity within,** at least as seen at the lower levels of the organization in the National Capital Region (NCR). Those who work in these environments feel at home and encouraged by this (while raising significant concerns about the lack of upward mobility which will be addressed later).
 - Those who have worked in other Federal departments recognize this as distinctive to IRCC where racial diversity is less widespread (or at least less visible).
- **A perception that the organization is relatively "open-minded",** exhibited in diversity in the entry level workforce and by what is seen as a relatively greater focus on human wellbeing than in some other federal departments.

- **The variety of work experience and more potential for both vertical and lateral moves** compared to other departments that some have worked in (e.g., border services and corrections, to name a few). Although, there are serious concerns about racial equity in access to vertical mobility at IRCC.

Is there racism at IRCC?

Throughout all groups the answer was a firm and clear “yes”. Only a handful of participants initially hesitated to label what they have seen and experienced as racism, although most soon changed their position and agreed that there is racism in the department as they heard other participants confidently qualify incidents similar to what they themselves had observed as evidence of racism.

Note also that most also firmly qualify the racism in the department as “systemic”. Many back-up this claim by the obvious lack of representation of racial diversity in the upper echelons of the department. However, as will be illustrated in the next section, participants also site multiple other reasons to believe there are systemic causes of racism in the department.

It is worth noting that the non-racialized employees who chose to lend their voices to this initiative corroborate these perspectives that racism at IRCC is existent, widespread and systemic, having themselves been witness to incidents of micro-aggressions as well as biases in hiring and promotion practices. The examples they share are included throughout this summary as well.

A few participants mention that cronyism and a powerful “old-boys network” is very much a part of an embedded culture at IRCC.

Examples of the types of racism experienced at IRCC

Participants shared a large number of incidents of racism they either personally experienced or witnessed and many corroborated the types of experiences described by others as well, suggesting patterns of behaviour and speech that are recurring and occur throughout the organisation.

What follows is a sampling of some of the types of incidents mentioned as well as certain details to help the reader understand context and impact. Note that some of the details provided to us are withheld or dissimulated in order to protect anonymity.

Note also that, most participants say they do not feel they are in a safe environment to speak out against racism. Fear of reprisal or of being labelled as a troublemaker or difficult is widespread and there is a belief that complaints, whether against superiors or peers are not dealt with adequately if at all, that they often leave the complainant feeling more uncomfortable and that management is not equipped to deal with racism complaints

Micro aggressions and negative comments

Inappropriate, insensitive and hurtful comments happen often at IRCC and can include:

- Comments and gestures aimed at specific employees and groups of employees that make racialized employees feel like an “other”, highlighting differences or proliferate racist tropes (note that several of the micro-aggressions mentioned were attributed not only to peers but also to people in a supervisory capacity, underscoring a belief that unconscious biases can and do make their way into hiring, promotion and business delivery practices at IRCC), for example
 - Having certain parts of the organization where representation of racialized employees is high referred to by non-racialized employees and supervisors as “the ghetto”
 - Racialized employees being asked not only the much-lamented separateness-inducing question “where are you from?” but also an IRCC specific variant: “how did you get here?”
 - A person in power making derogatory and lewd comments about physical characteristics of “black girls” while speaking to a black female employee
 - A manager saying Indigenous people are lazy
 - A manager who, when speaking to a participant referring to one of their employees they were hoping to take disciplinary action against, “*you know how black men are*”
 - A manager who repeatedly greets all the employees in the unit except the black ones as they walk through the unit
 - Asking to touch someone’s hair, or making fun of or passing judgements on someone’s hair (e.g., a person in a supervisory capacity telling a black employee that their afro looks unprofessional, or joking about an employee’s hairdo in a team meeting)
 - Bandyng around discriminatory or derogatory comments or appellations disguised as terms of endearment or jokes with the effect of promoting, justifying or defending the use of hurtful language, for example
 - Greeting a black colleague with “Salut, ma noire”
 - After a workshop in which an outside presenter told of being referred to as a “paki” when younger, a white manager repeatedly and seemingly jokingly, referred to their South Asian employee as Paki, and only stopped after a complaint to their superior, but with no apology or recognition of impact
 - “My manager keeps namasté-ing me at work. I try to tell myself not to take it personally, like maybe they are just into yoga or something, but it’s exhausting...if you bring it up they make you feel like you are the crazy one...it’s like constantly being gaslighted at work”

- Widely used and heard generalisations about client groups that can be hurtful or leave employees aware of negative judgements that apply to people like them, for example
 - Widespread internal references to certain African nations as “the dirty 30”
 - Stereotyping Nigerians as particularly corrupt or untrustworthy (note, such negative stereotypes were mentioned about certain other immigrant groups as well, but Nigerians were cited as an example particularly often)
 - A manager referring to Latin American applicants as people who just come here to collect social insurance

The emotional impact and accumulated trauma of micro-aggressions

When talking about micro-aggressions, we asked participants, where possible, to articulate the immediate emotional and accumulated impact of these incidents which can sometimes be dismissed as trivial among other organizational priorities but which we also know can contribute to a climate of tolerance and silence. What follows are just a few examples of what we heard.

- “It’s funny, it’s very emotional to bring back all these memories. I feel sometimes it’s so subtle and so systemic you’ll never know if its racism at a systemic level or not, so you are always wondering”
- [One participant referring to a personally targeted derogatory comment from a supervisor, after we asked what they did about the situation and what prevented them from responding immediately]: “When you are addressed like this, it is so overwhelmingly shocking, you retire to your corner to figure out what to do”
- “Because I’m white passing, people are more permissive about making comments around me. And you bring it home. You are thinking about these comments later. Its heaviness I take home with me everyday”
- [Non-racialized employee referring to a situation where in a closed circle of non-racialized colleagues, a manager was stereotyping and mocking certain racialized employees] “it was completely inappropriate and then they looked at me and saw the stunned reaction on my face and said ‘is that okay?’ as if to challenge me like, do you have a problem with that? I felt pushed up against a wall. It felt gross”
- [Non-racialized employee describing the experience of such situations in the confinement context of Zoom meetings] “in the office, when some of these conversations are happening, you can just walk away. Online it’s hard. You’re just stuck there”
- A team leader having a conversation on the floor, loudly enough for the racialized employees to hear, saying colonialism was good and if the “natives” wanted the land they

should have just stood up. And when one non-racialized employee tried to speak up about the inappropriateness of the comment the team leader asked them “what, are you native?”

Suppression of cultural or ethnic identity

- While only a few specific examples of conscious efforts to suppress one’s cultural or ethnic identity were raised, many reported experiencing feeling different in ways that were uncomfortable and a desire to not feel as much of a schism based on race in the workplace. This sometimes took the following forms:
 - Being reminded of the stereotypes and beliefs held by non-racialized peers and people in power based on some of the micro-aggressions and negative comments mentioned in the previous section
 - Choosing not to speak out against micro-aggressions for fear of being shunned by peers or retaliated against by people in power
 - “now that I’m speaking out, am I also going to be looked like as one of those angry black women for speaking up?”
 - For racialized employees who have progressed into higher levels of the organization and find themselves alone as the only non-racialized person among their peers
 - A belief that it is important not to speak up or make waves
 - For mixed race or lighter skinned/less visibly “different” employees, sometimes finding themselves in the position of being witness to racism or included in an “inner circle” by non-racialized employees, and experiencing the inner conflict of having to decide whether or not to speak up and, hence, feel excluded and different again, for example:
 - “[as someone who is mixed race] I have my own form of privilege. I have a dark-skinned co-worker, we came in together and I have seen myself promoted while they are as competent as me but got left behind and not offered training opportunities, not included on those emails. I don’t know how to process that. And we are close, and yet I feel like I am part of the system that is perpetrating it, and I take that home with me every day because it’s so obvious that its racism, but if I say anything will they pay the price...”

Biases in the hiring processes (advertising, screening, testing, interview board representation, selection)

- Participants highlight a number of biases in hiring and selection

- Several racialized participants recount incidents of having passed quantitative evaluations for selection and then having threshold scores raised after the fact (or being told that that was the reason they never made it to the interview stage)
- On manager reports having their evaluation of a racialized employee overridden by someone above them to promote a non-racialized employee instead
- One mentions that a large number of Indigenous People drop off the hiring process at the interview stage
- Many agree screening tests are culturally biased and almost require insider training to know how to produce the types of answers required to score

Biases in the identification of individuals for development opportunities and advancement

Participants share a large number of specific situations they consider to be clear indicators of bias in access to personal development and promotional opportunities including

- Racialized employees not being informed about opportunities for training, development and upward mobility on the same basis as non-racialized peers
- Discrimination in access to language training (which impact immigrants more as English/French is often already their second language)
- Such a high percentage of the internal diversity being in regional processing offices, managers there have no incentive to help employees promote out and into another office and, since evaluations are based on high productivity output goals, are less likely to be willing to free employee time (and their own budgets) for professional development or language training
- Fewer acting opportunities being given to racialized employees
- Racialized employees being kept in acting positions for a long time without ever moving past that
- Racialized employees being kept in precarious temporary contract positions disproportionately and for a long time which keeps them from advocating for their own rights to professional progression or even for speaking up against incidences of racism they contend with for fear of reprisal or being labelled as difficult or a troublemaker
- Restrictions to allowing unionized employees to attend certain management meetings which prevents them from learning the work needed to progress
- One participant in a customer service unit shared how over the course of several years, they personally progressed 4 levels from an entry level position to a supervisory role within the unit only to subsequently be demoted back to entry level after having raised concerns about racial

discrimination in access to professional development, advancement and disciplinary action that they were a witness to while part of the supervisory team.

- A few participants, in different units, share that their supervisors had asked them to watch for and report on behaviours by colleagues of the same race as them, in order to help the supervisor mount a case for disciplinary action. In some cases, these participants balked at the fact that they were asked to do this, not only because they did not know these colleagues well and felt they were being asked to do this for the sole reasons that they were of the same race, as though it were assumed that they would necessarily be close. They also felt it inappropriate because they were not hierarchically above these colleagues and therefore had no authority to be part of such a process.

Biases in IRCC's programs, policy and client service

- Concern that increased automation of processing will embed racially discriminatory practices in a way that will be hard to see over time
- Concern raised by high refusal rates for particular countries or regions
 - "Nigeria has an 80% refusal rate but it's an oil producing country with relatively well-educated, well-off population"

How management handles racism in the workplace

Only two participants mentioned positive examples of how management has handled racism. In both cases, they referred to managers who have set an example of being willing to admit their own mistakes and being willing to apologize, hence promoting an environment where awareness grows, and conversations are easier to have without judgement

What we heard more generally was:

- Participants do not believe there are currently any consequences for racism or racist behaviour at IRCC
- That there does not seem to be any specific process or guidelines that management has been given on how to deal with racism incidents when brought up
- That management often reacts defensively, precluding them from being part of the solution
 - "I'm shaking [to bring it up] and then they start crying and so now you have to manage and console them"
- That incidents, if dealt with, seem to be done so only through a "slap on the wrist" consisting of a conversation with management and being told not to do it again or sending them for training

- There seems to be no lasting accountability for those accused of racism, many of whom go on to be promoted
 - One mentions that this is true for other types of issues as well, using an example of a non-racially motivated harassment issue having been dealt with the perpetrator being told to simply stay away from the complainant, who was therefore left with a longer lasting uncomfortable workplace environment, rather than having that person removed.... which leave the participant believing that racism would clearly not be handled any better
- Complainants are not given any feedback on what if anything was done
- That the general belief that the organization is an “old-boys network” with many “protected people” dissuades people from even trying
- That there is a strong hierarchical structure, with people being discouraged from even emailing higher ups because (they are higher ups) which creates a sense that there is no one to turn to if the problem is with management
- The Office of conflict resolution is there to provide information for how to make a complaint but has no power to act

Belief in the commitment to anti-racism

While a few participants say they do believe there is a real commitment to anti-racism at the DM level (with a few participants mentioning the DMA by name as someone who is more likely to be serious in her commitment to resolving the problem) and that they are somewhat heartened at the creation of the Anti-Racism Task force and few initiatives and communications on the topic they have seen - including the holding of these focus groups which a few indicate are a level of depth of inquiry they have not seen before at IRCC - the vast majority are skeptical. Because:

- they believe the problem is so deep rooted in the organizational culture and in the hands of people in power who have been there for a long time and are not likely to change
- they believe the resources and initiatives deployed so far this year are temporary, insufficient and very poorly funded
- there is a natural tendency for management to favour staff that they are comfortable with and resemble them so the lack of racial diversity in management is a limiting factor, with no incentive to management to counter that
- there are systemic barriers to promoting racial diversity into management, including lack of access to acting opportunities and training as well as evaluation practices that are not sufficiently impervious to bias

- There is no known safe mechanism for reporting racism and an organizational reputation for lack of action when it is reported, as well as a high risk of reprisals
- they believe the racism and profiling inherent in immigration policy are both symptoms and propagators of racist internal attitudes and perceptions that affect how employees are dealt with as well

Potential Solutions

- The notion of “best fit” in hiring and promotional practices leaves a lot of room for subjectivity
- Provide training or guidelines (or even mentorship or coaching for racialized candidates) to prepare for hiring tests and interviews
- Extend candidate searches for management positions to cities with more diverse populations to compensate for the more limited diversity pool in the NCR (with possible support for relocation)
- Creating a mentorship system to help racialized employees navigate the path to promotion
- Create clear objectives for promoting racialized employees throughout the organisation and incentivising management for achieving these objectives
 - “without more people of color in management there can be no sustainability of anti-racism efforts”
- Analysing internal data for racial representation in a number of areas to identify where to target biases:
 - hiring interview participation and success rate
 - contract time (casual, indeterminate, temporary, etc.) by race and level
 - Time holding each type of contract status by race
 - Referrals for professional development and language training
- Racial representation at all levels of the organization
- There needs to be a way to report incidents and provide feedback anonymously
- Creating a permanent anti-racism ombudsman
- It's important to provide managers with training on how to handle complaints or even employees having the courage to address with them racist comments or behaviours that they,

themselves, may have been part of without management feeling defensive because employees hold back from reporting due to the effort required in managing the emotions of others.

- It's important to create a culture in which there is recognition that everyone is prone to racism so people can have their own racist behaviors or comments called out without taking it personally or seeing the word racism as signalling a catastrophic extreme
 - To be able to have conversations without necessarily demonizing perpetrators. (one participant suggests having all employees at all levels sign onto an anti-racism in the workplace commitment that mandates that racist incidents including micro-aggressions are brought up immediately and directly with the perpetrator in a spirit of recognising bias as a society wide problem and open dialog as a way to break the cycle... "that way you are speaking up not against the person but in honor of a commitment you made to the organisation")

Further comments on:

Racism in international assignments

Participants that have experienced international assignments with IRCC report:

- That racially discriminatory comments and behaviours are heard more often during assignments internationally and are on a scale that is more blatantly shocking.
 - Employees and people in power in international assignments often remain offshore for years, moving from posting to posting and are "really far away from the Canadian Zeitgeist" when it comes to values and initiatives around anti-racism.
- That in international assignments, there is no protection or process allowing employees to report discrimination or harassment and more cronyism among a small corps of powerful people who protect each other.
- That discriminatory comments about and treatment of locally engaged staff is rampant and often contrary to what would be considered acceptable in a Canadian workplace. This creates an additional layer of discomfort for racialized employees in these assignments who find themselves having to "uber-Canadianise" themselves to be included as a member of the "inner circle" of expats on the ground, while also being exposed to racist comments that are particularly difficult to hear given their reflection of how they themselves may be seen by their colleagues.
 - "At IRCC, I have learned racist slurs that I didn't even know before coming to work here."

- Also, as mentioned previously, employees who have held international assignments shared a number of circumstances where they were felt excluded or discriminated against by non-racialized off-shore peers and supervisors and torn between wanting to be “included” as part of the Canadian staff and witness to discrimination against local staff
 - “I came [to the international assignment] with someone who was white and they would get invited and welcomed and taken around and I didn’t. It changed me as a person”
 - “I would be excluded from meetings and social events where they would forget to invite the non-white staff”
- In terms of *biases in the identification of individuals for development opportunities and advancement*, participants felt that racialized employees are only being offered the difficult, less attractive developing country postings
- In terms of *potential solutions*, participants proposed that IRCC should increase management skills competencies required for foreign service supervisory roles
- As a side note on the impacts of racism particularly in international assignments, one participant shared avoiding posting to parts of the world aligned with their own racial background in order to avoid the increased exposure to painful racism targeted at their race, with potential implications for IRCCs ability to mobilize its diverse workforce to areas where they could help foster mutual understanding and rapprochement.

Circle for Visible Minorities

The vast majority of participants had not heard of the circle for visible minorities. Among those who had heard of CVM, it was mainly pointed to as an example of what does not work or what is not wanted with an anti-racism or racism mitigation initiative, though many of the participants making these comments admit their exposure to CVM is limited and may not reflect the entire picture of what CVM represents. The following key concerns were raised:

- Lack of presence/representation/involvement in the anti-racism initiatives underway
- Lack of resources (people, money)
- Non responsive (mentioned by someone who had reached out to CVM and not had any response)
- Lack of power to impact decisions, and one person felt it was too embedded with management to militate for change

- Another place for racialized employees to talk among themselves when the need is to get the message and change to happen at the level of non-racialized employees and management: “Too much focus on talk and not action”

IRCC permanently establishing an Anti-Racism Secretariat

Not strongly endorsed as a key solution. To the extent that this involves permanent funding, that is a good thing.

- Some participants seem unclear as to what exactly being a Secretariat would represent in terms of mandate and power.
- Some also mention that it depends on who is running it and making decisions
- There is wariness that this could constitute a simple gesture and hence provide the perception of progress without anything on the ground changing

Rate my manager approach or 360-degree feedback

It became clear early that it was hard for participants to express themselves clearly on this without further details on how that would be done, and so, in interest of time we did not ask this in all groups.

It does appear that there is some initial skepticism that is probably couched in the existing distrust of management and climate of fear of reprisals and ease of falling in and out of favor.

New qualification requirements to become an Executive (i.e. intercultural competency) or different ways to assess leaders within a hiring process

Participants' comments suggest that there is generally a belief that management lacks training, processes and resources to recognize and counter the impact of their own unconscious biases and that cronyism does result in issues at the level of management competencies. So, based on the overall conversation it does appear that this would be an important part of solutions moving forward

Mandatory review of policies, practices and procedures for systematic biases and racism, similar to gender analysis

This idea was well received and supported by the vast majority of participants. In some groups, it was even brought forward proactively by participants.



Immigration, Refugees
and Citizenship Canada

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et Citoyenneté Canada

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IRCC Anti-Racism Employee Focus Groups

Final report

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For more information on this report, please contact IRCC at:
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Ce rapport est aussi disponible en français.

Canada 

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Copyright

This public opinion research presents the results of a series of qualitative focus group discussions conducted by Pollara Strategic Insights on behalf of the Department of Immigration, Refugees and Citizenship. This study consisted of 10 online focus group discussions with a total of 54 employees from across IRCC. The purpose of the study was to understand current experiences of racism within the department as well as perceptions of management's handling of racism within the workplace, and gather suggestions for changes in policies and practices moving forward.

Cette publication est aussi disponible en français sous le titre : **Groupes de discussion des employés d'IRCC sur antiracisme**

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Political neutrality certification

I hereby certify as Senior Officer of Pollara Strategic Insights that the deliverables fully comply with the Government of Canada political neutrality requirements outlined in the Policy on Communication and Federal Identity and the Directive on the Management of Communications.

Specifically, the deliverables do not include information on electoral voting intentions, political party preferences, standings within the electorate, or ratings of the performance of a political party or its leaders.

Signed:

Craig Worden
President
Pollara Strategic Insights

Executive Summary

Background and objectives

Following the reverberations of the George Floyd murder in the United States, like many other public and private organizations in Canada, IRCC began taking a deeper look at the department's internal environment from an anti-racism lens. An employee survey conducted in 2020 revealed that perceptions of the existence and nature of racism in the department varied significantly based on respondent racial and ethnic background, and that significant proportions of racialized employees consider racism to be a problem within the department.

As a result, it was determined that focus groups should be held to gain greater insight into the realities underlying the survey results.

The primary objectives of this focus group study are to:

- Gain insight into the impacts and nature of racism witnessed or experienced within the department;
- Identify strengths and failings of the mechanisms currently in place to address and prevent racism; and
- Gather input into the creation of programs and policies that will be effective at dealing with racism at IRCC and its impacts.

Method

10 two-hour online focus groups were conducted among a cross-section of IRCC employees from various levels of the organization. A total of 54 employees participated in the groups. The focus groups were held from March 18th to 26th, 2021.

Participants were chosen from among those who, when completing the anti-racism survey, had indicated they would be willing to participate in a follow-up study if required, as well as those who expressed interest in participating in response to an internal callout within the department for volunteers. Those who expressed an interest in participating in the focus groups were sent a questionnaire to complete which, among other things, allowed us to separate participants, based on self-identification, into the groups described below. Participants included both racialized and non-racialized employees and employees from various sectors of the department, including people working in operational roles, client service, and policy and program development as well as internal services such as HR and Finance.

The group composition and schedule was as follows:

GROUP NUMBER	DATE	TIME	GROUP COMPOSITION
1	18-Mar	10 am to noon	Black
2	18-Mar	2 to 4 pm	South Asian
3	22-Mar	10 am to noon	East Asian
4	23-Mar	2 to 4 pm	Black
5	24-Mar	10 am to noon	People of Mixed Origin
6	24-Mar	2 to 4 pm	Non-racialized
7	25-Mar	10 am to noon	BIPOC (mix)
8	25-Mar	2 to 4 pm	Black
9	26-Mar	10 am to noon	South Asian / BIPOC (mix)
10	26-Mar	2 to 4 pm	Black (Group Conducted in French)

Each group discussion was attended by between 5 and 8 participants, and the focus groups were held online. This report also incorporates observations gathered in a follow-up in-depth telephone interview with one respondent who was not able to attend the focus group at which their presence was initially planned. Given the confidential nature of the discussion, as is often the case in employee focus groups, these sessions were not recorded. What is reported here is the product of detailed notes taken by the Pollara team. Note also that, in keeping with research conventions, certain details provided to us may need to be withheld or dissimulated in order to protect respondent confidentiality and anonymity.

Due to the qualitative nature of this study, results cannot be extrapolated to a broader audience and should be considered indicative, rather than definitive. Further, while participants were randomly selected from a list of potential participants, that list was generated through an opt-in process rather than random selection. Consequently, the sample of employees who participated cannot be said to be representative of all IRCC employees.

Contract Value for this research: \$59,207.50.

Summary of findings

Experiences of racism at IRCC include microaggressions, biases in hiring and promotion as well as biases in the delivery of IRCCs programs, policies and client service

Participants shared a large number of specific examples of racism witnessed within IRCC, as well as their causes. These include but are not limited to:

- Microaggressions ranging from well-intentioned comments with hurtful impacts to blatantly racist tropes
- Sources of discrimination in hiring ranging from screening requirements that are biased against racialized candidates and selection criteria that do not sufficiently guard against implicit bias, to the location of management positions in places where the pool of qualified racialized candidates is likely to be low (without compensation for relocation or efforts to recruit from more diverse metropolises)

- Experiences of discrimination in access to professional growth, with suspected causes that range from work conditions that disincentivize the extension of training and development opportunities where the prevalence of racialized employees is high, to what are perceived to be blatant examples of subverting selection criteria to disadvantage racialized employees
- Racial biases in the application of IRCC's programs, policies and client service that are believed to result from implicit biases among decision makers, as well as administrative practices that introduce biases or the potential for bias over time.

In addition, employees paint a picture of an organization fraught with challenges at the level of workplace culture.

- little in the way of clear guidelines or training for management on how to handle reports of racism
- a history of racism going unchecked, resulting in low willingness to speak out or seek retribution by witnesses and victims alike
- a deep imbalance in racial representation in management that inherently militates against progress on dealing with racism in the department.

Under these circumstances, IRCCs anti-racism initiatives are initially met with skepticism. **It will take bold, decisive actions to convince employees there is a real management commitment to change.**

Results in detail

Commitment to and Expectations of the Department

Struck by participants' apparent attachment to and longevity with the Department despite the numerous and intensely felt negative experiences related to racism expressed in the first group, we asked participants in our subsequent conversations what they felt were **the positives about working at IRCC**. The following themes emerged.

- Participants believe IRCC has significant **strengths compared to some other federal government organizations**. Namely:
 - **Being visibly more diverse** than many other departments, **particularly at lower levels** of the organization and in the National Capitol Region (NCR) - Those who work in these environments feel at home and encouraged by this, while also raising significant concerns about the lack of upward mobility from these entry level positions.
 - **Being perceived as relatively “open-minded”**, exhibited in diversity in the entry level workforce as well as by what is seen as a greater focus on human wellbeing than in some other federal departments. (Participants mention not only the anti-racism initiatives underway but also significant attention being paid to employee wellbeing overall and to employee mental health initiatives carried out in the recent past.) Part of this is also an expectation that, given its mandate of working with people from other countries, IRCC would be a more open-minded environment.
 - Offering **more varied roles** and therefore more *possibility* for lateral or vertical movement within the department. (As we will see later, however, there are significant concerns about racialized employees not having equitable access these opportunities.)
- Some also simply mentioned having experienced working within **specific teams where there is a strong sense of collegiality, and mutual respect and ability to contribute** and be heard.
- Most strikingly, the **employees we met with are strongly devoted to IRCC’s mandate**. This is as true of the racialized employees we spoke to as it is of the non-racialized participants who volunteered as participants and tend to identify themselves as allies. For the racialized employees, many of whom are in Canada by virtue of immigration, and being able to work in an environment where they get to contribute to and affect the policies and processes that got them or their families to Canada is significant. Many say they approach their work at IRCC with both gratitude and empathy and would like to feel they can contribute to improving the experiences of others like them, or the policies and processes in place.
 - Note that, as we hear later in the discussion, **this belief in and attachment to the importance of the IRCCs mission makes the disappointment and concern**

about racism witnessed from within all the more emotionally acute. For participants, it raises concern about the values and decisions of some of those with the power to affect the lives of people like them.

Experiences of Racism at IRCC

Participants shared a large number of experiences of racism that they witnessed or experienced in the department. Note also that most qualify the problem of racism at IRCC as systemic, supporting their position by pointing to:

- the dramatic drop in racial diversity as one looks upwards through the organizational hierarchy
- the gap in racial representation outside the operations and client services areas of the department, especially as considered against the prevalence of post-secondary educational qualifications among racialized Canadians.

While it is impossible to share all the examples we gathered here, in what follows we attempt to provide a sampling of the types of experiences that were shared with us including details where possible because we know these real-life examples help to:

- promote awareness of the nature and extent of the problem within the department
- generate understanding of the impact of these experiences not only on racialized employees but also on the work environment as a whole
- point to places to start in creating an anti-racism strategy that tackles not only policies and regulations, but also organizational culture.

Examples of Microaggressions

A microaggression is defined by Webster's dictionary as:

"a comment or action that subtly and often unconsciously or unintentionally expresses a prejudiced attitude toward a member of a marginalized group (such as a racial minority)".

Though they are often unintentional, it's important to pay attention to the occurrence of microaggressions in a workplace because they can reveal the potential for implicit biases (the attitudes, assumptions, and stereotypes that unconsciously affect our actions). Furthermore, because they are often subtle and not intended to be malicious, they are difficult to identify, leaving recipients of and witnesses to the comment with disempowering experiences (such as wondering whether or not they are being too sensitive, doubting their feelings and right to speak up) that can undermine employee wellness and the sense of safety and sense of belonging required for a productive work environment.

Employees shared examples of many types of microaggressions experienced at IRCC. Note that several of the examples shared were attributed not only to peers but also to people in a supervisory or management capacity, underscoring a belief held by most

participants that these unconscious biases can and most likely do make their way into hiring, promotion and business delivery practices at IRCC. Note: Several of the examples below could be placed in more than one category of microaggression.

- **Microinsults:** unintentional and often unconscious discriminatory behaviour or comments.
 - Asking to touch someone's hair, or making fun of or passing judgements on someone's hair (e.g., a person in a supervisory capacity telling a black employee that their afro looks unprofessional, or joking about an employee's hairdo in a team meeting)
 - Greeting a black colleague with "Salut, ma noire"
 - A manager regularly greeting a South Asian employee with a "namaste" sign or a headnod, or a Latin American employee with an "Andale", gestures that remind the employee that they are an "other."
- **Microassaults:** overt and conscious discriminatory behaviour without the intent to be offensive, such as racist or sexist jokes.
 - Hearing non-racialized employees and supervisors refer to sectors of the department where representation of racialized employees is high referred to by as "the ghetto"
 - A person in power making derogatory and lewd comments about physical characteristics of "black girls" while speaking to a black female employee
 - A manager saying Indigenous people are lazy
 - A manager who, when explaining why they wanted to understand disciplinary actions against one of their employees, referred to the employees racial background and said that behaviour in question was typical of their race.
- **Microinvalidations:** verbal statements that deny, minimize, or undermine the experiences of members of a marginalized group.
 - Racialized employees being asked not only the much-lamented separateness-inducing question "where are you from?" but also what some consider to be an IRCC specific variant: "how did you get here?"
 - A manager who systematically greets all the employees in the unit by name except the black ones as they walk through the unit
 - A team leader having a conversation on the floor, loudly enough for the racialized employees to hear, saying colonialism was good and if "the natives" wanted the land they should have just stood up.

Given the particular nature of IRCC's work, participants also mentioned numerous examples of microaggressions heard internally in reference to client groups, that not only suggest to them the possibility of implicit biases affecting client treatment and processing

but also impact employees themselves as they breed distrust of their colleagues and supervisors. Examples of these include:

- Widespread internal references to certain African nations as “the dirty 30”
- Stereotyping Nigerians as particularly corrupt or untrustworthy. (Such negative stereotypes were mentioned about certain other immigrant groups as well, but Nigerians were cited as an example particularly often in our conversations.)
- A manager referring to Latin American applicants as people who just come here to collect social insurance

Examples specific to international assignments

Employees who have held foreign postings shared a number of specificities in the nature and impacts of racism experiences in international assignments. According to them, there are particular dynamics at play that can amplify racism in international assignments. The cohort of those who access these positions is small, and in the eyes of these participants, with a tendency for those who go on assignment to do so repeatedly, certain behaviours seem to become tolerated and ingrained. Furthermore, employees on international assignments feel they have limited access to the chain of command to whom to make a complaint if issues occur. As a result, racist behaviours are more likely to go unchecked in those settings. These employees share situations that include:

- Racist comments of a degree that would be unlikely to be tolerated within Canadian social norms but that continue uninterrupted overseas in part because there is no oversight but also because there is an ‘us-versus-them’ culture that affects relationships with local staff and local clients as well.
- Racialized overseas staff being socially and professionally excluded and marginalized by non-racialized Canadians
- Racialized overseas staff being passed up for professional development opportunities and promotions

Examples:

One participant reported hearing racial slurs when on international assignments that they had never heard before.

One participant reported having decided not to accept any postings to countries in the region their ancestors came from, as the emotional toll of being exposed repeatedly to racist comments against people of their background had become too heavy.

One participant reported being excluded from meetings and social events on an international posting where local staff were often not included.

One participant reported making an effort to “Uber-Canadianise” themselves so as not to be treated like the local staff.

One participant reported having arrived on assignment at the same time as a non-racialized colleague who was warmly welcomed and shown around by the other staff members, while this (racialized) participant was left to their own devices.

Biases in the hiring process

Participants highlight a number of biases in hiring and selection:

- Several racialized participants recount incidents of having passed quantitative evaluations for selection and then having threshold scores raised after the fact (or being told that that was the reason they never made it to the interview stage)
- One manager reports having their evaluation of a racialized employee overridden by someone above them to promote a non-racialized employee instead
- One mentions that a disproportionate number of indigenous applicants seem to drop off the hiring process at the interview stage
- Many agree screening tests are culturally biased and almost require insider training to know how to produce the types of answers required to score

Biases in the identification of individuals for development opportunities and advancement

Participants share a large number of specific situations they consider to be clear indicators of bias in access to personal development and promotional opportunities. Some of these have to do with work conditions and the socio-demographic make-up of client service and operations staff and hence are an example of policies having a disproportionate impact on racialized employees. They include:

- Racialized employees not being informed about opportunities for training, development and upward mobility on the same basis as non-racialized peers
- Discriminatory access to language training (which tends to impact employees who are immigrants more as English/French is often already their second language)
- Managers in regional processing offices being less willing to free employee time (and their own budgets) for professional development or language training since evaluations are based on high productivity output goals
- Fewer acting opportunities being given to racialized employees
- Racialized employees being kept in acting positions for a long time without ever moving into the position
- Racialized employees being kept in precarious temporary contract positions disproportionately and for a long time which keeps them from advocating for their own rights to professional progression or even for speaking up against incidences of racism they contend with for fear of reprisal or being labelled as difficult or a troublemaker
- Restrictions to allowing unionized employees to attend certain management meetings which prevents them from learning the work needed to progress

A couple of racialized participants share that their supervisors attempted to co-opt them into reporting on their racialized peers, despite their having no supervisory authority over these peers, simply to help create a case for disciplinary action that would then appear to not have been motivated by racism.

“It’s funny, it’s very emotional to bring back all these memories. I feel sometimes it’s so subtle and so systemic you’ll never know if its racism at a systemic level or not, so you are always wondering” [referring to a situation where an employee felt they were discriminated against in accessing a promotional opportunity]

Participants also share that employees often talk about cronyism and a powerful “old-boys network” as being very much an entrenched part of the culture at IRCC. Though, if true, such a phenomenon would not necessarily affect only racialized employees, this perception does serve to support the beliefs that it is possible for those who are well connected within the organization to bend rules or escape consequences for unacceptable behaviour.

Finally, some who have had the opportunity to be present for management meetings share that there is “an obvious” internal cultural code in operation, which can act against racialized employees being seen to “fit in” at higher levels of the organization.

Biases in IRCC’s programs, policy and client service

Participants expressed concern that some of the overt and subtle racism they have witnessed by both employees and decision makers can and probably must impact case processing. Some point to differences in refusal rates by country as an indicator that some form of bias must be at play.

They also point to a few ways in which established practices meant to reflect policies can have taken on discriminatory undertones for the sake of expediency or performance. These include:

- Discriminatory rules for processing immigration applications from some countries or regions that are different than for others (e.g., additional financial document requirements for applications from Nigeria)
- Concern that increased automation of processing will embed racially discriminatory practices in a way that will be harder to see over time

Impacts of Racism at IRCC

When talking about micro-aggressions, we occasionally asked participants to articulate the immediate emotional and accumulated impact of these incidents as they can sometimes be dismissed as trivial among other organizational priorities, although left unmanaged, they can contribute to a climate of tolerance and silence.

“When you are addressed like this, it is so overwhelmingly shocking, you retire to your corner to figure out what to do” [One participant referring to a personally targeted derogatory comment from a supervisor, after we asked what they did about the situation and what prevented them from responding immediately]

One of the impacts of the existence of a culture where racism is tolerated and not dealt with consequentially is that it becomes self-perpetuating. Perpetrators of racism feel emboldened to continue and those who would speak up remain silent because they feel the benefits are outweighed by the potential costs, which can be not only emotional but also professional and social (e.g., being made to feel separate, excluded from the group or from professional growth opportunities).

“Because I’m white passing, people are more permissive about making comments around me. And you bring it home. You are thinking about these comments later. It’s heaviness I take home with me everyday”

“It [the comment] was completely inappropriate and then they [the person making the comment] looked at me and saw the stunned reaction on my face and said ‘is that okay?’ as if to challenge me like, do you have a problem with that? I felt pushed up against a wall. It felt gross” [Non-racialized employee referring to a situation where another non-racialized employee was making racist comments among a closed group of other non-racialized employees]

“In the office, when some of these conversations are happening, you can just walk away. Online it’s hard. You’re just stuck there” [Non-racialized employee describing the experience of witnessing racist comments by peers in the confinement context of Zoom meetings]

“You just feel like, now that I’m speaking out, am I also going to be looked like as one of those angry black women for speaking up?” [Racialized employee describing their concerns after reporting an incidence of racism]

In a similar vein, racialized employees who have progressed into higher levels of the organization and find themselves alone as the only non-racialized person among their peers say they are “careful not to make waves”.

Mixed race or lighter skinned/less visibly “different” employees sometimes find themselves in the position of being witness to racism or included in an “inner circle” by non-racialized employees, and experience the inner conflict of having to decide whether or not to speak up and, hence, feel excluded and different again.

“[As someone who is mixed race] I have my own form of privilege. I have a dark-skinned co-worker, and I have seen myself promoted while they are as competent as me but got left behind and not offered training opportunities, not included on those emails. I don’t know how to process that. And we are close, and yet I feel like I am part of the system that is perpetrating it, and I take that home with me every day because it’s so obvious that its racism, but if I say anything will they pay the price...”

Management’s Performance on Anti-Racism

Two participants mentioned positive examples of how their immediate team managers have helped create a climate of anti-racism within the team. They point to:

- Managers who set an example by being willing to admit their own mistakes and being willing to apologize for microaggressions or other forms of discrimination, hence promoting an environment where individuals are free to become more aware of and confront their own inherent biases and conversations addressing racism are easier to have without fear of judgement or loss of affinity

- Managers who celebrate diversity (by, for example, encouraging employees to display flags of their country of origin or notices with their languages spoken on their desks)

What we heard more commonly though was:

- Participants do not believe there are currently any consequences for racism or racist behaviour at IRCC (or if there are consequences that go beyond a slap on the wrist, they do not believe they are applied in their sectors)
- There seems to be no lasting accountability for those accused of racism, many of whom go on to be promoted or sent to another secure position
- Complainants are not given any feedback on what if anything was done
- A few mention that there does not appear to exist a specific process or guidelines for management on how to deal with incidents or complaints of racism when brought to their attention
- One mentions that the Office of Conflict Resolution (the recourse that a few participants had previously turned to) is there to provide information for how to make a complaint but has no power to act

The lack of universally disseminated education and training on all the subtle forms racism can take and the importance of collective responsibility for anti-racism, means that employees who do bring up issues when they arise find themselves also having to carry the burden of managing the emotions of those receiving the complaint.

“I’m shaking [to bring it up] and then they start [reacting emotionally] and so now you have to manage and console them” [employee referring to a conversation with a manager for having made a racist comment]

One participant mentions that their experience of mild consequences for management involved in other forms of discrimination contributes to their belief that the same would be true in the case of race-based discrimination as well, reminding us experiences in one area of human resources policy affect perceptions of experiences in other areas as well.

Participants, including those in executive roles, also underscore that there is a general belief that IRCC is an organization with a powerful “old-boys network” ripe with cases of seemingly “protected” people never suffer the consequences of their improper behaviour and are often rewarded for it as well. This type of culture dissuades employees from reporting issues and supports the belief that Caucasian employees are more likely to be given more opportunities and chances to be forgiven for mistakes.

They also state that there is a strong hierarchical structure, with people being discouraged from even emailing higher ups, which creates a sense that there is no one to turn to if the problem is with management.

Finally, several participants agree they do not feel they are in a safe environment to speak out against racism. Fear of reprisal or of being labelled as a troublemaker or difficult is widespread and there is a belief that complaints are not met with strong enough

consequences when made. The result leaves the complainant feeling more uncomfortable and vulnerable, and dissuades others from being part of the solution.

One participant shared how over the course of several years, they personally progressed up several levels from an entry level position only to be subsequently demoted back to entry level after having raised concerns about racial discrimination in their sector.

Evaluating the Department's Performance on Anti-Racism

A few participants say they do believe there is a real commitment to anti-racism at the DM level (with a few participants mentioning the DMA by name as someone who is more likely to be serious in her commitment to resolving the problem). Several also say they are somewhat heartened at the creation of the Anti-Racism Task Force and a few of the initiatives and communications on the topic they have seen so far. Some also mention the holding of these focus groups as an indicator that IRCC is taking anti-racism seriously.

However, the majority remain skeptical, because they believe:

- the problem is so deeply rooted in the organizational culture and in the values of people in power who have held it for a long time and are not likely to change
- the resources deployed towards anti-racism so far this year are temporary and insufficient and initiatives are poorly funded
- there is a natural tendency for managers to favour employing people they are comfortable with and that resemble them. Therefore, the lack of racial diversity in management creates an upper limit on the success of any anti-racism initiatives that would require a countervailing incentive system to overturn it.
- there are systemic barriers to promoting racial diversity into management, including lack of access to acting opportunities and training as well as evaluation practices that are not sufficiently impervious to bias
- there is no known safe mechanism for reporting racism and an organizational reputation for lack of action (and a perceived risk of reprisals) when it is reported, all of which preclude progress

Perceptions of the Circle for Visible Minorities

Most participants had not heard of the Circle for Visible Minorities and therefore had little to share. Furthermore, those who had had only had limited interactions with the CVM and admitted that their feedback must be taken in that context.

That said, what we did hear on the topic of the CVM is that:

- it is perceived by some to be an example of what does not work or what is not wanted in an anti-racism or racism mitigation initiative: namely because it is seen as being:

- just another place for racialized employees to talk among themselves (when what is needed is an organization with a voice and the freedom to advocate for change among non-racialized decision tables)
- underfunded and under resourced (assumed partly based on their being slow to respond to requests for information)
- not very influential / not present (assumed partly based on their not being visible in the anti-racism initiatives underway in the past year)
- lacking in power to make decisions
- perceived as being too embedded with management to militate for change

Potential Solutions: IRCC Proposals

We probed for reactions to a few specific possible initiatives proposed by IRCC:

- **IRCC permanently establishing an Anti-Racism Secretariat**

This idea is not very strongly endorsed as a key solution. To the extent that this involves permanent funding, that would be considered a good thing. However:

- Some participants seem unclear as to what exactly being a Secretariat would represent in terms of mandate and power.
- Some also mention that it depends on who is running it and making decisions
- Some are concerned that this is the type of gesture that could easily sound significant and noteworthy but ultimately have little concrete impact

- **Rate my manager approach or 360-degree feedback**

It was difficult for most participants to comment credibly on this idea as they feel it can either affect racism very positively or very negatively depending on how the program is structured.

It does appear that there is some initial skepticism, although probably couched in the existing distrust of management and climate of falling in and out of favour.

- **New qualification requirements to become an Executive (i.e. intercultural competency) or different ways to assess leaders within a hiring process**

Participants' comments suggest a general belief that management lacks training, lacks processes and resources to recognize and counter the impact of their own unconscious biases, and that cronyism does result in issues at the level of management competencies. Therefore, this should, in their eyes, be a requirement for promotion.

- **Mandatory review of policies, practices and procedures for systematic biases and racism, similar to gender analysis**

This idea was well received and supported by the vast majority of participants. In some groups, it was even brought forward proactively by them.

Potential Solutions: Focus Group Participant Proposals

Participants did also make some suggestions of their own which we have grouped into broad categories below:

- **In Hiring and Promotion**
 - Eliminate the notion of best fit as a justification for hiring and promotional decisions or, at least, introduce guidelines or structures for use that minimise the impacts of implicit bias.
 - Provide training or guidelines (or some even mention mentorship or coaching) to help racialized candidates to prepare for hiring tests and interviews and reduce the impacts of cultural norms.
 - Extend candidate searches for management positions to cities with more diverse populations to compensate for the more limited diversity pool in the NCR (with possible support for relocation)
 - Creating a mentorship system to help racialized employees navigate the path to promotion
 - Create clear objectives for promoting racialized employees throughout the organisation and incentivise management for achieving these objectives
- **In rooting out systemic racism**
 - Analyse internal data for racial representation in a number of areas to identify where to target bias mitigating strategies:
 - hiring interview participation and success rate
 - contract type (casual, indeterminate, temporary, etc.) by race and level
 - contract duration by race
 - referrals for professional development and language training by race
 - racial representation by level
- **In ensuring accountability**
 - create a system for reporting incidents and providing feedback anonymously
 - creating a permanent anti-racism ombudsman
 - train managers on how to handle complaints

- encourage (and create a culture that encourages) each employee to be responsible for speaking up when they witness racism (perhaps even incentivise it) so people feel they are protected by this agreement to speak out
- provide training and education on implicit bias and its universality, so people feel safe to notice and counter their own natural racist tendencies
- One participant suggests having all employees at all levels sign onto an anti-racism in the workplace commitment that mandates that racist incidents including micro- aggressions are brought up immediately and directly with the perpetrator in a spirit of recognising bias as a society wide problem and open dialog as a way to break the cycle. That way you are speaking up not against the person but “in honor of a commitment you made to the organisation”.

Conclusions

Employees recognize that anti-racism is an ongoing process and will take time. What they expect of IRCC, however, is a commitment backed by the resources necessary to see the process of change through the long term. This requires concrete actions to advance the following priorities:

- Educate employees and managers alike on the nature and impacts of micro-aggressions and create compassion through understanding of their impacts.
- Enroll all employees and managers in contributing to create a climate in which people feel safe to call out the micro-aggressions that have helped set the tone for racism to be perpetuated unchecked, and for those called out to hear and understand the impacts of their words and actions
- Communicate specifically the types of racist language and behaviours that will not be tolerated and their consequences
- Create a safe process for reporting experiences of racism
- Implement measures to counter the effect of the current racial imbalance in the ranks of management on access to opportunities for professional development and promotion

Appendix A: Qualitative instruments

English and French qualitative instruments are provided under separate cover.

EXHIBIT 2



Canadian Association of
Professional Immigration Consultants

L'Association Canadienne des
Conseillers Professionnels en Immigration

Submission on Nigerian Study Permit Declining Approval Rates, 2015- 2020



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About CAPIC

The Canadian Association of Professional Immigration Consultants (CAPIC) is the professional organization representing the interests of Canadian Immigration Consultants. The organization advocates for competency, ethical conduct, and consumer protection in the immigration consulting industry.

CAPIC's mission is to lead, connect, protect, and develop the profession, serving the best interests of its members. It is the only association recognized by the Government of Canada as the voice of Canadian immigration and citizenship consultants.

CAPIC is a major stakeholder consulting with federal and provincial governments and their respective departments (IRCC, CBSA, IRB, ESDC) on legislation, policy, and program improvements and changes.

CAPIC has over 3000 members and is comprised of Regulated Canadian Immigration Consultants and Canadian Immigration Lawyers.

Preamble

CAPIC is submitting this paper in response to Organization observations regarding a decrease in study permit acceptance rates submitted by Nigerian applicants who wish to study in Canada.

Executive Summary

CAPIC has reviewed study permit application data from Immigration, Refugees and Citizenship Canada (IRCC) for the period 2015 to 2020. This information represents data from the top ten source countries for study permit applications or 69 per cent of all submitted study permit applications.

Nigeria is Canada's third largest source of study permit applications. Nigerians submit 4.19 per cent of all study permits Canada receives, trailing only China and India. However, Nigeria's approval rate is consistently below other top ten countries and is currently the lowest among this group.

By analyzing the current disconnect between Nigerian study permit application numbers and low success rate, CAPIC hopes to improve results for Nigerian applicants. Improving these results will also benefit Canadian learning institutions, which have been dramatically affected by the financial impact of COVID-19.

Review – Nigeria's Place in the Top Ten

Nigeria is among the top ten source countries for study permit applications (Appendix 1). It is firmly ensconced in third position with 67,163 study permit applications since 2015. This equates to four per cent of Canada's total received study permit applications during the period from 2015 to January-March 2020 (Appendix 2).

The most successful countries in the top ten (Japan, France, Korea, and the United States) boast success rates in the high 70s to high 90s (Appendix 3). The remaining countries (China, Vietnam, India, Brazil, and Iran) are moderately successful with rates in the mid-to-high 40s (apart from Iran at 34 per cent; see Appendix 3). Nigeria lags both the highly successful and the moderately successful groups with a 12 per cent success rates during the period from 2015 to 2020 (Appendix 3).

This disparity is made clearer when reviewing the Applications Received versus Approved for Top Ten Countries (Appendix 4). Despite receiving 67,163 study permit applications from Nigeria during the period, only 14,735 were approved (Appendix 4).

Among the top ten countries, the approval rate for study permit applications is 74 per cent (Appendix 5). Six countries (China, Korea, France, Brazil, Japan, and the United States) are above average. Nigeria is the only country below average with an approval rate of less than 55 per cent. The other three countries with below-average rates (India, Vietnam, and Iran) all deviate from the average by 11 to 19 per cent. Nigeria deviates from the average by a considerably larger 52 per cent.

Over the past five years, Nigeria is the only country among the top ten consistently below 25 per cent.

Case Studies

This submission makes clear that Nigeria's study permit rejection rate is an outlier when compared with other top ten countries. It is CAPIC's position that by examining specific examples of rejected Nigerian study permit cases, the superficial and perfunctory nature of the results will crystallize for readers.

Appendix 6 provides examples of ten specific cases where Nigerian study permit applicants were rejected despite significant qualifications. CAPIC has chosen three examples from that list to highlight in more detail. The following case studies provide an overview of foreign nationals who are prime candidates to obtain study permits, but whose applications have been denied.

Case Study 1

- Applicant: 17-year-old applying for a study permit for an undergraduate program

Application

- Trip Purpose: To take up an offer of admission from the University of Toronto to study Biological Sciences and Neuroscience with two scholarship awards totaling CAD 107,500 for the four-year program.

- Family Ties: Family lives in Nigeria. Mother is a senior manager in a multinational organization and father an executive director of an insurance company, both with a combined annual income in excess of CAD 400,000.
- Financial Status: Family assets including cash balances, investments in financial instruments, and real estate valued over CAD 1.5 million were presented. All deposit payments required for tuition and housing had been made.
- Travel History: Applicant has traveled with her parents since she was four years old and previous destinations included the UK, USA, and Europe.

Decision

- The application was refused because of the following reasons:
 - The deciding officer was not satisfied that the applicant will leave Canada at the end of their stay, as stipulated in subsection 200(1) of the IRPR, based on their travel history.
 - The deciding officer was not satisfied that the applicant will leave Canada at the end of their stay, as stipulated in subsection 200(1) of the IRPR, based on their family ties in Canada and in their country of residence.
 - The deciding officer was not satisfied that the applicant will leave Canada at the end of their stay, as stipulated in subsection 200(1) of the IRPR, based on the purpose of their visit.
 - Pursuant to paragraph 220(a) of the IRPA, the deciding officer was not satisfied that the applicant has sufficient and available financial resources, without working in Canada, to pay the tuition fees for the course or program of studies that they intend to pursue.

Comments

- The refusal letter erroneously referenced work permit legislation (Subsection 200(1) of the IRPR)
- Refusal reasons unjustified based on the application package submitted.
- Judicial Review process is ongoing.

Case Study 2

- Applicant: 41-year-old applying for a study permit for master's degree program

Application

- Trip Purpose: To take up an offer of admission for a master's degree program in Supply Chain Management. Prior work experience corresponded to the proposed course of study.
- Financial Status: Tuition fees of CAD 18,185 had been paid. An additional CAD 105,916 was available to the applicant for future costs.
- Travel History: Applicant had a valid visitor's visa (TRV) and history of previous visits to Canada, UK, USA, and UAE.

Decision

- The application was refused based on the purpose of visit.

Comments

- The refusal reason was unjustified based on documents submitted.
- Application for Leave and Judicial Review was settled out of court.

Case Study 3

- Applicant: 15-year-old applying for a study permit for a high school program

Application

- Trip Purpose: To take up an offer of admission for a high school program.
- Financial Status: Tuition fees had been paid in full for the year. Additional CAD 2 million was available to the applicant for future costs.
- Travel History: Applicant had a valid visitor's visa (TRV) and history of previous visits to Canada, UK, USA, and UAE.

The Decision

- The application was refused for financial reasons – lack of funds.

Comments

- The refusal reason was unjustified. Applicant has reapplied.

Recommendations

CAPIC recommends several actions to improve study permit outcomes from Nigerian applicants.

1. An assessment of the approval process followed by Nigeria visa offices.
2. Additional training for officers to reduce bias, if applicable.
3. Improve productivity by avoiding JR and out-of-court settlements.

Conclusion

Nigeria is an outlier when compared with other top ten countries and this downward trend will impact the perception of Canada as an attractive destination for students. As evidenced from the Case Studies, the high rejection rate of study permits from Nigerian applicants has the following impact on Nigerian students and international students more broadly:

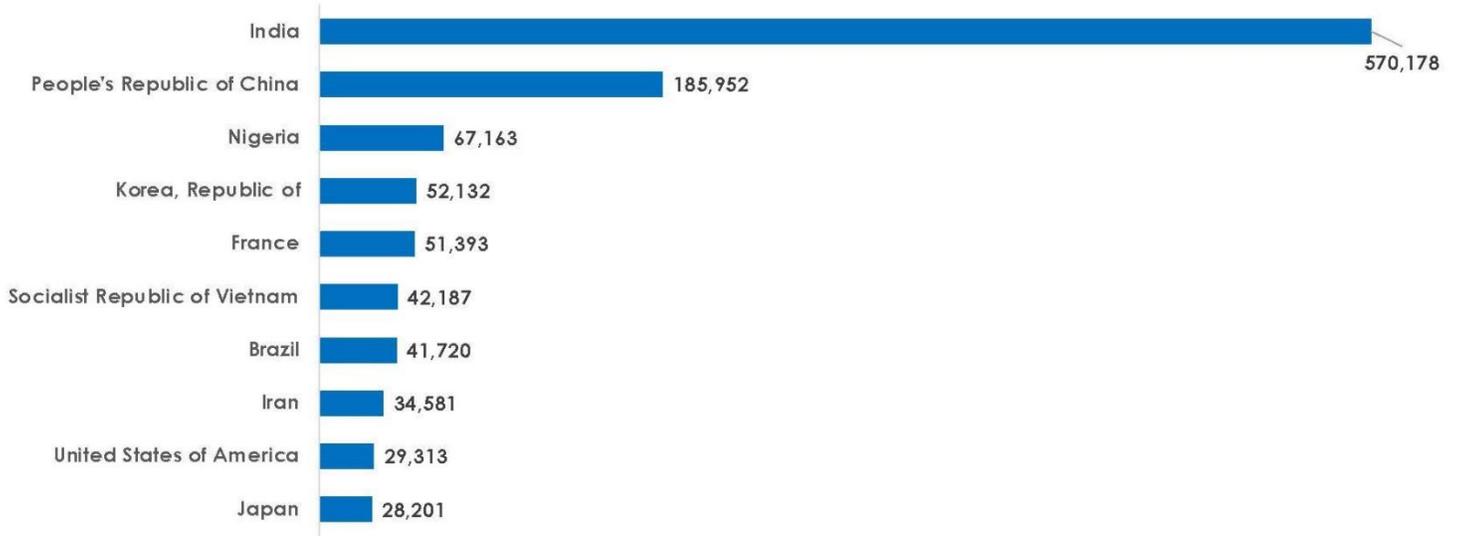
1. Nigerian students now see Canada as a country of last resort when planning secondary, post-secondary, and graduate studies, regardless of Canada's good educational standing.
2. Undermines Canada's core values of transparency and fairness because of the sharp disconnect between many application packages submitted by Nigerian students and the decisions and outcomes they receive.
3. Outcomes have resulted in an increasing number of applications for Leave and Judicial Reviews and numerous out-of-court settlements. This is an unnecessary drain on government resources.

The rate-of-refusal for Nigerian applicants also negatively impacts Canada's designated learning institutions (DLIs), which rely on both the academic and financial contributions of international students to succeed. Nigeria's aberrant results negatively impact the finances of Canadian educational institutions. These institutions continue to lose revenue that could have been gained from the quantum number of Nigerians whose study permit applications should have been approved based on the merits and strengths of their applications.

Further, this revenue loss extends beyond Canadian education institutions to other businesses that offer services to students and their visiting families, which includes accommodation, transportation, food, and retail stores. Given the vital role immigration will play in Canada's economic recovery from the COVID-19 pandemic ([Government of Canada announces plan to support economic recovery through immigration - Canada.ca](#)), denying qualified candidates the opportunity to study in Canada undermines that recovery. In addition, many international students become Canadian permanent residents after finishing their studies and make vital and essential contributions to the Canadian economy.

Appendix 1

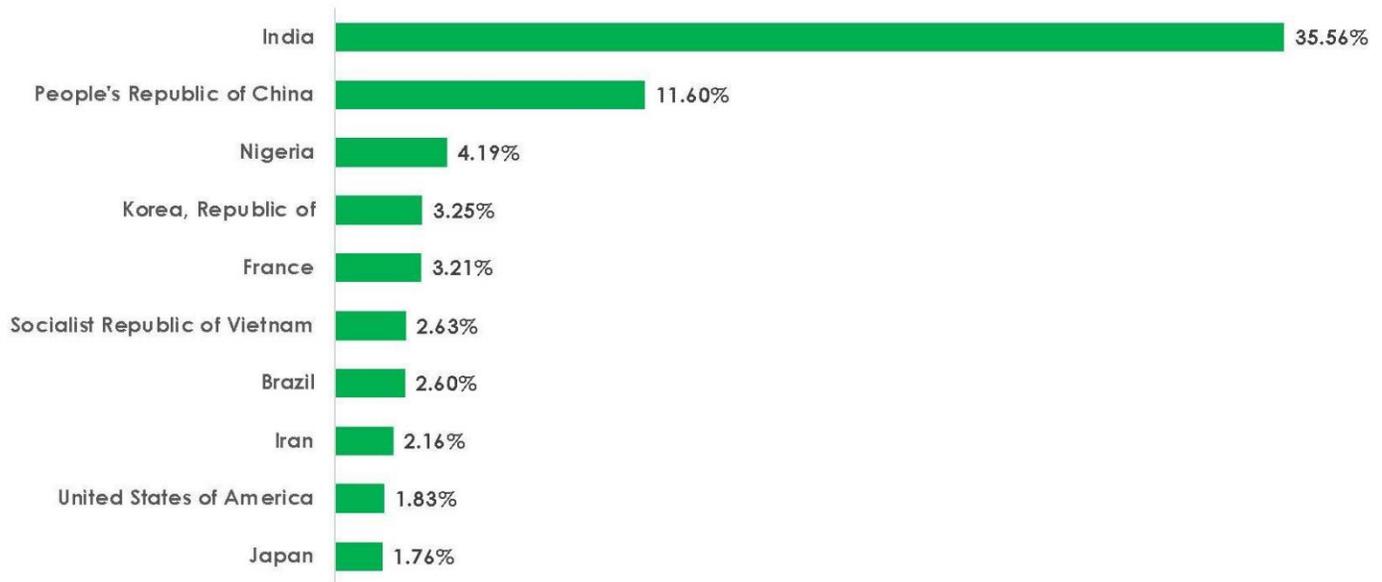
Top Ten Source Countries for Study Permit Applications



Data Source: Statistical Reporting Group, Chief Data Officer Branch, Immigration, Refugees and Citizenship Canada - IRCC.CDOStatistics-StatistiquesDPD.IRCC@ic.gc.ca

Appendix 2

Percentage of Total Applications Received from the Top Ten Source Countries

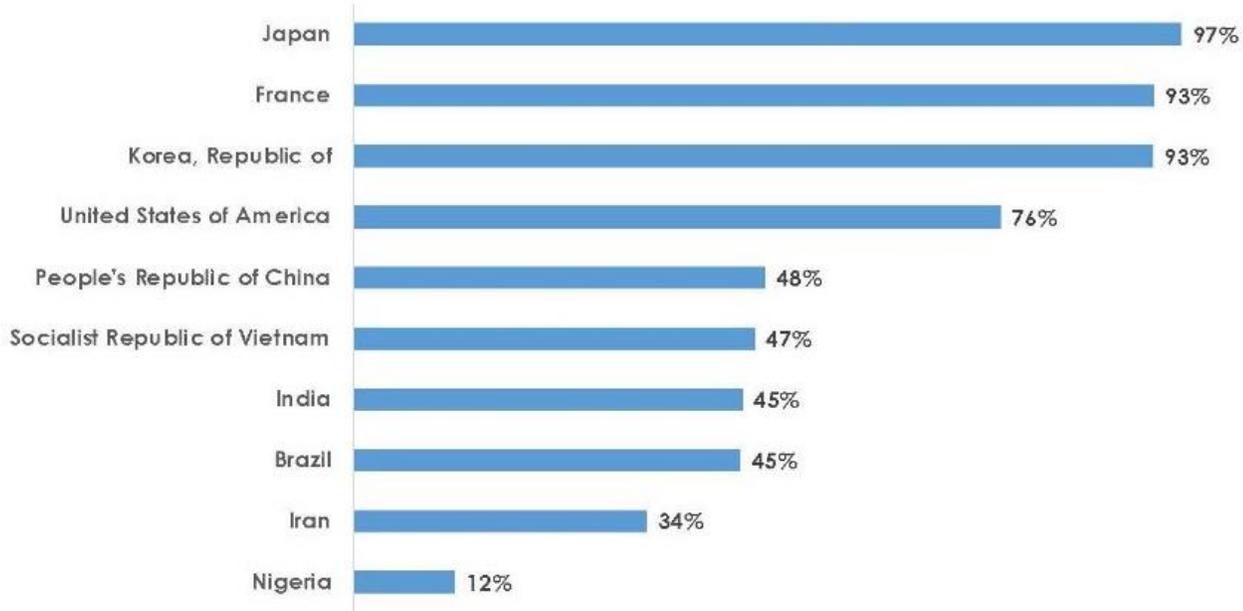


Data Source: Statistical Reporting Group, Chief Data Officer Branch, Immigration, Refugees and Citizenship Canada - IRCC.CDOStatistics-StatistiquesDPD.IRCC@cic.gc.ca

Appendix 3

Current Picture – Approval Rate for Top Ten Countries in 2020

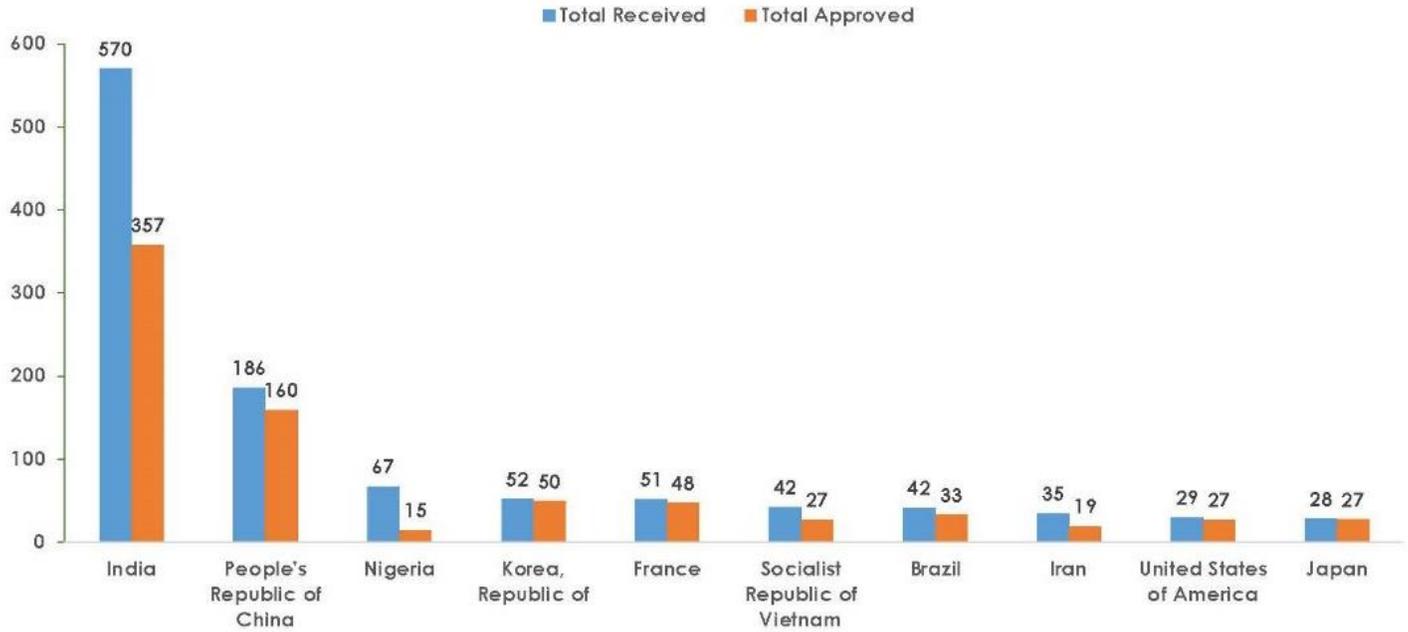
Nigeria currently has the lowest approval rate among the top ten countries, as of March 31, 2020



Data Source: Statistical Reporting Group, Chief Data Officer Branch, Immigration, Refugees and Citizenship Canada - IRCC.CDOStatistics-StatistiquesDPD.IRCC@cic.gc.ca

Appendix 4

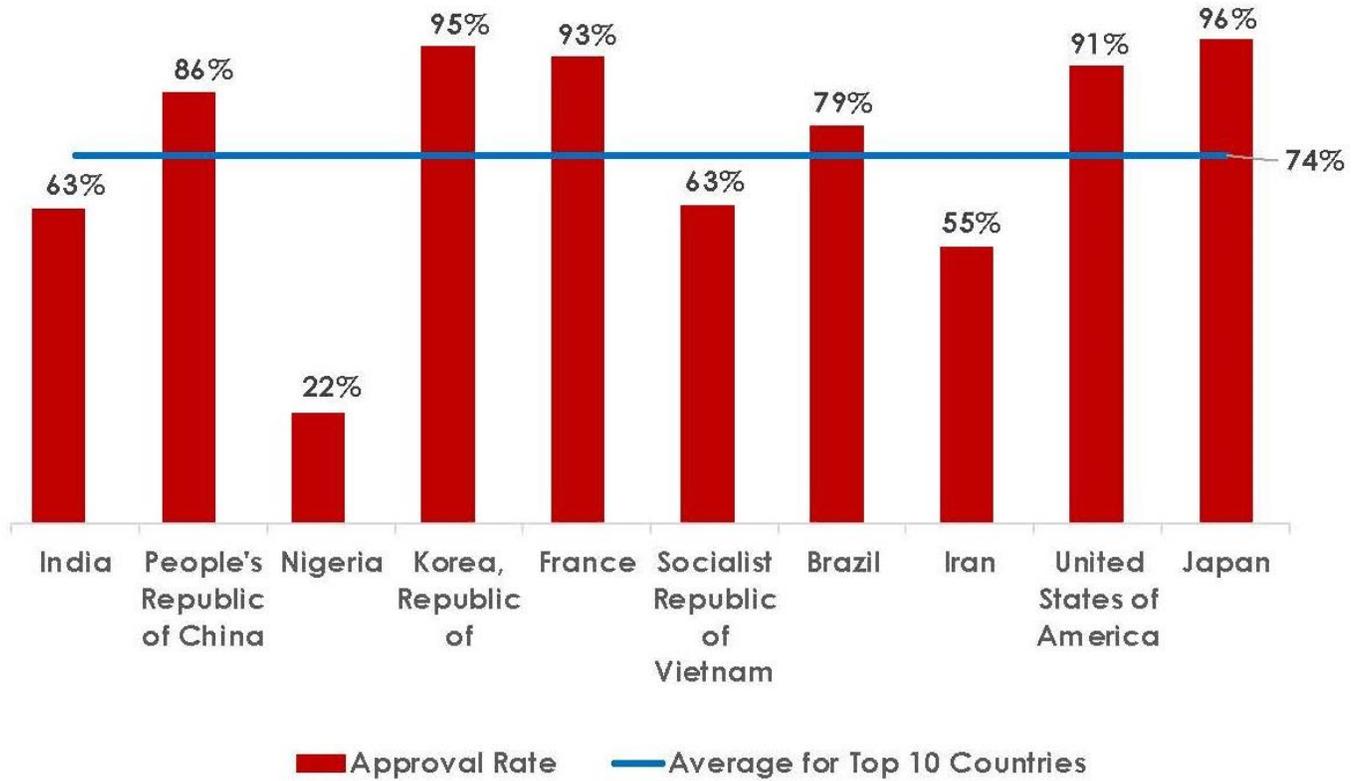
Applications Received vs Approved for Top Ten Countries



Data Source: Statistical Reporting Group, Chief Data Officer Branch, Immigration, Refugees and Citizenship Canada - IRCC.CDOStatistics/StatistiquesDPD.IRCC@cic.gc.ca

Appendix 5

Approval Rate for Top Ten Countries



Data Source: Statistical Reporting Group, Chief Data Officer Branch, Immigration, Refugees and Citizenship Canada - IRCC.CDOStatistics-StatistiquesDPD.IRCC@cic.gc.ca

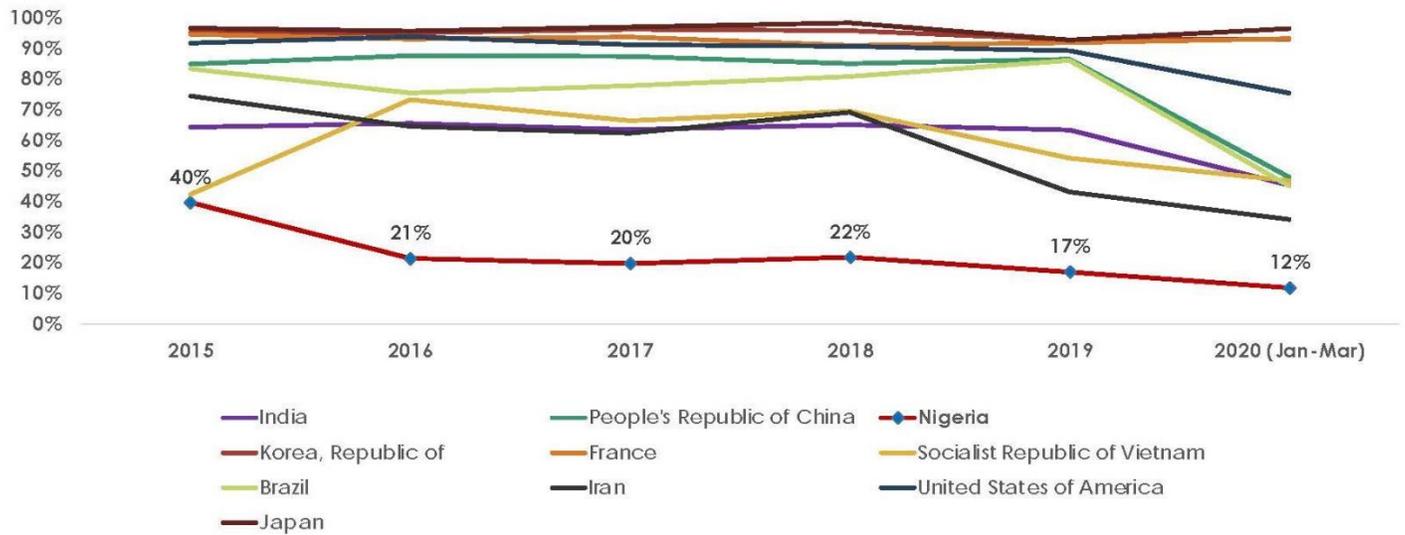
Appendix 6

Sample Refusal Cases for Nigerian Applicants

SAMPLE REFUSAL CASES FOR NIGERIAN APPLICANTS						
#	Age	Level of Studies	Tuition Fees Paid	Total Funds Available in CAD	Reason for refusal	Remarks
1	17	Bachelors	Deposit paid	\$107,500 scholarships + Parents \$220,000 bank balances + \$400,000 annual income	Applicant and siblings were all refused for the same reasons - purpose of Visit, Financial Status, Family Ties to Canada and home country, Travel history	Refusal reasons are contradicted by application package submitted as detailed documentary evidence of purpose, finances, travel history and ties were provided. JR is in progress. Reapplied
2	15	High School	\$27,250 (Tuition and board for full year)	Parents \$220,000 bank balances + \$400,000 annual income	These siblings were refused for the same reasons - purpose of Visit, Financial Status, Family Ties to Canada and home country, Travel history	Refusal reasons are contradicted by application package submitted as detailed documentary evidence of purpose, finances, travel history and ties were provided. JR is in progress.
3	13	High School	\$27,250 (Tuition and board for full year)			
4	41	Masters	18,185	105,916	Purpose of Visit	Refusal reasons unjustified in view of documents submitted. JR settled out of court.
5	38	Masters	7,960	103,451	Purpose of visit, Personal Assets and Financial Status	Refusal reasons unjustified in view of documents submitted. JR in progress
6	26	Masters	16,250	85,051	Family ties to Canada and home country, Purpose of visit, employment status	Refusal reasons unjustified in view of documents submitted.
7	14 & 17	High School	24,650	600,000	Purpose of visit, Ties in Country of Residence, immigration Status	Refusal reasons unjustified in view of documents submitted. JR in progress
8	33	Masters	24,030	100,000	Purpose of Visit, Insufficient Funds, Personal and Financial Assets	Refusal reasons unjustified in view of documents submitted.
9	15	High School	Paid in full for the year	Over \$2,000,000	Purpose of Visit and Family Ties	Reapplied; Visa granted
10	16	High School	Deposit paid	Evidence of Income and funds provided	Refused for uncertainty she will return to her country after her education.	Refusal reasons unjustified in view of documents submitted.

Appendix 7 Approval Trend for Top Ten Countries (2015-2020)

- Nigeria is the only country with an approval rate consistently below 25% since 2016



Data Source: Statistical Reporting Group, Chief Data Officer Branch, Immigration, Refugees and Citizenship Canada - IRCC.CDOStatistics-StatistiquesDPD.IRCC@cic.gc.ca

EXHIBIT 3

Study Permit Approval Rate by Country For January 1 - May 31, 2020

Grand Total - All Levels of Study

Country of Citizenship	Approved	Refused	Total	Approval Rate
Total - All Citiznships	39,609	42,404	82,013	48.30%
Afghanistan	3	36	39	7.69%
Albania	42	80	122	34.43%
Algeria	251	776	1,027	24.44%
Angola	2	14	16	12.50%
Antigua and Barbuda	4	4	8	50.00%
Argentina	48	15	63	76.19%
Armenia	2	4	6	33.33%
Australia	29	9	38	76.32%
Austria	6		6	100.00%
Azerbaijan	20	29	49	40.82%
Bahama Islands, The	44	14	58	75.86%
Bahrain	1	4	5	20.00%
Bangladesh	344	944	1,288	26.71%
Barbados	9	2	11	81.82%
Belarus	5	2	7	71.43%
Belgium	35	4	39	89.74%
Belize	2	2	4	50.00%
Bermuda	4	1	5	80.00%
Bhutan	37	4	41	90.24%
Bolivia	19	6	25	76.00%
Bosnia-Herzegovina	5	2	7	71.43%
Botswana, Republic of		3	3	0.00%
Brazil	798	291	1,089	73.28%
Bulgaria	4	3	7	57.14%
Burkina-Faso	50	104	154	32.47%
Burundi	15	377	392	3.83%
Cambodia	14	5	19	73.68%
Cape Verde Islands		1	1	0.00%
Central African Republic		11	11	0.00%
Chad, Republic of	4	26	30	13.33%
Chile	104	16	120	86.67%
Colombia	1,212	635	1,847	65.62%
Comoros		8	8	0.00%
Congo, Democratic Republic of the	174	686	860	20.23%
Congo, People's Republic of the	14	87	101	13.86%
Costa Rica	8	11	19	42.11%
Croatia	2	3	5	40.00%
Cuba	5	29	34	14.71%

Cyprus	1		1	100.00%
Czech Republic	14	2	16	87.50%
Democratic Republic of Sudan	9	18	27	33.33%
Denmark	1		1	100.00%
Dominica	4	3	7	57.14%
Dominican Republic	25	51	76	32.89%
Ecuador	142	50	192	73.96%
Egypt	85	154	239	35.56%
El Salvador	12	17	29	41.38%
Equatorial Guinea		2	2	0.00%
Eritrea		15	15	0.00%
Estonia	1		1	100.00%
Ethiopia	42	190	232	18.10%
Federal Republic of Cameroon	159	670	829	19.18%
Federal Republic of Germany	103	6	109	94.50%
Fiji	2	2	4	50.00%
Finland	3	1	4	75.00%
France	659	61	720	91.53%
French Polynesia	2		2	100.00%
Gabon Republic	9	32	41	21.95%
Gambia	8	47	55	14.55%
Georgia		6	6	0.00%
Ghana	61	512	573	10.65%
Greece	5		5	100.00%
Grenada	4	1	5	80.00%
Guadeloupe	1		1	100.00%
Guatemala	2	8	10	20.00%
Guinea, Republic of	59	411	470	12.55%
Guyana	35	17	52	67.31%
Haiti	36	229	265	13.58%
Honduras	10	15	25	40.00%
Hong Kong SAR	658	54	712	92.42%
Hungary	6	1	7	85.71%
Iceland	3	7	10	30.00%
India	21,054	20,368	41,422	50.83%
Iran	751	1,771	2,522	29.78%
Iraq	21	272	293	7.17%
Israel	52	9	61	85.25%
Italy	81	17	98	82.65%
Jamaica	136	114	250	54.40%
Japan	1,201	34	1,235	97.25%
Jordan	227	701	928	24.46%
Kazakhstan	39	32	71	54.93%
Kenya	89	252	341	26.10%
Korea, Republic of	1,918	95	2,013	95.28%
Kosovo, Republic of	12	5	17	70.59%



Kuwait	10	4	14	71.43%
Kyrgyzstan	5	6	11	45.45%
Laos	1		1	100.00%
Latvia	2	1	3	66.67%
Lebanon	51	67	118	43.22%
Liberia	2	21	23	8.70%
Libya	15	65	80	18.75%
Lithuania		1	1	0.00%
Luxembourg	2		2	100.00%
Macao SAR	6	1	7	85.71%
Macedonia	5		5	100.00%
Madagascar	16	49	65	24.62%
Malawi		12	12	0.00%
Malaysia	30	6	36	83.33%
Maldives, Republic of		1	1	0.00%
Mali, Republic of	75	148	223	33.63%
Mauritania	5	19	24	20.83%
Mauritius	18	71	89	20.22%
Mexico	570	206	776	73.45%
Moldova	4	2	6	66.67%
Mongolia, People's Republic of	24	26	50	48.00%
Montenegro, Republic of	1	1	2	50.00%
Morocco	240	403	643	37.33%
Mozambique		3	3	0.00%
Myanmar (Burma)	26	5	31	83.87%
Namibia		7	7	0.00%
Nepal	129	393	522	24.71%
New Zealand	5		5	100.00%
Nicaragua	2	9	11	18.18%
Nigeria	522	3,903	4,425	11.80%
Norway	6	2	8	75.00%
Oman	1	1	2	50.00%
Other Citizenships		3	3	0.00%
Pakistan	152	530	682	22.29%
Palestinian Authority (Gaza/West Bank)	28	107	135	20.74%
Panama, Republic of	39	10	49	79.59%
Paraguay	3	1	4	75.00%
Peoples Republic of Benin	33	186	219	15.07%
People's Republic of China	1,495	847	2,342	63.83%
Peru	96	42	138	69.57%
Philippines	992	743	1,735	57.18%
Poland	7	1	8	87.50%
Portugal	10	4	14	71.43%
Qatar	5		5	100.00%
Republic of Djibouti	2	25	27	7.41%
Republic of Indonesia	49	42	91	53.85%

Republic of Ireland	12	1	13	92.31%
Republic of Ivory Coast	119	264	383	31.07%
Republic of South Africa	125	103	228	54.82%
Republic of the Niger	9	24	33	27.27%
Romania	4	10	14	28.57%
Russia	98	102	200	49.00%
Rwanda	30	538	568	5.28%
Saudi Arabia	60	18	78	76.92%
Senegal	123	509	632	19.46%
Serbia, Republic of	17	5	22	77.27%
Sierra Leone	1	15	16	6.25%
Singapore	26		26	100.00%
Slovak Republic	11		11	100.00%
Socialist Republic of Vietnam	869	685	1,554	55.92%
Somalia, Democratic Republic of		11	11	0.00%
South Sudan, Republic Of	1	3	4	25.00%
Spain	71	16	87	81.61%
Sri Lanka	185	294	479	38.62%
St. Kitts-Nevis	3	1	4	75.00%
St. Lucia	2	3	5	40.00%
St. Vincent and the Grenadines	3	2	5	60.00%
Stateless	7	14	21	33.33%
Swaziland		1	1	0.00%
Sweden	16	1	17	94.12%
Switzerland	30		30	100.00%
Syria	6	63	69	8.70%
Tadjikistan	3	4	7	42.86%
Taiwan	436	22	458	95.20%
Thailand	106	31	137	77.37%
The Netherlands	32	5	37	86.49%
Togo, Republic of	26	170	196	13.27%
Trinidad and Tobago, Republic of	50	8	58	86.21%
Tunisia	205	92	297	69.02%
Turkey	349	264	613	56.93%
Turkmenistan	2	6	8	25.00%
Uganda	15	185	200	7.50%
Ukraine	88	66	154	57.14%
United Arab Emirates	7	1	8	87.50%
United Kingdom and Overseas Territories	188	26	214	87.85%
United Republic of Tanzania	32	65	97	32.99%
United States of America	425	48	473	89.85%
Unspecified		1	1	0.00%
Uruguay	10	2	12	83.33%
Uzbekistan	2	25	27	7.41%
Vanuatu		1	1	0.00%
Venezuela	26	50	76	34.21%

EXHIBIT 4



A Registered Canadian Charity (RC 1218033-2)

17 January 2022

The Chair and Members
The Standing Committee on Citizenship and Immigration (CIMM)
Sixth Floor, 131 Queen Street
House of Commons
Ottawa ON K1A 0A6
Canada
Sent Via E-mail: CIMM@parl.gc.ca

Dear Madam Chair and Members of the Committee,

African Scholars Initiative (ASI-Canada) is a registered Canadian charity that seeks to attract bright future scholars of African descent to pursue graduate education in Canada. We are forwarding to your attention a copy of the letter written to the Minister for Immigration, Refugee and Citizenship Canada (IRCC), Hon. Sean Fraser by a group of professors, researchers and graduate students of Nigerian descent from various universities across Canada. The letter sought to bring to the attention of the Minister the biased, discriminatory and racist immigration practices that have seriously impacted the ability of Canadian study permit applicants from Nigeria to secure study visa to pursue education in Canada.

Canada makes over \$22 billion annually from economic activities by international students including tuitions paid by international students. Although Nigeria is among the top-10 source countries for Canadian study permit, the approval rate for Nigeria has declined to a historic low (about 12%). This contrasts with the approval rate for other top-10 countries like Japan and Korea which is over 90%.

We are also forwarding to the Committee a copy of a recent research report published by the IRCC Anti-Racism Employee Focus Group. The Report noted how racism in IRCC has impacted the processing of immigration applications in certain countries – Nigeria was specifically noted as one of such countries (See pages 11 and 13 of the Report). The Report also noted the pejorative and racist reference by IRCC staff to some African nations as **“the dirty 30”** – a term similar to the racist “shithole countries” used by the former US President, Donald Trump to refer to African countries.



AFRICAN SCHOLARS INITIATIVE (ASI-CANADA)
Suite 319, 11420 – 27 Street, SE Calgary, Alberta Canada T2Z 3R6



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Web: afrischolars.org



Phone: +1-825-712-3120
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@AfriScholars1



These and many findings published in the Report are just too damning for IRCC and the Canadian government and should warrant a hearing by your Committee. Canadian immigration system should not only be preached as fair and transparent but should be seen as such. The systemic discriminatory practices by IRCC staff highlighted in the Report does not represent who we are as Canadians.

We would like to conclude this letter by requesting the Committee to conduct a hearing on issues raised in the IRCC Anti-Racism Employee Focus Group Research Report.

Sincerely,

Prof. Gideon Christian PhD
President
ASI-Canada

EXHIBIT 5

November 29, 2021

Sean Fraser
The Honourable Minister
Immigration, Refugees and Citizenship Canada
Ottawa, Ontario K1A 0A6.
By email: sean.fraser@parl.gc.ca

Dear Hon. Sean Fraser,

Re: Concerns Relating to the Processing of Canadian Study Permit Applications from Nigeria

Introduction

We are a group of Nigerian professors, scholars, academics, researchers, and graduate students from academic institutions across Canada. We are writing you to express our concern about two important issues related to the processing of study permit applications for applicants from Nigeria. The first is the practice by the visa offices responsible for the processing of study permit applications from Nigeria requiring applicants to undertake International English Language Testing System (IELTS) English language proficiency examinations as part of the condition for processing and expediting of study permit applications. For reasons provided below, we strongly object to the continued imposition of this language requirement on study permit applicants from Nigeria. The second (and most concerning) relates to the declining rate of study permit approvals for applicants from Nigeria.

IELTS English language proficiency requirement for study permit application

Sometime in January 2020, the Immigration, Refugees and Citizenship Canada (IRCC) at an education fair in Abuja, Nigeria, unceremoniously announced an initiative called the Nigeria Student Express (NSE). Documents made available to us through Access to Information and Privacy (ATIP) request, indicates that the NSE “is a pilot initiative aimed at improving processing times for study permit applicants in Nigeria. The initiative aims to improve processing times for students by giving them the option to use a secure financial verification system.” (See Exhibit A). While we welcome the objective of speeding up the processing times for study permit applications from Nigeria, we find it very difficult to understand the logical or sensible relationship between undertaking IELTS English language proficiency examination and an “initiative aims to improve processing times for students by giving them the option to use a secure financial verification system.”

We would like to note that Nigeria is an English language speaking country. This is a fact that was clearly acknowledged by the IRCC agents responsible for executing this initiative. (See Exhibit B). English is the primary language of instruction at all levels of formal education in Nigeria – primary, secondary, and university. As a matter of fact, all institutions of higher learning in Canada exempt admission applicants from Nigeria from the requirements for English language proficiency examinations. Thus it is curious that a graduate admission committee full of qualified experts in a Canadian university would review a Nigerian graduate study application, determine that the applicant is qualified for graduate admission, and offer admission to the Nigerian applicant without

any language proficiency condition attached. But when that same admitted student applies for a Canadian study permit, IRCC would require them to undertake a language proficiency examination in order to have their study permit application expedited. It is our view that the graduate admission committees in Canadian universities are better suited to make the determination as to whether the applicant seeking admission has sufficient English language proficiency to undertake study in Canada. Where that determination is made, the visa office should not impose an unreasonable and unnecessary language proficiency requirement on that same study permit applicant, not even as a requirement for expediting their study permit application.

It is obvious that the language proficiency requirement imposed by the visa offices is not in any way related to or necessary for the expedited processing of study permit applications from Nigeria. In fact, we believe that the requirement exudes stereotype and racism to the extent that it makes Nigerian study permit applicants feel that their English language skills, which they have acquired during their education in Nigeria, are inferior.

Recently, the IRCC Anti-Racism Employee Focus Groups released the final report it prepared for the IRCC. The report highlighted how racism within the IRCC is impacting the processing of immigration applications from certain countries. Nigeria was one country that was specifically noted to have been impacted. In addition to the seemingly widespread racist reference to African countries as “**the dirty 30**” by IRCC agents, the report noted the stereotyping of Nigerians as particularly corrupt and untrustworthy. The report specifically noted additional financial document requirements for applicants from Nigeria as part of the discriminatory rules reflecting on racism in IRCC. (**See Exhibit C**). We strongly believe that the English language proficiency requirement for study applicants from Nigeria who are already educated in English language adds to the bucket list of the discriminatory rules and racism.

Hence, we write this letter to you to clearly bring the following to your attention:

1. We appreciate and welcome any initiative by IRCC to improve the study permit processing time for applicants from Nigeria.
2. The requirement for IELTS English language proficiency examination is not in any way logically or sensibly related to a *bona fide* effort at expediting the processing times for study permit applications from Nigeria.
3. The requirement for the IELTS English language proficiency examination discriminates against study permit applicants from Nigeria as it is not a requirement imposed on applicants from other English-speaking countries. It exudes stereotype and racism, and it makes the study permit applicants from Nigeria feel that their English language skill is inferior.
4. The requirement for the IELTS English language proficiency examination imposes unreasonable cost to study permit applicants from Nigeria who have to pay the equivalent of about CAD\$265 to take the exam. Hence, this enriches third-party organizations (British Council and IDP IELTS Australia) while impoverishing the study permit applicants.
5. The current wait time for test date and result for the IELTS exam in Nigeria is about 2 months, thus further contradicting NSE’s stated purpose of expediting the processing of study permit applications from Nigeria.

Decreasing study permit approval rates for Nigeria

Nigeria is among the top-10 source countries for Canadian study permit applications, specifically third after India and China. Yet, Nigeria has the lowest approval rate for study permit – about 12% – compared to other top-10 source countries like Korea or Japan with over 90% approval rate.

Nigerians love education. In fact, according to a Rice University research, Nigerians are the most educated immigrant group in the United States. While similar research is not available for Canada, there is no doubt that Nigerians’ increasing interest in Canadian education is a product of their love for education. Unfortunately, that increasing interest has been met by increasing obstacles in the processing of their study permit applications and ever-decreasing study permit approval rates by the visa offices responsible for processing of study permit applications from Nigeria. The sharp contrast between study permit applications submitted by Nigerians and the outcome of decisions by Canadian visa offices in Africa contradicts Canada’s core values of fairness and transparency. Moreover, it has often resulted in judicial litigation, which continues to strain the Federal Court resources.

Our Request

Therefore, we ask for the immediate discontinuance of the requirement for the IELTS English language proficiency examination as part of the study permit application process for Nigerian applicants, whether under the NSE or any other initiative.

We also want to use this opportunity to ask the Honorable Minister to investigate the constantly declining rate of study permit approval for applications from Nigeria and take immediate steps to address the issue especially in the light of the recent IRCC Anti-Racism Employee Focus Groups report, which seems to suggest that racism in IRCC plays a part in the processing of immigration applications from Nigeria.

We would like to request a meeting with the Honorable Minister to further discuss the concerns raised in this letter. Thank you for your time.

Respectfully submitted,

*(names in alphabetical order; contributing authors are denoted with a *)*

1. Dr. Chigbo Arthur Anyaduba (Assistant Professor, University of Winnipeg)
2. Dr. Oluwagbohunmi Awosoga (Associate Professor, Faculty of Health Sciences, Board of Governors Teaching Chair (2019-2021) University of Lethbridge)
3. Prof. Anteneh Ayanso, (Professor of Information Systems, Brock University)
4. Prof. Gideon Christian PhD* (President, African Scholars Initiative (ASI-Canada), Assistant Professor, Faculty of Law, University of Calgary)
5. Jake Effoduh* (Vanier Scholar and PhD Candidate, Osgoode Hall Law School, York University)
6. Prof. Patience Elabor-Idemudia, PhD (Full Professor (Emeritus) Sociology Department University of Saskatchewan)

7. Dickson Eyoh, PhD (Associate Professor Political Science and African Studies, University of Toronto)
8. Prof. Ifeanyi Ezeonu (Associate Professor, Brock University)
9. Ifeanyichukwu Ezeumeh (LLM Candidate, University of Calgary)
10. Dr. Sulaimon Giwa, (Assistant Professor and Associate Dean, Memorial University of Newfoundland and Labrador)
11. Dr. Ireh O. Iyioha, (Assistant Professor, Faculty of Law, University of Victoria)
12. Maryam Lawal* (LLM Candidate, Faculty of Law, University of Calgary)
13. Timnan Jonathan Nimpar (LL.M Candidate, Osgoode Hall Law School, York University)
14. Paul D. Ocheje, PhD (Associate Professor, Faculty of Law, University of Windsor)
15. Dayo Ogunyemi* (LLM Graduate, Faculty of Law, University of Calgary)
16. Prof. Ubaka Ogbogu, (Associate Professor, Faculty of Law, University of Alberta)
17. Prof. Chidi Oguamanam (Full Professor, Faculty of Law, University of Ottawa)
18. Prof. Dozie Okoye (Associate Professor of Economics, Dalhousie University)
19. Prof. Suyi Okungbowa, (Assistant Professor of Creative and Professional Writing, Department of English, University of Ottawa)
20. Edos Omorotionmwan LLM* (Pro-Bono Counsel, African Scholars Initiative (ASI-Canada))
21. Prof. Onookome Okome, MA, PhD (Professor and Alexander von Humboldt Scholar, Department of English and Film Studies, University of Alberta)
22. Prof. Rita Orji* (Associate Professor and Canada Research Chair (Tier 2), Faculty of Computer Science, Dalhousie University)
23. Prof. Tolu Sajobi PhD (Associate Professor, University of Calgary)
24. Dr. Akin Taiwo (Assistant Professor, School of Social Work, King's University College at Western University)
25. Prof. Chibuikwe Udenigwe* (Full Professor and University Research Chair, Faculty of Health Sciences, University of Ottawa)
26. Dr. Akolisa Ufodike (Assistant Professor, Faculty of Liberal Arts & Professional Studies, York University)
27. Prof. Faith-Michael Uzoka (Professor, Department of Mathematics and Computing, Mount Royal University)

Has this response been sent out to CiCAN?

Thanks,

Charlene

Charlene Newton

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From:

Sent: January 30, 2020 2:47 AM

To: Hiles.Alexandra; Côté.René

Cc: Newton.Charlene

Subject: RE: Nigeria Student Express

Good morning

Draft response is below.

Nigeria Student Express is a pilot initiative aimed at improving processing times for study permit applicants in Nigeria. The initiative aims to improve processing times for students by giving them the option to use a secure financial verification system, MyBank. MyBank is available from the principal commercial banks in Nigeria. MyBank will help applicants show that they have sufficient funds for their studies in Canada.

Applicants are currently expected to demonstrate that they have sufficient funds for their studies, but often do not have a means to do so in a satisfactory way, which can slow down processing or lead to a refusal. The aim of the pilot is to allow students to demonstrate that they have the financial means to support their studies.

At this time, those who have a letter of admission from a Canadian Designated Learning Institution for a Bachelor's, Master's or PhD degree program, or for other graduate-level studies, can apply. Because this is a pilot, it currently focusses on a restricted group of students and includes a solid financial requirement. The pilot does not currently include post-secondary studies. The criteria for the pilot will be reviewed on an ongoing basis. In addition, students destined to other programs may choose the MyBank option to demonstrate their funds; however, they will be outside the current scope of the pilot.

Exhibit B

Sent: Wednesday, January 29, 2020 11:37 AM
To: Newton.Charlene
Cc: Lesniowska.Kassandra; Eales.Malcolm;
Subject: Nigeria Student Express

Hi Charlene,

Thanks for taking the time to meet with me last week.

though the Visa Office in Dakar didn't seem to have much information about SDS and struggled to explain the process to both institutions and students during the Edu-Canada fairs. As it continues to roll-out, it'll be important to ensure that officers are trained on the new program.

On another note, are you aware of the new Nigeria Student Express Program? From what we've gathered, it was announced at the Edu-Canada fair in Abuja last week – much to everyone's surprise, including our own. In principal this is a welcome development, Nigeria is a large English speaking country full of qualified candidates and with a post-secondary education system that cannot meet local demand. That being said, this new approach does raise some important questions and concerns. Most notably, it is open to post-secondary DLI's but does not include undergraduate college diploma's. **How did this program come to be and on what grounds were undergraduate diploma's excluded?** And while the financial requirements seem more stringent than SDS (i.e. bank statements showing \$30,000 + 12 months of banking history), there is no requirement for tuition to be paid upfront. In other words, it is altogether possible that a student can apply through this fast-track program with an LOA prior to having secured their seat through a tuition payment or, worst case scenario, present a fraudulent letter. While this is also true through the regular stream, our assumption is that this uncertainty (lack of information sharing) has been a factor that has contributed to higher refusal rates in certain markets where fraud is more of a concern.

As you can imagine, we've been getting a lot of questions about this as institutions are trying to understand how this new program may impact approval rates and therefore their strategic enrolment calculations.

Grateful for whatever information you can provide on this new approach, especially as it relates to the questions outlined above.

Exhibit C

Immigration, Refugees and Citizenship Canada
Anti-Racism Employee Focus Groups Research Report

but also impact employees themselves as they breed distrust of their colleagues and supervisors. Examples of these include:

- Widespread internal references to certain African nations as “the dirty 30”
- Stereotyping Nigerians as particularly corrupt or untrustworthy. (Such negative stereotypes were mentioned about certain other immigrant groups as well, but Nigerians were cited as an example particularly often in our conversations.)
- A manager referring to Latin American applicants as people who just come here to collect social insurance

Examples specific to international assignments

Employees who have held foreign postings shared a number of specificities in the nature and impacts of racism experiences in international assignments. According to them, there are particular dynamics at play that can amplify racism in international assignments. The cohort of those who access these positions is small, and in the eyes of these participants, with a tendency for those who go on assignment to do so repeatedly, certain behaviours seem to become tolerated and ingrained. Furthermore, employees on international assignments feel they have limited access to the chain of command to whom to make a complaint if issues occur. As a result, racist behaviours are more likely to go unchecked in those settings. These employees share situations that include:

- Racist comments of a degree that would be unlikely to be tolerated within Canadian social norms but that continue uninterrupted overseas in part because there is no oversight but also because there is an ‘us-versus-them’ culture that affects relationships with local staff and local clients as well.
- Racialized overseas staff being socially and professionally excluded and marginalized by non-racialized Canadians
- Racialized overseas staff being passed up for professional development opportunities and promotions

Examples:

One participant reported hearing racial slurs when on international assignments that they had never heard before.

One participant reported having decided not to accept any postings to countries in the region their ancestors came from, as the emotional toll of being exposed repeatedly to racist comments against people of their background had become too heavy.

One participant reported being excluded from meetings and social events on an international posting where local staff were often not included.

One participant reported making an effort to “Uber-Canadianise” themselves so as not to be treated like the local staff.

One participant reported having arrived on assignment at the same time as a non-racialized colleague who was warmly welcomed and shown around by the other staff members, while this (racialized) participant was left to their own devices.

A couple of racialized participants share that their supervisors attempted to co-opt them into reporting on their racialized peers, despite their having no supervisory authority over these peers, simply to help create a case for disciplinary action that would then appear to not have been motivated by racism.

“It’s funny, it’s very emotional to bring back all these memories. I feel sometimes it’s so subtle and so systemic you’ll never know if its racism at a systemic level or not, so you are always wondering” [referring to a situation where an employee felt they were discriminated against in accessing a promotional opportunity]

Participants also share that employees often talk about cronyism and a powerful “old-boys network” as being very much an entrenched part of the culture at IRCC. Though, if true, such a phenomenon would not necessarily affect only racialized employees, this perception does serve to support the beliefs that it is possible for those who are well connected within the organization to bend rules or escape consequences for unacceptable behaviour.

Finally, some who have had the opportunity to be present for management meetings share that there is “an obvious” internal cultural code in operation, which can act against racialized employees being seen to “fit in” at higher levels of the organization.

Biases in IRCC’s programs, policy and client service

Participants expressed concern that some of the overt and subtle racism they have witnessed by both employees and decision makers can and probably must impact case processing. Some point to differences in refusal rates by country as an indicator that some form of bias must be at play.

They also point to a few ways in which established practices meant to reflect policies can have taken on discriminatory undertones for the sake of expediency or performance. These include:

- Discriminatory rules for processing immigration applications from some countries or regions that are different than for others (e.g., additional financial document requirements for applications from Nigeria)
- Concern that increased automation of processing will embed racially discriminatory practices in a way that will be harder to see over time

Impacts of Racism at IRCC

When talking about micro-aggressions, we occasionally asked participants to articulate the immediate emotional and accumulated impact of these incidents as they can sometimes be dismissed as trivial among other organizational priorities, although left unmanaged, they can contribute to a climate of tolerance and silence.

“When you are addressed like this, it is so overwhelmingly shocking, you retire to your corner to figure out what to do” [One participant referring to a personally targeted derogatory comment from a supervisor, after we asked what they did about the situation and what prevented them from responding immediately]