

s.16(2)(c)

s.19(1)

Ntaniel-Santik, Mariam (IRCC/IRCC)

From: Watchorn, Jennifer (IRCC/IRCC) (she, her | elle, la)
Sent: September 11, 2025 4:17 PM
To: Tetford, Glen (IRCC/IRCC) (he, him, his | il, le, lui)
Subject: IRCC Accident Investigation Report
Attachments: Accident_Investigation_Report - pdf.rtf; Accident_Investigation_Report - pdf

Hi Glen,

I've completed the investigation report and attached both a PDF and Word version. If you'd like to make any modifications you can, if not, please sign the PDF version.

Thanks,

Jennifer Watchorn

(she, her | elle, la)

Manager | Gestionnaire

Humanitarian and Identity Operations Branch (HIOB) | Direction générale des opérations humanitaires et de l'identité (DGOHI)

Immigration, Refugees and Citizenship Canada | Immigration, Réfugiés et Citoyenneté Canada

Jennifer.Watchorn@cic.gc.ca |

s.19(1)

Accident / Investigation Form

Page 3

**is withheld pursuant to section
est retenue en vertu de l'article**

19(1)

**of the Access to Information Act
de la Loi sur l'accès à l'information**

Page 4

**is withheld pursuant to section
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19(1)

**of the Access to Information Act
de la Loi sur l'accès à l'information**

s.19(1)

Accident / Investigation Form

**Pages 6 to / à 7
are withheld pursuant to section
sont retenues en vertu de l'article**

19(1)

**of the Access to Information Act
de la Loi sur l'accès à l'information**

s.16(2)(c)

Ntaniel-Santik, Mariam (IRCC/IRCC)

From: Tetford, Glen (IRCC/IRCC) (he, him, his | il, le, lui)
Sent: November 3, 2025 8:01 AM
To: HIOB Immigration / Immigration DGOHI (IRCC); Syed, Alisha (IRCC/IRCC) (she, her | elle, la); Cole, Deborah (IRCC/IRCC); Bernier, Josh (IRCC/IRCC)
Cc: Brigden, Amy (IRCC/IRCC); Watchorn, Jennifer (IRCC/IRCC) (she, her | elle, la); Tetford, Glen (IRCC/IRCC) (he, him, his | il, le, lui)
Subject: FW: PGP - Family size change for 2025 / litigation
Importance: High
Categories: CCs

Hello All,

I'm reaching out to enquire what the status is on getting this guidance, as noted below, the cases are piling up on the way forward here, and the 2025 files are starting to get into our processing inventory – the lack of guidance and response is having an impact operationally, and relating to both client service and our ability to action cases that have been in the appeal stream.

Can Amy, Christine, Jennifer and I be cc'd on all follow ups sent on the request for an update on the guidance?

I'm happy to be invited to any/all meetings wherein this topic is discussed, as I hope this can be resolved quickly, given the timelines to date, the pressure from clients, and the soon to be major impacts on our go forward production.

Glen Tetford

(he, him, his)

Director

Humanitarian and Identity Operations

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Primary telephone:

My working hours may not be your working hours. Please do not feel obligated to reply outside of your normal work schedule.

(il, le, lui)

Directeur

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Téléphone principal:

Mes heures de travail ne sont pas nécessairement les vôtres. Ne vous sentez pas obligé de répondre en dehors de votre horaire de travail normal.

From: Brigden, Amy (IRCC/IRCC) <Amy.Brigden@cic.gc.ca>
Sent: October 29, 2025 11:17 AM
To: Tetford, Glen (IRCC/IRCC) (he, him, his | il, le, lui) <Glen.Tetford@cic.gc.ca>
Subject: FW: PGP - Family size change for 2025 / litigation

Hi Glen,

See below email thread regarding the change in how to calculate family size for the 2025 PGP intake.

- Guidance was requested in August due to a litigation file as litigation started settling with clients using the new way to calculate family size on pre-2025 intake files.
- September 9th follow up email stated we will need proper guidance for processing staff by November as that is when we anticipated the 2025 intake files would be processed on sponsorship.
- October 7th email is a specific 2022 case we cannot proceed with until the guidance is received.

We continue to wait for processing guidance to be published internally and will need this guidance before we start processing the 2025 intake in late November.

Thank you,

Amy Brigden

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From: Parker, Christine (IRCC/IRCC) <Christine.Parker@cic.gc.ca>
Sent: October 7, 2025 9:51 AM
To: Syed, Alisha (IRCC/IRCC) (she, her | elle, la) <Alisha.Syed@cic.gc.ca>
Cc: Bernier, Josh (IRCC/IRCC) <Josh.Bernier@cic.gc.ca>; Cole, Deborah (IRCC/IRCC) <Deborah.Cole@cic.gc.ca>; HIOB Immigration / Immigration DGOHI (IRCC) <IRCC.HIOBImmigration-ImmigrationDGOHI.IRCC@cic.gc.ca>; Brigden, Amy (IRCC/IRCC) <Amy.Brigden@cic.gc.ca>; Watchorn, Jennifer (IRCC/IRCC) (she, her | elle, la) <Jennifer.Watchorn@cic.gc.ca>
Subject: RE: PGP - Family size change for 2025 / litigation

Hi Alisha (and SDO colleagues),

I wanted to flag a specific file example where the outcome of the guidance request below is required in order to continue processing:

- Application | received 2022/11/04
- Sponsorship eligibility not met / opted to continue

- SPR / COSGN failed MNI for 2019 only; SPR's father (PA's spouse) passed away in 2019 and was counted in family size for that year
 - If the father was removed from family size in 2019, MNI would meet
- In response to PFL for not having an eligible SPR, the SPR specifically cites the external websites PGP 2025 guide and instructions:

4. It is pertinent to mention here that IRCC present instructions as per Guide 5772 – Application to Sponsor Parents and Grandparents for the 2025 intake clearly stated as under *“Counting increases and decreases to the family size for parent and grandparent applications: By assessing family size on a year-by-year basis, the family size may have decreased within the 3 years preceding the date of the receipt of the sponsorship application. IRCC will exclude any deceased family members, legally*

divorced spouses (not separated), former common-law partner(s), former dependent children and/or previous undertakings in the family size for any year during the income calculation, even if they were alive during one or more of the tax years being assessed (2022, 2023 and 2024 for the 2025 intake). For example, the sponsor's father, who was married to the sponsor's mother, passed away in 2023. The sponsor submits a parent or grandparent application in 2025 to sponsor their mother. The income requirements must be met for years 2022, 2023 and 2024. Even though the sponsor's father was alive in 2022 and 2023, he will be excluded from the family size count for all 3 years (2022, 2023 and 2024)”. I am attaching copy of the Guide 5772 as ready reference and you may find above instructions at following link;

<https://www.canada.ca/en/immigration-refugees-citizenship/services/application/application-forms-guides/guide-5772-application-sponsor-parents-grandparents.html>

5. In reality my situation is the same as stated in the Guide 5772 for 2025 intake and the example mentioned exactly apply to my circumstances, I also understand that the present instructions available in the Guide with example clarify any doubts while calculating MNI required and I am sure this detailed explanation in counting increases and decreases to the family size for parent and grandparent applications has become the great source of principal instructions for the decision makers and common public. Thus, I deserve the same direction while deciding my case.

Thanks again for continuing to raise FIOD's questions and concerns on the updated PGP 2025 family size calculation instructions.

Regards,

Christine Parker

Senior Program Officer | Officier de programme senior

Humanitarian & Identity Operations Branch | Direction générale des opérations humanitaires & d'identité

Immigration, Refugees and Citizenship Canada / Government of Canada

Immigration, Réfugiés et Citoyenneté Canada / Gouvernement du Canada

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From: Syed, Alisha (IRCC/IRCC) (she, her | elle, la) <Alisha.Syed@cic.gc.ca>

Sent: September 23, 2025 3:52 PM

To: Parker, Christine (IRCC/IRCC) <Christine.Parker@cic.gc.ca>

Cc: Bernier, Josh (IRCC/IRCC) <Josh.Bernier@cic.gc.ca>; Cole, Deborah (IRCC/IRCC) <Deborah.Cole@cic.gc.ca>; HIOB Immigration / Immigration DGOHI (IRCC) <IRCC.HIOBImmigration-ImmigrationDGOHI.IRCC@cic.gc.ca>; Brigden, Amy (IRCC/IRCC) <Amy.Brigden@cic.gc.ca>; Watchorn, Jennifer (IRCC/IRCC) (she, her | elle, la) <Jennifer.Watchorn@cic.gc.ca>

Subject: RE: PGP - Family size change for 2025 / litigation

Hi Christine!

Thank you so much for your efforts on this one. I have gone ahead and requested guidance on this. Let's hope for the best 😊

I'll keep you posted with any updates as they come.

Kindest regards,

Alisha Syed

(she, her | elle, la)

A/ Program Advisor | Conseillère en matière de programmes, p.i.

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Alisha.Syed@cic.gc.ca

From: Parker, Christine (IRCC/IRCC) <Christine.Parker@cic.gc.ca>

Sent: September 22, 2025 11:09 AM

To: Syed, Alisha (IRCC/IRCC) (she, her | elle, la) <Alisha.Syed@cic.gc.ca>

Cc: Bernier, Josh (IRCC/IRCC) <Josh.Bernier@cic.gc.ca>; Cole, Deborah (IRCC/IRCC) <Deborah.Cole@cic.gc.ca>; HIOB Immigration / Immigration DGOHI (IRCC) <IRCC.HIOBImmigration-ImmigrationDGOHI.IRCC@cic.gc.ca>; Brigden, Amy (IRCC/IRCC) <Amy.Brigden@cic.gc.ca>; Watchorn, Jennifer (IRCC/IRCC) (she, her | elle, la) <Jennifer.Watchorn@cic.gc.ca>

Subject: RE: PGP - Family size change for 2025 / litigation

Hi Alisha,

Thanks for reaching out in advance of sending the request to FCPCG, and for your detailed summary below. I've added some additional info (highlighted in yellow for your easy reference).

I would also like to flag that what would be beneficial for the PGP SPR processing Agents, for PGP 2025, are written instructions that clearly cover all family size scenarios. I'm listing all the scenarios I've come up with and how I interpret the (minimal) instructions we have so far for PGP 2025 family size calculation, to ensure that the guidance response we receive covers all of them all:

- DEP family member of PA deceased at time of application = not included in any of the 3 assessment years
- DEP family member of SPR deceased at time of application = not included in any of the 3 assessment years
- Former spouse of PA, legally divorced or CL relationship ended at time of application = not included in any of the 3 assessment years

- Former spouse of SPR, legally divorced or CL relationship ended at time of application = not included in any of the 3 assessment years
- Separated spouse of PA, still legally married at time of application = include in any of the 3 assessments years they were legally married AND must be listed as a DEP on the application
 - o To verify whether either PA or separated spouse is in new CL relationship
- Separated spouse of SPR, still legally married at time of application = include in any of the 3 assessments years they were legally married
 - o To verify whether either SPR or separated spouse is in new CL relationship
- Child of PA/DEP spouse, does not meet the definition of a DEP at time of application = not included in any of the 3 assessment years
 - o This could include child is over age 22 at time of application, or child is under age 22 but not single at time of application
- Child of SPR/SPR's spouse, does not meet the definition of a DEP at time of application = not included in any of the 3 assessment years
 - o This could include child is over age 22 at time of application, or child is under age 22 but not single at time of application
- Previously sponsored relative and their family members, undertaking expired at time of application = not included in any of the 3 assessments years
- Previously sponsored relative and their family members, undertaking valid at time of application AND deceased at time of application = not included in any of the 3 assessments years? (see newly added scenario #7 below)

Thanks in advance and please reach out with any questions or if you'd like to discuss!

Christine Parker

Senior Program Officer | Officier de programme senior

Humanitarian & Identity Operations Branch | Direction générale des opérations humanitaires & d'identité

Immigration, Refugees and Citizenship Canada / Government of Canada

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From: Syed, Alisha (IRCC/IRCC) (she, her | elle, la) <Alisha.Syed@cic.gc.ca>

Sent: September 22, 2025 8:56 AM

To: Parker, Christine (IRCC/IRCC) <Christine.Parker@cic.gc.ca>

Cc: Bernier, Josh (IRCC/IRCC) <Josh.Bernier@cic.gc.ca>; Cole, Deborah (IRCC/IRCC) <Deborah.Cole@cic.gc.ca>; HIOB Immigration / Immigration DGOHI (IRCC) <IRCC.HIOBImmigration-ImmigrationDGOHI.IRCC@cic.gc.ca>; Syed, Alisha (IRCC/IRCC) (she, her | elle, la) <Alisha.Syed@cic.gc.ca>

Subject: RE: PGP - Family size change for 2025 / litigation

Good morning Christine!

As I mentioned in the bilat, I largely echo your concerns and am thinking that we can bring these up to FCPCG + ask for written instructions (e.g. PDI). As such, I am drafting an FCPCG guidance request to consolidate the concerns and sample scenarios.

If you can review the request that I will be sending to see if there is anything you would like to add/amend etc., that would be awesome. If there are any other scenarios that come to mind, we can also have those added. I'm just hoping to get this sorted as soon as we can. However, I understand that our policy colleagues certainly have many competing/conflicting demands and these are large (but in my opinion, important) asks.

My request will say:

Context:

In light of the change in the family size calculation for the PGP 2025 intake, there are concerns on how this new information applies to PGP 2024 and the upcoming PGP 2025.

The specific change we are talking about is: **“If someone is no longer part of your family when you apply (for example, because of death, legal divorce, or an expired undertaking), don’t include them in your family size for any of the 3 tax years.”**

What FIOD needs:

1. Processing teams require clear written instructions in order to follow the updated family size calculation for MNI/LICO cut off. For PGP 2025, currently the only reference to this change is information to applicants on our department’s external website: [Income requirements for the sponsor - Canada.ca](#) [Guide 5772 – Application to Sponsor Parents and Grandparents - Canada.ca](#) and [How do I calculate my family size to sponsor my parents and grandparents?.](#) To note, the summary sheet at [Parents and grandparents category: How to calculate family size - Canada.ca](#) has not been updated since 2022.
2. PGP SPR processing teams will not be able to properly process PGP 2025 applications in the absence of updated instructions. **PGP SPR teams are on track to beginning processing PGP 2025 applications for sponsorship eligibility as early as November 2025**, therefore having updated written instructions in a timely manner is crucial to ensure the teams can continue their work.
3. Clarification on how family size is to be calculated in the following scenarios, including allowed appeals, litigation, and reconsideration requests [this could be included in the PDI as subtabs/case scenarios]:

Scenario #1:

Let's say that in 2024, SPR eligibility is failed and the application is subsequently refused as the sponsor opted to discontinue if found ineligible. The sponsor submits an application for leave and judicial review with the Federal Court of Canada. Upon agreement by both parties, the applicant files a Notice of Discontinuance and as part of the settlement, sponsorship eligibility must be re-determined by a different officer.

In the redetermination, must the LICO assessment and family size calculation be based on the new 2025 rules?

As a test case, we see F001235901 as an example.

The Concerns if 2025 Rules Are Applied on PGP 2024 appealed-litigation cases: We worry that there would be inconsistency in calculations for 2024 applications. Essentially, by submitting an appeal litigating, clients would be able to have their applications assessed based on new rules, which were not in place at the time of the initial decision. This might not be fair to those applicants who choose not to appeal litigate as per the calculation rendered based on 2024 criteria. To apply the leniency on one application that has been appealed litigated, would open the gates for more appeals-applications for leave and judicial review being submitted as word of mouth spreads (after all, many PGP applications have paid REPs on them). Also, what if the appeal litigation was filed in relation to another sponsorship ineligibility...how would a settlement which involved sponsorship reassessment navigate the family size calculation?

Scenario #2:

Let's say that an application was refused in 2024. The client is now asking for informal reconsideration of the decision. Similar to the earlier question, would you then apply the 2024 family size calculation or the 2025 one?

The Concerns if 2025 Rules Are Applied on PGP 2024 reconsideration cases: First, reconsiderations on PGP 2024 that happened prior to the 2025 update on family size calculation did not benefit from the change. However, new reconsiderations would. Next, PGP is an LOB that is invitation-based. If reconsideration is granted and a reassessment made based on 2025 criteria, it's quite likely that more and more of these cases would start to come up - causing drain on processing resources. **To note, informal reconsiderations can come up at multiple stages in processing: after the sponsorship decision is entered (and application is closed as SPR opted to discontinue, or still open if SPR opted to continue), as well as after final refused decision is entered.**

Scenario #3:

A 2024 PGP application is currently awaiting a final decision. A reassessment of sponsor eligibility needs to be made as more than 12 months have passed since the initial positive sponsorship assessment. This means that the SPR would have already met LICO/MNI for the three years preceding the application received date (i.e., 2021, 2022, 2023). For 2024 MNI calculation though, what rules do we apply to the family size calculation? (those in place for PGP 2024 and earlier applications, or the newly updated family size calculation rules for PGP 2025)

The Concerns if 2025 Rules Are Applied on such cases: Again, just worried that our approach might not be consistent.

Scenario #4:

A 2024 PGP application has had its SPR eligibility failed and it was an opt to continue situation. What would happen when a different officer starts reviewing the APR? Would SPR eligibility be re-opened? If, in response to the PFL, the client indicates that they do meet the income cut off based on the 2025 calculation method, would the officer then apply the 2025 criteria or would they stick to what we did for 2024? If the client did not flag this, but the Officer noted the clients would benefit from the 2025 criteria, should the failed sponsorship decision be revisited?

The Concerns if 2025 Rules Are Applied on such cases: Again, we are worried about an inconsistent approach. Alternatively, making it consistent would be a drain on resources. Let's say that every time an APR is being reviewed, an officer double checks that the SPR eligibility was not failed due to LICO/MNI not being met. If it was, they would have to double check that the 2025 family calculation method was considered. Doing this would cause significant delays and duplication of work. **In addition, this would provide an advantage to those SPRs who opted to continue, as those who opted to discontinue would not have the initial sponsorship failed decision reviewed by an Officer to determine whether the 2025 family size criteria benefits them.**

Scenario #5:

Let's say that a sponsor is sponsoring their two parents (PA and DEP spouse) along with their sibling who was < 22 years old at the time of lock-in and would be an eligible dependent. This application was initially refused and later appealed. A settlement was reached where the sponsor would withdraw their appeal and a redetermination would be made on the application. For that redetermination, do we consider the sibling, who is now > 22 years old, no longer a dependant, and thus not include them in the family calculation? We

figure that that wouldn't make much sense because that DEP is still eligible to be sponsored and accompanying based on lock-in age. Plus, the DEP is still considered a **“part of [the] family when [they] appl[ied]”**.

The Concerns if 2025 Rules Are Applied on such cases: Seems conflicting and contradictory to the purpose of having a LICO assessment. In this case, I would believe that even if the DEP has turned 22 years old, as they are accompanying and were part of the family at the time of application, they would have to be included in the family count in a reassessment.

Scenario #6

Let's say that we have a 2025 PGP case where the SPR or COSGN have previously sponsored or cosigned a previous undertaking, that has now expired. We are evaluating MNI/LICO for 2022, 2023, and 2024 - years wherein the undertaking was still in place. As the undertaking is no longer in effect, would that mean we no longer count the person in the family size for any of the years of 2022, 2023 or 2024?

The Concerns if 2025 Rules Are Applied on such cases: Seems contradictory to what an undertaking means. This would also be inconsistent with previously applied family size counting practices.

Scenario #7

Similar to the above, let's say that we have a 2025 PGP case where the SPR or COSGN have previously sponsored or cosigned a previous undertaking. The undertaking is valid beyond the application received date; however the sponsored person is presently deceased. We received guidance in spring 2024 that: *the deceased individual should only be included when counting family size for the years they were alive*. We are evaluating MNI/LICO for 2022, 2023, and 2024 - years wherein the undertaking was still in place. As the sponsored person is presently deceased, would that mean we no longer count the person in the family size for any of the years of 2022, 2023 or 2024?

Family size calculation instructions also indicate that family members of sponsored persons are to be included in family size calculation, whether they were included in the undertaking or not. If, in the above scenario:

- someone was sponsored and the undertaking was still valid at time of PGP 2025 application
- the sponsored person had family members not included in their undertaking (for example: married or newborn child after the sponsored person landed)
- sponsored person is deceased at time of application

Are the family members of the sponsored person included in the family size calculation, when the sponsored person themselves is deceased?

The Concerns if 2025 Rules Are Applied on such cases: Seems contradictory to what an undertaking means. This would also be inconsistent with previously applied family size counting practices.

Overarching Concerns:

- Inconsistencies in Application of 2025 family size calculation for PGP 2024 cases
- Possible increase in reconsideration requests and appeals for refused cases
- Application for accompanying DEPs who were <22yo at lock-in but became >22yo prior to appeal/reconsideration
- Lack of writing instructions for PGP 2025

Looking forward to hearing back!

Alisha Syed

(she, her | elle, la)

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From: Parker, Christine (IRCC/IRCC) <Christine.Parker@cic.gc.ca>

Sent: September 9, 2025 7:25 AM

To: Bernier, Josh (IRCC/IRCC) <Josh.Bernier@cic.gc.ca>

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Subject: RE: PGP - Family size change for 2025 / litigation

Hi Josh,

Thanks for your detailed response below, and for your continued support in discussions on PGP 2025 family size calculation instructions. I'd like to flag the following concerns from the FIOD processing perspective; I've cc: FIOD management on this e-mail as the below concerns have also been brought to their attention.

- Processing teams require clear written instructions in order to follow the updated family size calculation instructions. For PGP 2025, currently the only reference to this change is information to applicants on our department's external website: [Income requirements for the sponsor - Canada.ca](https://www.canada.ca/en/immigration-refugees-citizenship/services/apply-for-canada/apply-for-immigration/income-requirements-for-the-sponsor)
Family size is counted on a yearly basis. Count each person in the year they became part of your family. **If someone is no longer part of your family when you apply (for example, because of death, legal divorce, or an expired undertaking), don't include them in your family size for any of the 3 tax years.**
 - o Thank you for mentioning at our last meeting that while we all recognize our policy colleagues are busy, there will be a request to ensure written instructions (PDI, OB etc) are in place.
 - o We noted that PGP SPR processing teams will not be able to properly process PGP 2025 applications in the absence of updated instructions. PGP SPR teams are on track to beginning processing PGP 2025 applications for sponsorship eligibility as early as November 2025, therefore having updated written instructions in a timely manner is crucial to ensure the teams can continue their work.
- We've received contradictory information on how this update applies to PGP 2024 and earlier. When the update was first shared, we were informed it would apply to PGP 2025 only with no 'retroactive' component.
 - o Should we start applying these updated family size calculation instructions to PGP 2024 files, this creates a discrepancy between how PGP applications processed earlier in the cohort were addressed vs. ones processed now near the end of the cohort.
 - o Similarly, should clients choose to submit an informal request for reconsideration at present, they are receiving an advantage not afforded to those who requested reconsideration prior to this update, or did not request reconsideration at all (but would otherwise benefit from the updated family size calculation instructions).

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- Unclear parameters on how to apply to PGP 2024 (and earlier) files – There are multiple points in processing where there is the potential to revisit the initial failed sponsorship decision, and we require clear instructions for processing staff on whether we should be revising the sponsorship decision in all these cases (if the updated instructions would lead to a different sponsorship eligibility outcome):
 - o SPR response to PFL
 - o SPR request for reconsideration
 - o PA response to PFL (in advance of refusing for ineligible sponsor)
 - o APR Officer notes that the failed sponsorship decision may benefit from this updated instruction (in advance of refusing for not having an eligible SPR)
 - o PA requests H&C to overcome ineligible SPR
 - o Request for reconsideration post failed sponsorship assessment, or post refusal / litigation / Appeal
- While I recognize we are not policy, we were not given an opportunity to provide any input on this proposed change in advance of it being published as part of the PGP 2025 external website info; earlier discussions would have provided additional time to flag any foreseeable issues and troubleshoot solutions. In addition, the PGP SPR teams received updated guidance in 2022 which represented a change in how family size had been calculated up until that point. Prior to that time, we had not included, for example, family members who were deceased at present. It is perplexing that this change happened only 3 years ago, for it to now be reversed; while I acknowledge that adapting to change is essential for processing staff, these abrupt and frequent changes undermine confidence in instructions we receive and elevate the risk of processing errors due to uncertainty of which instructions are in place at present.
- Specifically with regards to litigation, we are being asked by IMB litigation analysts to adhere to these updated instructions when reopening applications if a settlement is reached (PGP 2024 and earlier files). I appreciate the distinction provided below between litigation and other requests for reconsideration. I do want to flag that I am not aware of any cases where the 'original' family size calculation instructions were followed, sponsorship failed, and the litigation case has been heard before the court. They are all settlements that have been reached with the applicants.

Thanks in advance for reviewing the above, and looking forward to our continued discussions

Christine Parker

Senior Program Officer | Officier de programme senior

Humanitarian & Identity Operations Branch | Direction générale des opérations humanitaires & d'identité

Immigration, Refugees and Citizenship Canada / Government of Canada

Immigration, Réfugiés et Citoyenneté Canada / Gouvernement du Canada

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Sent: August 22, 2025 3:57 PM

To: Parker, Christine (IRCC/IRCC) <Christine.Parker@cic.gc.ca>

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Subject: RE: PGP - Family size change for 2025 / litigation

Hi Christine,

Thanks for discussing this with me on Thursday. As discussed, I wanted to read the attachments and email chains first and then provide a written response to your questions below. **I offer these suggestions in the absence of formal guidance; if/once formal guidance is provided on these points, please defer to that.**

As a general rule, I wouldn't go looking for cases to re-open. Unless/until a case is litigated or a reconsideration request is received, the decision is final. For open applications, if the APR stage ordinarily involves a review of why the SPR was failed, I suppose 2024 applicants could have it looked at again to see if the SPR meets the 2025 MNI criteria. If that's out of scope at the PR stage, then I wouldn't suggest making it part of your procedure.

As discussed, litigation is different from reconsideration in two major ways. First, a redetermination borne out of litigation will either have an order from the Federal Court or will have been negotiated between IMB (on behalf of IRCC) and the client. In either of these scenarios, the IRCC officer is bound by the order or the terms of settlement, as the case may be. (IMB walks a delicate line in that they need to make certain promises to the client on the one hand to get the litigation settled, but not unduly influence the next officer on the other.) Reconsideration is an informal request made by the applicant that the officer must take seriously, but has broader discretion to evaluate on its merits. The second major difference is that judicial review is governed by *sections 72 to 75 of IRPA and the Federal Courts Citizenship, Immigration and Refugee Protection Rules*, which contain rules about how long an applicant has to contest a negative decision, among many other things. Reconsideration has no statutory or regulatory basis and such has no temporal limits that I'm aware of. So whereas litigation filed today could only contest 2024 decisions (and ongoing litigation should theoretically extend no further back than 2023), there would be nothing stopping an applicant refused on MNI grounds in 2021 from asking for reconsideration once the new approach becomes known. As such, I would not reconsider a decision from 2023* or earlier on the basis of revised criteria in 2025. The rules were what they were, and the decision was final.

For open 2024 cases, we will probably need to apply the 2025 criteria, once those are published. This is because SPR refusals on the basis of the 2024 criteria will likely be difficult to defend in Court (I leave it to IMB to explain why). This is a situation in which the officer would be correct in law by applying the 2024 criteria, but the end result would be litigation settlements and redetermination orders and more work for FIOD in the long run. *This being the case, any SPRs already refused in 2024 that request reconsiderations would also need to be re-assessed on the basis of the new criteria. But I would wait for the SPR to make that request, rather than proactively re-visit our decisions. Your point elsewhere about 2024 SPRs benefiting by being assessed later is well taken.

That was a lot of words, and I think I've generally addressed your questions below, but perhaps not quite as specifically as you'd hoped. Let me know if you have lingering (or new) questions.

Best,

Josh Bernier

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From: Zhao, Angela (IRCC/IRCC) <Angela.Zhao@cic.gc.ca>
Sent: August 12, 2025 3:32 PM
To: Bernier, Josh (IRCC/IRCC) <Josh.Bernier@cic.gc.ca>
Cc: Pavao, Carissa <Carissa.Pavao@cic.gc.ca>; Syed, Alisha (IRCC/IRCC) (she, her | elle, la) <Alisha.Syed@cic.gc.ca>
Subject: FW: PGP - Family size change for 2025 / litigation

Hi Josh,

Great to have the chance to work with you again!

I'm forwarding this one for your review as it involves litigation. To give you some context to this email, when we had the PGP bilat with FIOD last week, I took the opportunity to clarify with Christine on where things were left off for on the topic of the new PDI for assessing MNI for PGP 2025. Christine shared some information that they were contacted by a litigation analyst and have some concerns and questions regarding the change in family size calculations. Carissa asked Christine to share all the written communication she has on this topic, which she did include in her email (the first three email attachments).

This is also the first pending item that Debbie passed onto to both of us in her summary email (I've also included the email attachment of that, which includes her edits to the OB draft). She's mentioned something about SPR withdrawals and sending PFL to PA in there as well. I know sending PFL to PA for SPR withdrawals has always been a confusing topic/issue for all of FC, but unsure how that's tied to the new family size calculation topic in this instance.

Happy to chat about this over if that helps.

Thanks!

Angela Zhao

A/ Program Advisor | Conseillère en matière de programmes, p.i.
Humanitarian and Identity Operations | Opérations humanitaires et d'identité
Immigration, Refugees and Citizenship Canada / Government of Canada
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Angela.Zhao@cic.gc.ca

From: Parker, Christine (IRCC/IRCC) <Christine.Parker@cic.gc.ca>
Sent: August 7, 2025 11:21 AM
To: HIOB Immigration / Immigration DGOHI (IRCC) <IRCC.HIOBImmigration-ImmigrationDGOHI.IRCC@cic.gc.ca>
Subject: PGP - Family size change for 2025 / litigation

Hi Carissa, Angela, and others,

As discussed in this morning's meeting, I'm attaching two e-mails regarding a case that was litigated where we are being instructed to adhere to the updated guidelines for family size calculation that will be in place for PGP 2025. The second e-mail was sent recently by Debbie, and includes functional guidance advising us to assess the application using the 2025 family size guidelines; while we can certainly adhere to this guidance for the case in question, this brings up other questions:

- What to do with other litigation cases that could benefit from the updated family size calculation instructions
- What to do with similar requests for reconsideration
- What to do with files already at APR processing (failed / opt to continue)

I've noted that the proposed OB does touch on taking this into consideration for PGP 2024 (and earlier files) but it's unclear how far that reaches (ie. just litigation?). (I've attached the e-mail with my feedback on the OB that I sent to Debbie for reference as well).

Thanks in advance for assisting with this emerging issue!

Christine Parker

Senior Program Officer | Officier de programme senior

Humanitarian & Identity Operations Branch | Direction générale des opérations humanitaires & d'identité

Immigration, Refugees and Citizenship Canada / Government of Canada

Immigration, Réfugiés et Citoyenneté Canada / Gouvernement du Canada

Christine.Parker@cic.gc.ca

Office / Bureau:

Ntaniel-Santik, Mariam (IRCC/IRCC)

From: Singh, Jagjeet (IRCC/IRCC)
Sent: November 3, 2025 2:17 PM
To: Tetford, Glen (IRCC/IRCC) (he, him, his | il, le, lui)
Subject: PGP 2025: Projections

Hi Glen,

Please see below the projections for PGP 2025 with the foot notes underneath the table and let me know your thoughts.

Based on these projections, I need 29 CR-04s to wrap up the program by end of Aug 2026.

With current strength of 48, the program may end in Apr-May 2026 and then we'll be able to assist other LOBs.

Currently, only 4-5 employees are interested in taking "at level" assignment with AOD and releasing them won't affect our processing.

Task	Volume	Volume Completed	Volume Remaining	Stats per/day	Stats minus 20%	Days needed	Planned days to complete	Employees needed	Rounded off
Apps for validation	10,626	9,064	1,562						
Manual Validation @ 45%	4,782	847	3,935	28	22.4	176	20	8.8	9
Valid apps (approx.)	10,500	5,838	4,662						
CC	10,500	3,280	7,220	12	9.6	752	170	4.4	5
Incompletes @ 78%	8,190	2,557	5,633	14	11.2	503	200	2.5	3
Creation	10,500	596	9,904	6	4.8	2,063	200	10.3	11
Rejection	1,000	0	1,000	8	6.4	156	200	0.8	1
Total staff needed									29

Foot notes:

1. Last year approx. 2% apps were found invalid at the validation stage and not placed in the queue for further processing and this year I am making a conservative assumption of 1% invalid apps i.e. 10,500 apps will be processed.
2. Manual validation rate of 45% is based on the current rate of 55% passing through auto-validation.
3. Rejection number of 1,000 is based on 10% rejected in 2024 intake.
4. “Planned days to complete” number of 200 is calculated on the assumption to wrap up the intake in 10 months of Nov-Dec and each month has 20 working days.

Thanks & choose to have a great, healthy day! | Merci et choisissez de passer une excellente et saine journée !

Jagjeet Singh

Operations Manager

Humanitarian and Identity Operations

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