



Immigration, Refugees
and Citizenship Canada

Immigration, Réfugiés
et Citoyenneté Canada

Evaluation of Temporary Resident Permits

Evaluation Division

November 2016



Canada

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List of Acronyms

CBSA	Canada Border Services Agency
CMB	Case Management Branch
CPC-V	Case Processing Centre - Vegreville
CTT	China Transit Trial
D&D	Instrument of Designation and Delegation
DPR	Departmental Performance Report
FOSS	Field Operations Support System
GCMS	Global Case Management System
IR	International Region Branch
IRCC	Immigration, Refugees and Citizenship Canada
IRPA	<i>Immigration and Refugee Protection Act</i>
IRPR	<i>Immigration and Refugee Protection Regulations</i>
NHQ	National Headquarters
OMC	Operational Management and Coordination Branch
PDI	Program Delivery Instructions
POE	Port of Entry
RAB	Refugee Affairs Branch
TRP / TRPs	Temporary Resident Permit / Temporary Resident Permits
TWOV	Transit Without Visa
VHTs	Victims of Human Trafficking

Executive Summary

The evaluation of Temporary Resident Permits (TRPs) was conducted in fulfillment of requirements under the Treasury Board 2009 *Policy on Evaluation*.¹ Covering the period from 2011 to 2015, the evaluation used multiple lines of evidence to examine the relevance and performance of Temporary Resident Permits and the associated public policies/instructions from the Minister.²

TRPs are an instrument that allows a person who is otherwise inadmissible to enter or remain in Canada; issued when circumstances are justified, which can include economic contribution to Canada, personal reasons (e.g., attend a wedding or funeral), political visits, or Ministerial intervention. They can also be issued under humanitarian and compassionate grounds and to victims of human trafficking (VHTs).

Evaluation Findings

Relevance

There is a continued need to provide TRPs to inadmissible individuals in exceptional and justified circumstances in order to balance the varied objectives of the *Immigration and Refugee Protection Act* (IRPA). The provision of TRPs is aligned with Federal Government priorities of ensuring the health, safety, and security of Canadians and achieving economic benefits.

Performance

The TRP is effective in managing risks posed by inadmissible travellers, as it requires officers to undertake an assessment, to balance the risk and justification for entry with the potential benefits to Canada, and to impose a validity period for the individual's stay in Canada. While the TRP assessment process is appropriate for cases of minor inadmissibility, the same rigorous process is applied in cases that may not always be considered exceptional circumstances.

The evaluation found that the Instrument of Designation and Delegation is useful in outlining roles and responsibilities of those involved in the processing of TRPs; however, there is some indication that for cancellations of TRPs, the current designation is not practical. In addition, roles and responsibilities, while clear with respect to TRP policy development and operations, were less clear with respect to reporting on the issuance of TRPs to Victims of Human Trafficking. Overall, the existing policies and guidelines are sufficient in ensuring decision-makers understand the TRP instrument and its use; however, instructions are currently not delivered in a way that allows for the most efficient processing of TRPs at Ports of Entry or visa offices. Additionally, in relation to subsequent TRPs to VHTs, the guidance for officers

¹ Canada, Treasury Board (2009) *Policy on Evaluation*. Treasury Board updated the Policy on July 1st 2016 as the *Policy on Results*, www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=31300

² The public policies and instructions from the Minister in the scope of the evaluation included the *Public Policy for facilitating entry of foreign nationals who are inadmissible on Criminality Grounds*, the *Public Policy for facilitating entry of foreign nationals in the Transit Without Visa Program (TWOV)*, *China Transit Trial (CTT)* and *Emergency Landing Situations* and the *Instructions from the Minister regarding the issuance of temporary resident permits to victims of human trafficking (VHT)*.

working with VHTs is not clear on how to finalize the cases once the trafficking accusations have been addressed. Evidence indicates that there are limited opportunities for formalized approaches or forums to share TRP knowledge and build expertise within offices and across both the international and domestic networks.

In relation to the associated public policies/instructions from the Minister, while the TRP fee exemption for criminality facilitates entry, providing a fee exemption for this type of inadmissible client group was questioned. The TRP fee exemption to facilitate transit, however, was found to be appropriate given that the situation is beyond the traveller's control. Furthermore, the TRP has been effective in assisting those who may be Victims of Human Trafficking, as it provides immediate protection and the potential to regularize the individual's status when appropriate.

Performance – Demonstration of Efficiency and Economy

While the total cost of issuing TRPs is significantly higher than the total revenues generated, there is no evidence to indicate a need to change the fee. Lastly, the closure of some IRCC visa offices in the United States contributed to an increase in the inventory of TRPs and applications for criminal rehabilitation, negatively impacting processing times.

Conclusions and Recommendations

Overall, the evaluation found that there is a continued need for the TRP instrument as it provides flexibility in applying inadmissibility provisions, and it is aligned with government priorities related to the protection of health, safety and security of Canadians and the promotion of economic benefits.

For the most part, roles and responsibilities with respect to policy development and operations are clear but could benefit from minor adjustments to the designation of authorities. Given the discretionary and sometimes complex nature of the issuance of TRPs and the need to closely manage the cases of VHTs, avenues that allow for the sharing of knowledge and expertise are needed.

Recommendation 1. With respect to the Instrument of Designation and Delegation, IRCC should consider broadening the designation related to the cancellation of TRPs.

Recommendation 2. IRCC should establish formalized approaches to:

- **share and transfer knowledge gained through experience for officers in high TRP volume offices**
- **address operational and policy issues and questions related to managing VHT cases following the initial TRP for officers working with VHTs in inland offices.**

The TRP is effective in balancing risks and benefits of facilitating entry of inadmissible individuals; however, it is not being used only for exceptional circumstances.

Recommendation 3. IRCC should review and update, as needed, TRP functional guidance related to the use of TRPs for administrative purposes, to ensure consistent alignment with legislation.

While generally the use of TRP fee exemptions was considered to be appropriate, the TRP fee exemption for criminality was felt by some to be too broad in that it did not focus on the justification for entry, but rather on the category of inadmissibility, resulting in the potential for a broad application of the policy to a group of individuals rather than on a case-by-case basis when justified.

Recommendation 4. IRCC should clarify, through updates to the functional guidance, the rationale for applying the public policy for facilitating entry of foreign nationals who are inadmissible on criminality grounds.

While applying for criminal rehabilitation is presented as an option to resolve certain criminal inadmissibilities, these applications are not being processed in a timely fashion.

Recommendation 5. In order to resolve potential inefficiencies in TRP issuance at the border or within visa offices, IRCC should identify and implement improvements to the distribution of criminal rehabilitation application processing across the network.

Evaluation of Temporary Resident Permits - Management Response Action Plan

Recommendations	Response	Action	Accountability	Completion Date
<p>Recommendation 1. With respect to the Instrument of Designation and Delegation, IRCC should consider broadening the designation related to the cancellation of temporary resident permits.</p>	<p>IRCC agrees with this recommendation.</p> <p>There are two IRPA Designation and Delegation Instruments. One is made by IRCC and the other by the CBSA. In each Instrument, IRCC and the CBSA designate and delegate authorities to their own officers, as well as to officers in other departments (cross-delegations and cross-designations).</p> <p>This issue has already been identified and is scheduled for the next Designation and Delegation Instruments review in early 2017. The intention is to align the level of authority to cancel temporary resident permits with the level of authority to issue them. Changes to the delegation will be valid once the updated instrument is signed by the Minister (no prescribed date).</p> <p>In addition, as part of the update, IRCC will ensure that both the IRCC and CBSA instruments are aligned with regard to temporary resident permits.</p> <p>Once the update process is completed by Regulatory Affairs, CBSA officers will have the delegated authority to cancel temporary resident permits for which they are currently delegated to issue.</p>	<p>IRCC will complete the review of the Designation and Delegation Instrument and revise it as required, in 2017.</p> <p>Immigration Program Guidance Branch³ will prepare the rationale for the revision.</p> <p>Regulatory Affairs will present this and other requested changes to the Instrument of Designation and Delegation to the Minister.</p>	<p>Lead: Immigration Program Guidance Branch</p> <p>Support: Regulatory Affairs of Strategic Program and Policy Branch.</p>	March 2017
<p>Recommendation 2. IRCC should establish formalized approaches to:</p> <p>a. share and transfer knowledge gained through experience for officers in high temporary resident permit volume offices</p>	<p>IRCC agrees with this recommendation.</p> <p>IRCC recognizes the role of experienced officers in providing guidance to fellow officers when dealing with temporary resident permits and is receptive to the feedback regarding the usefulness of the Program Delivery Instructions. A restructuring and re-writing of the instructions so that they are more relevant and useful to officers will address this recommendation. This aligns with feedback received from multiple IRCC networks. Once the revised Program Delivery Instructions are finalized, Immigration Program Guidance Branch will work with Communications Branch to publish the updated guidance.</p> <p>The November Temporary Resident working group meeting will include a review of the results of temporary resident permit evaluation and the known concerns to date.</p>	<p>IRCC will add temporary resident permits as a standing item to its Temporary Resident working group meeting agenda to ensure officers have an opportunity to discuss temporary resident permit issues.</p>	<p>Lead: Immigration Program Guidance Branch</p>	November 2016
		<p>IRCC will complete a comprehensive review of the existing program delivery instructions specific to temporary resident permits in consultation with the IRCC network and the CBSA.</p>		December 2017

³ Immigration Program Guidance Branch formerly known as Operational Management and Coordination Branch (OMC)

Recommendations	Response	Action	Accountability	Completion Date
<p>b. address operational and policy issues and questions related to managing Victims of Human Trafficking cases following the initial temporary resident permit for officers working with these victims in inland offices</p>	<p>IRCC agrees with this recommendation.</p> <p>Relevant sections of the Program Delivery Instructions are reviewed and updated as the need arises. IRCC recognizes the need to provide clear functional guidance and address policy gaps on issues related to the longer term management of Victims of Human Trafficking cases (i.e. subsequent permits). These cases are complex and vary greatly from one to the other. General guidelines exist to assist officers while taking into consideration the discretionary nature and policy intent for issuing temporary resident permits to these victims.</p> <p>In early 2016, awareness sessions were held with processing officers in Edmonton, Calgary and Montreal inland offices to discuss the need for proper identification of victims of human trafficking-related temporary resident permits in Global Case Management System and raise awareness of the Ministerial Instructions related to victims of human trafficking. It was also an opportunity to provide guidance, address issues and collect critical information/concerns from the field.</p> <p>Additionally, program advisors from National Headquarters have attended multiple conferences/training sessions provided by external stakeholders to increase their victims of human trafficking knowledge allowing for improved functional guidance.</p>	<p>IRCC will conduct additional site visits to inland offices to ensure awareness of the victims of human trafficking Ministerial Instructions and to collect concerns from the field.</p>	<p>Lead: Immigration Program Guidance Branch</p>	<p>March 2017</p>
<p>Recommendation 3. IRCC should review and update, as needed, temporary resident permit functional guidance related to the use of temporary resident permits for administrative purposes, to ensure consistent alignment with legislation.</p>	<p>IRCC agrees with this recommendation.</p> <p>IRCC recognizes the importance of managing entry to Canada in an effective and efficient manner while ensuring the issuance of temporary resident permits continues to align with its policy intent.</p> <p>The <i>Immigration and Refugee Protection Act</i> authorizes designated officers to issue temporary resident permits to inadmissible foreign nationals when it is “justified in the circumstances”. Functional guidance is provided to officers who assess temporary resident permits applications including instructions on when a temporary resident permit should not be considered.</p>	<p>IRCC will review the policy intent of temporary resident permits to determine whether legislation, policy and functional guidance are in alignment and will make recommendations to senior management based on the finding (whether additional policy guidance or changes to functional guidance are required).</p>	<p>Lead: Admissibility Branch <i>Support:</i> Immigration Program Guidance Branch, International Network, Centralized Network, Program Integrity Branch and Refugees Affairs Branch.</p>	<p>December 2017</p>
		<p>IRCC will implement any required changes to the Program Delivery Instructions resulting from the review, once approved by senior management.</p>	<p>Lead: Admissibility Branch / Immigration Program Guidance Branch</p>	<p>February 2018</p>

Recommendations	Response	Action	Accountability	Completion Date
<p>Recommendation 4. IRCC should clarify, through updates to the functional guidance, the rationale for applying the public policy for facilitating entry of foreign nationals who are inadmissible on criminality grounds.</p>	<p>IRCC agrees with this recommendation. The public policy for the one-time fee exemption for foreign nationals who are inadmissible on certain criminality grounds was introduced by way of Operational Bulletin 389 on February 27, 2012. A summary of the issue and relevant background was provided at that time. Additionally, instructions and background of this public policy are provided in the current program delivery instructions.</p>	<p>IRCC will send out an Operational Reminder to its officers detailing the background and intent of this public policy.</p>	<p>Lead: Immigration Program Guidance Branch</p>	<p>November 2016</p>
<p>Recommendation 5. In order to resolve potential inefficiencies in temporary resident permit issuance at the border or within visa offices, IRCC should identify and implement improvements to the distribution of criminal rehabilitation application processing across the network.</p>	<p>IRCC agrees with this recommendation. IRCC recognizes the importance of reviewing rehabilitation applications in a timely manner and acknowledges that the processing times of rehabilitation applications could impact the number of temporary resident permits issued at the port of entry. It is important to note that final decisions on rehabilitation cases must be made by the Minister/delegate which limits where the cases may be distributed for final decision. Analysis of volumes, file distribution and potential processing efficiencies is required. Consultations are necessary to determine whether or not an increase in the processing of these applications (and therefore more recommendations) would result in more final decisions being made given the level of delegation required to do so.</p>	<p>IRCC will review and analyze the statistical data relevant to rehabilitation cases and initiate consultations with International Network, Domestic Network, Case Management Branch, Program Integrity Branch and CBSA to gauge the impact of distributing these cases throughout the network.</p>	<p>Lead: Immigration Program Guidance Branch <i>Support:</i> Program Integrity Branch</p>	<p>March 2017</p>
		<p>IRCC will develop and implement options informed by the results of the analysis.</p>		<p>December 2017</p>

1. Introduction

1.1 Purpose of the Evaluation

The evaluation examined the relevance and performance of Immigration, Refugees and Citizenship Canada's (IRCC) Temporary Resident Permits, which covered the period of 2011 to 2015.

The evaluation was conducted in fulfillment of requirements under the Departmental Evaluation Plan and the Treasury Board 2009 *Policy on Evaluation*⁴, that all departmental direct program spending be evaluated on a five-year cycle.

1.2 Evaluation Objectives and Scope

The focus of the evaluation was the processing and issuance of Temporary Resident Permits and the associated public policies/instructions from the Minister.

- addresses the core evaluation issues of relevance and performance (including delivery, efficiency and effectiveness).
 - Performance was measured in terms of the extent TRPs contribute to 1) facilitating entry/temporary residency in justified circumstances and 2) managing and mitigating threats and risks to Canada.
- does not include the transition of permit holders from temporary resident to permanent resident status⁵ nor does it include National Interest TRPs (NI-TRPs) and Public Policy Temporary Resident Visas (PPTRVs) as these mechanisms have different expected outcomes.
- includes the following public policies/instructions from the Minister:
 - Public policy for facilitating entry of foreign nationals who are inadmissible on Criminality Grounds (January 2012) [referred to as: TRP fee exemption for criminality]
 - Public policy for facilitating entry of foreign nationals in the Transit Without Visa Program, China Transit Trial and Emergency Landing Situations (January 2012) [referred to as: TRP fee exemption to facilitate transit]
 - Instructions from the Minister regarding the issuance of temporary resident permits to victims of human trafficking (VHTs) (June 2007) [referred to as: Instructions from the Minister regarding TRPs for VHTs]

⁴ Canada, Treasury Board (2009) *Policy on Evaluation*, www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=15024; Treasury Board updated the Policy on July 1st 2016 as the *Policy on Results*, www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=31300

⁵ TRP holders may be eligible to apply for permanent residence if they meet certain requirements including residing continuously in Canada as a permit holder for three to five years (depending on the nature of their original inadmissibility).

1.3 Overview of Temporary Resident Permits (TRPs)

TRPs are an instrument that allows a person who is otherwise inadmissible to enter or remain⁶ in Canada; issued when there are compelling reasons.

- Inadmissibilities are outlined in the *Immigration and Refugee Protection Act* (IRPA), as per Sections 34 to 42 (listed in Annex A).
- Authority to issue TRPs is designated by the Minister to officers at different levels, depending upon the severity of the inadmissibility.
- IRPA stipulates that officers are required to take into consideration any instructions from the Minister (as per A24(3)) when issuing TRPs.

Section 24(1) of IRPA authorizes designated officers to issue TRPs to foreign nationals who, in the opinion of the officer, are inadmissible or do not meet the requirements of the Act, if it is justified in the circumstances. Functional guidance provides that:

- Justified circumstances can include economic contribution to Canada, personal reasons (e.g., attend a wedding or funeral), political visits, or Ministerial intervention.⁷
- TRPs are used to address exceptional circumstances and, in so doing, maintain the integrity of Canada's immigration program and protect the health, safety and security of Canadians.
- TRPs can also be issued under humanitarian and compassionate grounds and to victims of human trafficking (VHTs).

TRPs are issued at visa offices and inland offices by Immigration, Refugees and Citizenship Canada (IRCC) officers or at ports of entry by Canada Border Services Agency (CBSA) officers, as outlined in the IRCC Instrument of Designation and Delegation.

- From 2010 to 2014, an average of 12,256 TRPs were issued per year.
- Most TRPs are issued at Ports of Entry (land border or airport).

TRPs are valid⁸ for a limited, often short, period of time and are subject to cancellation by an officer, according to the designated authority, at any time if a permit holder's circumstances change.

In most cases, a fee of \$200 is charged for a TRP.

⁶ While TRPs can be issued inland, TRP holders wanting to extend the validity period of their TRP can apply for a subsequent TRP (also known as a TRP extension).

⁷ Source: Port of Entry Examinations, Enforcement Manual #4
www.ci.gc.ca/Manuals/immigration/enf/enf4/index_e.asp

⁸ May have a validity from 1 day to 3 years.

Table 1: Temporary Resident Permits and Extensions Issued, 2010-2014.

Description of Inadmissibility	2010	2011	2012	2013	2014
Security (espionage, subversion, terrorism) IRPA S34(1)(a), (b), (c), (d), (e) and (f)	86	37	20	17	12
Human or International Rights Violations IRPA S35(1)(a), (b) and (c)	24	14	15	10	2
Serious Criminality (convicted of an offence punishable by a term of imprisonment of at least 10 years) IRPA S36(1)(a), (b) and (c)	907	899	888	843	716
Criminality (convicted of a criminal act or of an offence prosecuted either summarily or by way of indictment) IRPA S36(2)(a), (b), (c) and (d)	6,451	6,227	7,014	6,816	5,807
Organized Criminality IRPA S37(1)(a) or (b)	6	7	8	0	2
Health Grounds (danger to public health or public safety, excessive burden) IRPA S38(1)(a), (b) and (c)	128	97	91	48	16
Financial Reasons (unwilling or unable to support themselves or their dependants) IRPA S39	42	33	11	5	9
Misrepresentation IRPA S40(1)(a), (b), (c) and (d)	36	11	18	8	14
Non-Compliance with Act or Regulations* (no passport, no visa, work/study without permit, medical/criminal check to be completed in Canada, not examined on entry, etc.) IRPA S41(a) and (b)	4,423	3,932	5,206	5,135	3,895
Inadmissible Family Member IRPA S42(a) and (b)	250	161	186	114	43
No Return Without Prescribed Authorization IRPA S52(1)	99	108	107	119	108
TOTAL	12,452	11,526	13,564	13,115	10,624

Source: Annual Reports to Parliament on Immigration, 2011 to 2015. 2015 Annual Report data not available at the time of writing this report.

*As of the 2013 Annual Report, the Non-compliance statistics includes the following footnote: Includes all sections of IRPA other than 34–42 and 52.

Note regarding Tables 1 and 2: IRCC reports statistics using dynamic data sources. Numbers may differ slightly from similar reports because of data extracts being produced on different days.

Table 2: Temporary Resident Permits and Extensions Issued by Point of Service, 2010-2015.

Point of Service	2010	2011	2012	2013	2014	2015
Abroad	1,770	1,086	941	653	639	190
Centralized Processing Region	936	918	1,143	611	294	599
Inland	1,072	835	664	631	552	422
Land Border	3,940	4,197	4,811	4,857	3,844	3,711
Airport	4,310	4,281	5,667	6,107	4,889	5,010
Marine	69	39	144	94	105	99
Other	10	2	9	35	114	297
Total	12,107	11,358	13,379	12,988	10,437	10,328

Source: Integrated Data Model (IRCC Enterprise Data Warehouse), as of July 20, 2016

Note regarding Tables 1 and 2: IRCC reports statistics using dynamic data sources. Numbers may differ slightly from similar reports because of data extracts being produced on different days

1.4 Overview of associated Public Policies and Instructions from the Minister

Public Policy for facilitating entry of foreign nationals who are inadmissible on Criminality Grounds

- Allows the grant of a one-time fee exemption for a TRP issued when the individual is inadmissible solely on the grounds of criminality under section 36(2) of IRPA and who:
 - was convicted of an offence and received no term of imprisonment as part of the sentence imposed; and
 - has had no other convictions or committed any other acts that would render the person inadmissible.
- This public policy fee exemption does not apply to persons convicted of child pornography or a sexual offence.
- In issuing the TRP, the officer must also counsel the foreign national that the fee exemption is one-time only and that the individual should look into potential mechanisms to overcome their inadmissibility.

Public Policy for facilitating entry of foreign nationals in the Transit Without Visa Program (TWOV), China Transit Trial (CTT) and Emergency Landing Situations

- Allows the grant of a fee exemption for travellers utilizing the TWOV program and CTT, and for travellers arriving in Canada due to an emergency landing, who are inadmissible solely on the grounds of “non-compliance with the Act” under section 41 of IRPA, and who:
 - In the case of TWOV and CTT, are unable to transit (depart) Canada on the same day of arrival; or
 - In the case of travellers whose aircraft was not destined to Canada, but must land in Canada due to unforeseen circumstances.

Instructions from the Minister regarding the issuance of temporary resident permits to victims of human trafficking (VHT)

- Objective is to provide protection to vulnerable foreign nationals who are victims of human trafficking, by regularizing their status in Canada, when appropriate.
- Allows for the issuance of a short-term TRP lasting up to 180 days in cases where an officer is only able to make a preliminary assessment that the individual may be a victim of trafficking;
- Allows for the issuance of a longer term TRP, or a subsequent TRP, in cases where a more complete verification of the facts provide reasonable grounds for the officer to believe that the individual is a victim of trafficking.

Table 3: Number of TRP related Fee Exemptions Provided

Public Policy:	2012	2013	2014	2015
Emergency Landing - TWOV - CTT (M30)*	1,014	1,244	961	932
A36(2) Criminality (One-Time) (M31)**	2,256	2,413	NA	1,040

*CICEDW (EDW), OPPB-DART, September 2016.

**OPPB/OPMB, April 2016.

Table 4: TRPs issued to Victims of Human Trafficking

Year	TRPs Issued	New TRPs	Subsequent TRPs	Victims
2011	57	5	52	55
2012	28	15	13	27
2013	36	22	14	29
2014	34	10	24	31
2015	44	19	25	32

Source: OPMB, April 2016.

1.5 Departmental Roles and Responsibilities related to TRPs

IRCC Roles and Responsibilities

- **Admissibility Branch:** Responsible for ensuring the managed migration of foreign nationals and newcomers to Canada and providing strategic advice, leading legislative and regulatory amendments and developing program policy concerning inadmissibility, including matters concerning Temporary Resident Permits (TRPs), and other related provisions. The branch works closely with other government departments and agencies on inadmissibility issues, in particular, the CBSA which is the government policy lead on security, human or international rights violations and organized criminality inadmissibilities.
- **Operational Management and Coordination Branch (OMC):** Responsible for coordinating and delivering functional guidance related to TRP issuance, domestically and internationally. OMC is responsible for integrating Operations Sector input into policy development, applying new policies, and providing functional guidance and operational materials on processing temporary residents (visitors, students and workers), and temporary resident permits.
 - OMC is also responsible for collecting statistics related to Victims of Human Trafficking and for functional guidance related to TRPs issued to Victims of Human Trafficking.

- **Case Management Branch (CMB):** Responsible for providing functional guidance to officers across both the domestic and international network on complex (i.e. criminal inadmissibility) TRP cases, for providing directives to implicated offices related to TRPs to be issued on the instruction of the Minister, and is the branch responsible for assessing and providing operational guidance on TRPs related to serious inadmissibilities (i.e. A34, 35 and 37 of IRPA).
- **International Region (IR):** Responsible for the management and oversight of the delivery of IRCC's programs, including the processing and issuance of TRPs, across the international network of visa offices.
 - **Visa Offices:** Visa Offices are responsible for processing immigration applications for temporary and permanent residence submitted outside Canada, including the consideration of TRPs for individuals deemed to be inadmissible.
- **Case Processing Centre-Vegreville (CPC-V) and IRCC Local Offices:** IRCC's CPC is responsible for processing TRPs considered within Canada and for processing subsequent TRPs. CPC-V is also responsible for referring complex cases (i.e. potential victims of human trafficking) to local in-land IRCC offices for consideration and processing.
- **Refugee Affairs Branch (RAB):** Within the context of Temporary Resident Permits, RAB is responsible for coordinating IRCC's input to the *National Action Plan to Combat Human Trafficking*.

CBSA Roles and Responsibilities

- **Ports of Entry (POE)** – Border Services Officers at Ports of Entry are responsible for examining those wishing to enter Canada. When a decision to admit cannot be made, they are referred to CBSA Immigration Secondary. Officers within Immigration Secondary are responsible for authorizing inadmissible persons to enter Canada on a Temporary Resident Permit; denying entry to inadmissible persons, arranging for their removal and confirming their departure; and allowing persons who are inadmissible to voluntarily withdraw their application.
- **Immigration and Identity Management Programs Unit (IIMPU)** - The IIMPU of the Traveller Program Directorate is responsible for developing and managing national programs, and the related legislation, regulations and policies associated with immigration, including port of entry processing of temporary foreign workers, students and refugee claimants; and issuance of Temporary Resident Permits (TRPs).
- **Traveller Operations Division** - The Traveller Operations Division is responsible for supporting day-to-day port of entry border operations and overseeing service delivery in the processing of travellers. The Division provides advice and operational support, analysis and guidance on the effective delivery of the traveller's program and operational horizontal files, including operational priorities.

1.6 TRP Costs and Revenues

According to IRCC's Departmental Performance Reports (DPR), the total cost to issue TRPs ranged from \$5.4M to \$8.1M between 2010-11 and 2014-15. IRCC generates revenues from TRPs through the fees collected when TRPs are issued, from 2010 to 2015 these revenues ranged from \$1.4M to \$2.365M.

Table 5: Total TRP Costs

Year	Actual Revenue	Full Cost
2014-15	1,400,000	8,100,000
2013-14	1,700,000	6,500,000
2012-13	1,700,000	5,400,000
2011-12	2,000,000	7,500,000
2010-11	2,365,000	6,909,000

Source: IRCC Departmental Performance Reports

Between 2010-11 and 2014-15, TRP related revenues, as a percentage of total costs, ranged from a low of 17% in 2014-15 to a high of 34% in 2010-11.

Table 6: Total TRP Revenues

Year	Revenues as a percentage of total costs
2014-15	17%
2013-14	26%
2012-13	31%
2011-12	27%
2010-11	34%

2. Methodology

2.1 Evaluation Questions

The following evaluation questions, organized by core issue⁹, were addressed:

Relevance:

- Is there an ongoing need to provide Temporary Resident Permits (TRPs) to inadmissible individuals?
- Is the provision of TRPs aligned with IRCC and federal government priorities?
- Does a strong rationale remain for the federal government to have a role in providing TRPs?

Performance:

- To what extent are existing policies and guidelines understood by designated decision-makers?
- To what extent are roles and responsibilities clear and understood by designated decision-makers and others involved in the processing of TRPs?
- To what extent do TRPs contribute to the joint objectives of 1) facilitating entry/temporary residency in justified circumstances and 2) managing and mitigating threats and risks to Canada?

Performance - Demonstration of Efficiency and Economy:

- To what extent is the TRP process efficient?
- Could IRCC derive similar benefits and outcomes through a different mechanism?

2.2 Data Collection Methods

Data collection and analysis for this evaluation took place between October 2015 and July 2016, and included multiple lines of evidence, listed below. For a full description of the evaluation approach and lines of evidence, please refer to Annex B.

- Interviews with IRCC and CBSA staff involved in TRP policy and/or operations (n = 34)
- Site visits to Toronto Pearson International Airport (T1) and Fort Erie Port of Entry
- Review of administrative data related to the issuance of TRPs
- Document review
- Review of GCMS/FOSS TRP case notes
- Review of media articles

⁹ Canada, Treasury Board Secretariat (2009) *Directive on the Evaluation Function*; Treasury Board updated the Policy on July 1st 2016 as the *Policy on Results*, www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=31300.

2.3 Limitations

While some data limitations existed, as described below, the information generated from the available data was considered sufficient to ensure that the findings are reliable and can be used with confidence.

- An analysis of TRP Case Notes by prohibiting section (inadmissibility) could not be conducted due to missing information. As such, the analysis of the TRP Case Notes was undertaken based on a random sampling of the 2015 TRPs issued by client ID, which provided sufficient information for the purposes of the evaluation.
- Data for 2014 on the number of TRP fee exemptions provided under the TRP fee exemption for criminality was not available.

3. Key Findings – Relevance

3.1 Need for TRPs and associated Public Policies and Instructions from the Minister

Finding: There is a continued need to provide TRPs to inadmissible individuals in exceptional and justified circumstances in order to balance the varied objectives of the *Immigration and Refugee Protection Act (IRPA)*.

- It was confirmed, in all interviews, that there is a continued need for TRPs.
 - There is a need for an instrument to provide flexibility in applying inadmissibility provisions in order to balance the broad and varied objectives of the IRPA framework legislation, namely the protection of the health, safety and security of Canadians and the promotion of economic interests.
 - There is a continued need for the TRP because it is a broad, flexible, instrument that addresses exceptional circumstances and a justified need.
- Document review confirmed the responses from interviewees regarding the need for the TRP instrument.
- In all interviews, the use of public policies and instructions from the Minister for TRPs were deemed to be appropriate as they fill a gap in legislation and policy, and respond to stakeholder interests and concerns.

3.2 Alignment with Federal Government Priorities

Finding: The provision of TRPs is aligned with Federal Government priorities of ensuring the health, safety, and security of Canadians and achieving economic benefits.

- Most interviewees indicated that the TRP is aligned with federal government priorities, as it provides an instrument to balance safety and security priorities with economic and trade benefits to Canada.
- In a few interviews, it was felt that the TRP allows inadmissible individuals to enter Canada, thereby potentially compromising public safety priorities.
- The TRP is one of the operational measures to manage migration access, in alignment with IRCC's Strategic Outcome #4: Managed migration and facilitated travel that promote Canadian interests and protects the health, safety and security of Canadians; and the Departmental program element 4.2 related to migration control and security management.

3.3 Role of Federal Government

Finding: The Federal role in TRP issuance is appropriate, given the Federal government is responsible for admissibility and inadmissibility policy.

- The development of Canada’s admissibility policy and the establishment of the conditions for entering and remaining in Canada are federally regulated activities, outlined in the *Immigration and Refugee Protection Regulations (IRPR)*.
- The *Immigration and Refugee Protection Act (IRPA)* outlines the policies and approaches for immigration, including admissibility, which is shared between the Minister of IRCC and the Minister of Public Safety.
- In all interviews, it was deemed that the role of the federal government in the provision of TRPs is appropriate due to its responsibility for admissibility and inadmissibility policy and the application of this policy across the country.

4. Key Findings – Performance

4.1 Clarity and understanding of roles and responsibilities

Finding: The Instrument of Designation and Delegation (D&D) is useful in outlining roles and responsibilities of those involved in the processing of TRPs; however, there is some indication that for cancellations of TRPs, the current designation is not practical.

- Officers delegated/designated¹⁰ to issue TRPs are identified in the D&D, which clearly indicates which level of officer has the authority to issue TRPs for each inadmissibility.
- In all interviews, the D&D was felt to be clear and accessible.
 - Some interviews cited an issue with respect to designation for cancellations, which currently rests with IRCC, noting that for TRPs issued by CBSA, the ability to cancel should also rest with CBSA as they are familiar with the case and administrative errors (e.g. corrections needed on printed permits) would be addressed more efficiently.
- No issues were raised in interviews regarding the level of authority for the provision of TRPs to VHTs.

Finding: Roles and responsibilities are clear with respect to TRP policy development and operations, but less clear with respect to reporting on the issuance of TRPs to Victims of Human Trafficking.

- In all interviews it was indicated that the overarching roles of the Admissibility, OMC and CMB Branches in IRCC and the roles of CBSA Operations are clear.
- While IRCC’s role in the National Action Plan on Victims of Human Trafficking was not within the scope of the evaluation, there was a mention at IRCC NHQ that RAB’s role as the reporting lead may not be appropriate, given that the TRP policy and its implementation is the joint responsibility of Admissibility Branch and IRCC and CBSA Operations.
 - While victims of human trafficking are a vulnerable population and some may subsequently apply for refugee status, administrative data revealed that in many cases the individual’s first interaction with IRCC was through the Temporary Foreign Worker stream, which is the responsibility of IRCC’s Immigration Branch.
 - This lack of clarity related to roles and responsibilities may result in a disconnect between those responsible for temporary residence/work policy, and for TRP policy, and those responsible for reporting on the use of the TRP for those deemed VHTs.

¹⁰ Through the D&D, the IRCC Minister delegates most of the powers that are vested in him by IRPA in relation to the application of the law. The IRCC Minister also designates the “officer” that could carry out the authority vested to them by IRPA, and the D&D describes the duties and powers they can exercise (source: www.cic.gc.ca/english/resources/manuals/il/il03-menu.asp).

4.2 Understanding of policies and guidelines

Finding: Overall, the existing policies and guidelines are sufficient in ensuring decision-makers understand the TRP instrument and its use; however, instructions are currently not delivered in a way that allows for the most efficient processing of TRPs at Ports of Entry or visa offices.

- A combination of legislation, regulations, manuals/program delivery instructions (PDIs) and operational bulletins provide guidance on the issuance of TRPs (see Annex C for a list of documents).
- Interviewees generally felt that the TRP policies and associated legislation are clear, as are the written guidance materials that are available.
- Interviewees also indicated, however, that the PDIs are difficult to navigate. This situation is exacerbated when the timeframe required to make a decision is limited.

Finding: In relation to subsequent TRPs to VHTs, the guidance for officers working with VHTs is not clear on how to finalize the cases once the trafficking accusations have been addressed.

- While the Inland Processing Manual 1 (IP1) provides guidance on the issuance of TRPs to VHTs, many interviews raised issues pertaining to the longer term management of VHT cases (i.e., subsequent TRPs), including a lack of guidance on how to deal with individuals who do not seek to regularize their status, how to deal with spouses and dependants of VHTs, and a lack of consistent coding and data related to VHTs.
- Interviewees identified a need for more guidance and specialized training for those officers who are designated to issue TRPs for Victims of Human Trafficking.

Finding: There are limited opportunities for formalized approaches or forums to share TRP knowledge and build expertise within offices and across both the international and domestic networks.

- Many interviews mentioned the importance of having experienced officers within the office or port of entry available to answer questions or provide guidance when dealing with a TRP.
 - A few interviews specifically mentioned the retirement of legacy or experienced officers as having the potential to make this even more of an issue.
- In interviews it was revealed that no regular forums exist to bring together individuals from various parts of the delivery network to share information and best practices about TRPs.
- On policy issues, NHQ consults internally and with CBSA on an ad hoc basis.
- In some interviews it was indicated that the standardized process of using a template and inbox to deal with questions related to the functional guidance is not always timely and often requires multiple exchanges.

4.3 Facilitating entry and managing threats and risks

Finding: The TRP is effective in managing risks posed by inadmissible travellers as it requires the officers to undertake an assessment, to balance the risk and justification for entry with the potential benefits to Canada, and to impose a validity period for the individual's stay in Canada.

- The issuance of TRPs requires officers to follow detailed procedures when assessing an inadmissible individual and imposing conditions upon their entry/stay in Canada, as per the operational and enforcement manuals.
 - Factors that must be considered include seriousness of criminal offences, anticipated impact on health and social services, economic benefit for Canadians, and compassionate reasons (family related).
 - The majority of TRPs issued (90%) between 2010-2014 were for criminality (A36(2)) and non-compliance with the Act or Regulations (A41).
 - The TRP Case Notes analysis revealed that, in most cases (59%), the reason provided for issuing the TRP was related to economic benefits to Canada, followed by humanitarian considerations (24%), which is aligned with the factors that are to be considered by officers.
- In all interviews it was felt that while issuing a TRP does not decrease all risks potentially posed by inadmissible individuals, the discretionary nature of TRP issuance and the work involved in the assessment and processing of a TRP allows officers to achieve the right balance between facilitating entry and protecting Canadians.
- In the majority of interviews it was felt that the TRP's effectiveness is further strengthened because it requires officers to record inadmissible clients' entry and impose conditions (i.e. validity period of TRP) on their stay in Canada.

Finding: While the TRP assessment process is appropriate for cases of minor inadmissibility, the same rigorous process is applied in cases that may not always be considered exceptional circumstances.

- Between 2010 and 2014, approximately 1/3 of TRPs were issued to overcome non-compliance with the Act or Regulations.
 - Examples of non-compliance include no passport, no visa, or work/study without a permit.
- In a few interviews, the TRP's effectiveness was questioned suggesting that it is no longer being used only for exceptional circumstances and instead is being used more regularly for administrative purposes to provide or extend an individual's residency/temporary status.
 - The impact of using the TRP in this way is it has potentially led to a departure from the TRPs purpose and intended use.
- Furthermore, in a few interviews it was pointed out that the process to issue a TRP to facilitate the transit of travellers through a Canadian airport is too labour intensive and may not be an efficient way of dealing with transiting travellers.
 - Recent regulatory changes have removed the need to issue a TRP in emergency landing situations, which partially addresses the concerns raised in interviews.

4.4 Effectiveness of the TRP fee exemption for criminality

Finding: While the one-time TRP fee exemption for criminality facilitates entry, providing a fee exemption for this type of inadmissible client group was questioned.

- This public policy was put in place to address bilateral irritants and concerns raised by stakeholder groups, including the tourism industry, with respect to the inadmissibility and relief mechanisms.
- When first introduced in 2012, the fee exemption was “an interim measure to facilitate entry of Foreign Nationals until a more permanent measure is established”(source: OB 389). To date no permanent measure has been introduced.
- Some interviewees indicated that the rationale behind the fee exemption was not clear, and that while waiving the fee is facilitative, it was questioned for this particular clientele and was felt it minimizes the significance/substance of the inadmissibility.

4.5 Effectiveness of the TRP fee exemption to facilitate transit

Finding: The provision of the TRP fee exemption to facilitate transit is appropriate given that the situation is beyond the traveller’s control.

- This public policy was introduced in order to address air industry stakeholder concerns regarding travellers who had no intention to come to Canada and landed in Canada solely due to circumstances beyond their control.
- In most interviews the public policy was deemed to be appropriate because the situation was beyond the traveller’s control.

4.6 Effectiveness of the Instructions from the Minister regarding TRPs for VHTs

Finding: The TRP has been effective in assisting those who may be Victims of Human Trafficking, as it provides immediate protection and the potential to regularize the individual’s status when appropriate.

- The objective of the Instructions from the Minister regarding TRPs for VHTs is to provide protection to vulnerable foreign nationals who are deemed victims of human trafficking, by regularizing their status in Canada, when appropriate (source: IP1).
 - The short-term TRP (180 days) provides time for the individual to consider their options of returning home or assisting in investigations; and facilitates their participation in the investigation.
 - It also provides the VHT with access to the Interim Federal Health Program and work/study permits, and responds to IRCC’s humanitarian commitments.
 - Interviews confirmed that the short-term TRP is appropriate and effective for this client group.
 - A longer-term or subsequent TRP can be issued when there are reasonable grounds to believe the individual is a victim. (source: IP1)

5. Key Findings – Performance: Demonstration of Efficiency and Economy

5.1 Demonstration of Economy

Finding: While the total cost of issuing TRPs is significantly higher than the total revenues generated, there is no evidence to indicate a need to change the fee.

- Between 2010/11 and 2014/15, revenues as a percentage of total costs to issue TRPs ranged from a low of 17% in 2014/15 to a high of 34% in 2010/11.
- In the 2015 calendar year, an additional \$394,400 would have been generated had the existing TRP fee exemption for criminality and the TRP fee exemption to facilitate transit not been applied.
- There is no legislative obligation for IRCC to charge the full cost of issuing TRPs.
- A review of the fees associated to the TR stream was conducted in 2014 by IRCC-Finance Branch. At that time it was deemed that, given relative low volumes of TRPs compared to other TR streams and the projected growth rates, a fee review was not warranted.
- The country comparison revealed that the fee associated with the US Application for Waiver of Grounds of Inadmissibility is currently \$585 USD.
- A few interviewees indicated that, given their complexity, some TRPs should warrant a higher fee. The remainder of interviewees did not have a view on the cost of the TRP.

5.2 Demonstration of Efficiency

Finding: The closure of some IRCC visa offices in the United States contributed to an increase in the inventory of TRPs and applications for criminal rehabilitation, negatively impacting processing times.

- While no meaningful service standard can be established for the processing of TRP cases because they are extremely variable in nature and complexity, no information is provided for criminal rehabilitation¹¹ applications, as per IRCC's Departmental Performance Reports.

¹¹ Criminal Rehabilitation refers to an application process that allows a person who has committed or been convicted of a crime outside Canada to enter or stay in Canada. "Rehabilitation", in this context, under the *Immigration and Refugee Protection Act*, means that the person is no longer considered inadmissible to Canada for a particular criminal offence.

A person can apply for criminal rehabilitation if at least five years have passed since the act was committed and all criminal sentences have been completed. In order to be approved for criminal rehabilitation the applicant must show that they lead a stable life and are not likely to commit more crimes (source: www.cic.gc.ca/english/helpcentre/glossary.asp#criminal_inadmissibility).

- Processing times for TRPs and criminal rehabilitation applications increased significantly from 2011 to 2013 in both the New York and Los Angeles offices as a result of US visa office closures and the resulting redistribution of the workload. Interviews indicated that while the backlog has been reduced somewhat, the processing times for criminal rehabilitation applications have not yet been reduced to the preferred level of 6 months, from the current level of approximately 12 months.
- In a few interviews, it was specified that as a result of increased processing times at US visa offices, individuals are by-passing the visa offices and are appearing at the port of entry in the hope of receiving a TRP.
 - The processing of criminal rehabilitation cases at ports of entry has also had an impact on CBSA.
- While TRP cases are discretionary in nature, criminal rehabilitation cases are application-based, similar to other lines of business.

6. Conclusions and Recommendations

Overall, the evaluation found that there is a continued need for the TRP instrument as it provides flexibility in applying inadmissibility provisions, and it is aligned with government priorities related to the protection of health, safety and security of Canadians and the promotion of economic benefits.

For the most part, roles and responsibilities with respect to policy development and operations are clear but could benefit from minor adjustments to the designation of authorities. Given the discretionary and sometimes complex nature of the issuance of TRPs and the need to closely manage the cases of VHTs, avenues that allow for the sharing of knowledge and expertise are needed.

Recommendation 1. With respect to the Instrument of Designation and Delegation (D&D), IRCC should consider broadening the designation related to the cancellation of TRPs.

Recommendation 2. IRCC should establish formalized approaches to:

- **share and transfer knowledge gained through experience for officers in high TRP volume offices**
- **address operational and policy issues and questions related to managing VHT cases following the initial TRP for officers working with VHTs in inland offices.**

The TRP is effective in balancing risks and benefits of facilitating entry of inadmissible individuals; however, it is not being used only for exceptional circumstances.

Recommendation 3. IRCC should review and update, as needed, TRP functional guidance related to the use of TRPs for administrative purposes, to ensure consistent alignment with legislation.

While the use of TRP fee exemptions was generally considered to be appropriate, the TRP fee exemption for criminality was felt by some to be too broad in that it did not focus on the justification for entry, but rather on the category of inadmissibility, resulting in the potential for a broad application of the policy to a group of individuals rather than on a case-by-case basis when justified.

Recommendation 4. IRCC should clarify, through updates to the functional guidance, the rationale for applying the public policy for facilitating entry of foreign nationals who are inadmissible on criminality grounds.

While applying for criminal rehabilitation is presented as an option to resolve certain criminal inadmissibilities, these applications are not being processed in a timely fashion, foregoing potential efficiency gains at the border and within visa offices.

Recommendation 5. In order to resolve potential inefficiencies in TRP issuance at the border or within visa offices, IRCC should identify and implement improvements to the distribution of criminal rehabilitation application processing across the network.

Annex A – Inadmissibilities in *Immigration and Refugee Protection Act*

Section of IRPA	Inadmissibility
A34	Security (espionage, subversion, terrorism)
A35	Human or International Rights Violations
A36(1)	Serious Criminality (e.g. convicted of an offence punishable by a term of imprisonment of at least 10 years)
A36(2)	Criminality (e.g. convicted of an indictable offence)
A37	Organized Criminality
A38	Health Grounds (danger to public health or public safety, excessive burden)
A39	Financial Reasons (unwilling or unable to support themselves or their dependants)
A40	Misrepresentation
A41	Non Compliance with Act or Regulations (no passport, no visa, work/study without permit, medical/criminal check to be completed in Canada, not examined on entry, no authorization to return to Canada, etc.)
A42	Inadmissible Family Member

Annex B – Description of Data Collection Approach and Methods

Approach

The evaluation scope and approach were determined during a planning phase, in consultation with IRCC branches involved in the delivery of TRPs.

The Terms of Reference for the evaluation were approved by the Departmental Evaluation Committee in September 2015.

The evaluation was conducted in-house.

The evaluation was calibrated to address the level of complexity and risk associated with TRPs, taking into account:

- The fact that TRPs have never been the subject of an evaluation;
- The process of issuing a TRP is highly discretionary and varies depending upon the grounds of the inadmissibility;
- The issuance of TRPs may involve both CBSA and IRCC officers, which increases the complexity of the process; and
- TRPs are considered to be of medium-risk, according to IRCC's audit risk rankings.
 - As a result, a small scale evaluation informed by consultations with CBSA and the use of a moderate number of lines of evidence was conducted and deemed appropriate.

Where qualitative information is presented in the report, the scale provided below (see Qualitative Data Analysis Scale) is used. Note that, in some cases (i.e., where the number of respondents was too small or where the question yielded more descriptive information), the responses were summarized in order to analyze the information.

Line of Evidence and Description

Document Review

Relevant program documents from both IRCC and CBSA were reviewed to gather background and operational information on the TRP instrument. These included: legislation and regulations (IRPA and IRPR), departmental documents (such as Instrument of Designation and Delegation, Departmental Performance Reports, and Annual Reports to Parliament), program documents (such as briefing notes) and documents related to the processing and issuance of TRPs (such as inland, overseas, and enforcement manuals, operational bulletins, standard operating procedures).

Key Informant Interviews

A total of 34 interviews were conducted with stakeholder groups including: IRCC senior management and policy and program officers (12); IRCC Inland – Local Offices (5); IRCC Canadian Visa Officers Abroad (8); Canada Border Services Agency (CBSA) Port of Entry

Superintendents and Border Services Officers (5); CBSA NHQ – Operations and Programs Branches (4).

Site Visits

Site Visits to Toronto Pearson International Airport (T1) and Fort Erie Peace Bridge Port of Entry were conducted to better understand how TRPs are processed and issued within both Canadian airport and land border settings.

Program Data

Available operational and financial data were used to provide information on TRP processing/issuance. Global Case Management System (GCMS) / Field Operations Support System (FOSS) data and administrative data related to TRP processing, TRP fee exemptions and data related to Victims of Human Trafficking were reviewed and analyzed.

Financial data from IRCC’s Cost Management Model (CMM) and User Fees Unit were used to examine the costs of processing and issuing TRPs.

GCMS/FOSS TRP Case Notes

A review of the TRP Case Notes extracted from GCMS was conducted based on a random sampling of the 2015 TRPs issued by client ID, resulting in 729 cases being reviewed. The TRP case notes were reviewed to determine and understand the justification for facilitating entry of individuals who are otherwise inadmissible.

Media Analysis

A review of media articles from IRCC’s Newsdesk (article database), based on the search term “temporary resident permit” for the period from April 2014 to April 2016 was completed. A total of 181 articles representing 23 separate news stories were reviewed to better understand messaging around, and public perceptions of, the TRP and its use.

Qualitative Data Analysis Scale

All	Findings reflect the views and opinions of 100% of respondents.
Majority/Most	Findings reflect the views and opinions of at least 75% but less than 100% of respondents.
Many	Findings reflect the views and opinions of at least 50% but less than 75% of respondents.
Some	Findings reflect the views and opinions of at least 25% but less than 50% of respondents.
A few	Findings reflect the views and opinions of at least two respondents but less than 25% of respondents.

Annex C – List of Manuals, Guidance Documents

IL3 - Instrument of Delegation

Document through which the Minister of IRCC designates and delegates authorities to their own officers, as well as to officers in other departments (cross-delegations and cross-designations).

IP 1 Temporary Resident Permits

Provides policy and procedural guidelines to CIC staff at inland offices on:

- issuing temporary resident permits to allow inadmissible persons to enter or remain in Canada;
- extension, expiry and cancellation of permits;
- granting of permanent resident status to permit holders

OP 20 Temporary Resident Permits

Provides policy and procedural guidelines to CIC staff at overseas offices on:

- the issuance of facilitation travel documents (specially coded counterfoils) to enable inadmissible persons to travel to Canada to receive the temporary resident permit for which they were approved;
- the approval of facilitation travel documents (specially coded counterfoils) in the passports and travel documents of temporary resident permit holders authorized to re-enter Canada;
- the expiry and cancellation of permits;
- the granting of permanent resident status to temporary resident permit holders

ENF 4 - Port of Entry Examinations - Section 15

Describes how a border services officer conducts primary and secondary immigration examinations. Section 15 outlines temporary resident permit procedures.

ENF 4 - Appendix E - TRP Checklist

Checklist to document information about the TRP including: identity, trip details, compelling reason to enter, inadmissibility, criminal equivalency, risk to Canada, and outlines the documents that need to be included in the hardcopy file, the FOSS file and documentation to be provided to Case Management (for serious criminality cases only)

Transit Without Visa Program/China Transit Program Standard Operating Procedures (CBSA)

Standard operating procedures developed for use by Regional CBSA staff, Liaison Officers and Headquarters to ensure a consistent delivery of the program on a national basis. Section 5.3 Processing ineligible passengers makes reference to the public policy fee exemption and describes the procedure to follow.

ENF 14 / OP 19 Criminal Rehabilitation

Provides functional direction and guidance to officers, managers and others concerning the deemed rehabilitation and rehabilitation provisions for persons who have been described in A36. Policies and procedures are outlined for officers at NHQ, local offices and visa offices who will be providing recommendations and rendering decisions on applications for Deemed Rehabilitation and Rehabilitation. Includes guidelines to determine criminal equivalencies, foreign monetary values, documentation, and the calculation of the prescribed period of time, as well as factors to assess the decision on rehabilitation and the risk of recidivism.