



Breakfast with the Immigration and Refugee Board of Canada: Adjudication in a high-volume tribunal

Presentation to the Canadian Institute for the Administration of Justice

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The Immigration and Refugee Board (IRB)

- The IRB is Canada's largest independent, administrative tribunal.
- Its mission is to resolve immigration and refugee cases efficiently, fairly and in accordance with the law.
- The IRB is comprised of four divisions.



The Four Divisions of the IRB

Refugee Protection Division (RPD)

- Hears and decides claims for refugee protection made in Canada.
- Hears and decides applications to vacate or cease refugee protection.

Refugee Appeal Division (RAD)

- Hears and decides eligible appeals of RPD decisions.

Immigration Division (ID)

- Conducts admissibility hearings for foreign nationals or permanent residents believed to be inadmissible to, or removable from Canada.
- Conducts detention reviews for foreign nationals or permanent residents detained by CBSA.

Immigration Appeal Division (IAD)

- Hears appeals on immigration-related matters.



IRB CASE VOLUMES

	<u>FINALISATIONS</u>	
	2022	1st half 2023
RPD	45 444	24 498
RAD	11065	5153
ID*	8174	5050
IAD	2898	1689
TOTAL	67 581	36 390

*Detention reviews only



TOPICS

In a high-volume tribunal:

- **Ensuring quality decisions**
- **Promoting consistency**
- **Enhancing efficiency**
- **Responding to world events**



ENSURING QUALITY OF DECISIONS

Quality Assurance Framework

- Robust performance management
- Ongoing professional development
- Reasons review by Legal Services
- Third-party review



PROMOTING CONSISTENCY IN DECISION-MAKING

- Guidelines and jurisprudential guides
- National Documentary Packages
- RAD Reasons of Interest
- “*Consolidated Bathurst*” type discussions
- Jurisprudence updates and ongoing training



EFFICIENCY IN DECISION MAKING

- Appropriate use of templates etc.
- Point-first writing
- Oral reasons
- Training on adequate reasons (*Vavilov, Mason*)
- Making concise reasons writing a performance objective



RESPONDING TO WORLD EVENTS

- **Ensuring adequate information for decision-making**
 - Enhanced research of country conditions
- **Adapting processes and procedures, for example:**
 - Expedited processing as appropriate
 - Moving operations to where needed
 - Targeted training
- **Some examples from the IRB:**
 - Mass marine arrivals
 - Taliban take-over in Afghanistan
 - Ukraine war



THANK YOU