



Immigration and
Refugee Board of Canada

Commission de l'immigration
et du statut de réfugié du Canada

Protected A
A-2021-01792

Date: July 7, 2022 Initials: LM

Mr. Sean Rehaag

[ADDRESS REDACTED]

Subject: ATIP request number A-2021-01792

Dear Mr. Rehaag:

The records listed in the annexes are being disclosed to you pursuant to paragraph 8(2)(j) of the *Privacy Act*, which states the following:

Personal information under the control of a government institution may be disclosed (j) to any person or body for research or statistical purposes if the head of the government institution

- (i) is satisfied that the purpose for which the information is disclosed cannot reasonably be accomplished unless the information is provided in a form that would identify the individual to whom it relates, and*
- (ii) obtains from the person or body a written undertaking that no subsequent disclosure of the information will be made in a form that could reasonably be expected to identify the individual to whom it relates.*

Should you have any questions about your request, do not hesitate to contact us e-mail at or IRB.ATIP-AIPRP.CISR@irb-cisr.gc.ca.

Please quote your ATIP request number in any correspondence. For 2021, your request number is as noted above. For each future year covered by this arrangement, a request number will be assigned when you submit your request.

Yours sincerely,

[SIGNATURE REDACTED]

Linda MacMillan
Director, Communications and Access to Information

Attachments:

Annex A: Memorandum of Understanding between the IRB and Sean Rehaag and his research team

Annex B: Annual data requests

Annex C: Access request A-2021-01792 submitted on January 14, 2022

**Memorandum of Understanding
between
The Immigration and Refugee Board of Canada (IRB)
and
Sean Rehaag and his research team**

Purpose/scope of the arrangement:

Sean Rehaag wishes to obtain statistical information from the Refugee Protection Division (RPD) and the Refugee Appeal Division (RAD) on an annual basis, through annual submission of an access to information request.

The information sought by Sean Rehaag is personal, sensitive information from the RPD and RAD (see Annex B for details on information requested), which is subject to protection in accordance with:

- the *Immigration and Refugee Protection Act*;
- the *Privacy Act*; **and**
- [the IRB's approach to small value suppression](#).

The purpose of this arrangement is to allow for disclosure of personal information for research and statistical purposes pursuant to Paragraph 8(2)(j) of the *Privacy Act* which stipulates that:

Personal information under the control of a government institution may be disclosed (j) to any person or body for research or statistical purposes if the head of the government institution

(i) is satisfied that the purpose for which the information is disclosed cannot reasonably be accomplished unless the information is provided in a form that would identify the individual to whom it relates, and

(ii) obtains from the person or body a written undertaking that no subsequent disclosure of the information will be made in a form that could reasonably be expected to identify the individual to whom it relates.

By signing this arrangement, Sean Rehaag confirms that:

- any information disclosed to him by the IRB under this arrangement will remain protected in accordance with the *Privacy Act* and the IRB's approach to small value suppression;
- if for any reason he believes there is a need to share any of the disclosed personal information with any other person or third-party who is not

participating in the research project, he must first consult the IRB and wait for written confirmation of consent;

- no subsequent disclosure of the information in a form that could reasonably be expected to identify the individual to whom it relates will be made to any other person or third party who is not participating in the research project; and
- any records disclosed under this arrangement and subsequent copies of these records will be disposed of by him in accordance with the applicable procedures outlined in the Government of Canada's [Policy on Government Security](#).

By signing this arrangement, Sean Rehaag further agrees:

- to provide the IRB with an advance copy of the product that will be published or otherwise made available, and
- to implement before publication any changes required by the IRB to ensure that the product does not contain information the disclosure of which would contravene the *Immigration and Refugee Protection Act*, the *Privacy Act*, or the IRB's approach to small value suppression, or that could – on its own, or combined with information otherwise available – allow for the identification of individuals.

No further information will be provided to Sean Rehaag if any element of this arrangement is violated.

Effective date and duration of the arrangement:

This arrangement comes into effect on the date of signature and remains in effect for five (5) years unless cancelled in writing by one of the parties.

The requirements of this arrangement apply to all data released pursuant to the arrangement, even after the arrangement itself has ended.

Privacy Breaches

Sean Rehaag agrees to follow the processes established by his jurisdiction's laws, and York University policies and directives found at [Privacy | Information and Privacy Office \(yorku.ca\)](#) in order to prevent Privacy breaches.

If *Sean Rehaag* becomes aware of a possible Privacy breach, he will follow the processes established by York University policies to manage and respond, and immediately notify the Immigration and Refugee Board of Canada of the Privacy Breach. *Sean Rehaag* will work with York University's Information and Privacy Office to investigate the Privacy Breach and will report any findings, and any remedial actions taken, to Immigration and Refugee Board, within a reasonable time.

I, Mr. Sean Rehaag, accept this arrangement.

Signature: [Signature Redacted]

Date: July 8, 2022



Annual data requests

Sean Rehaag's annual Access to Information Request would typically include statistics on the following. The detail data requested for each "LIST" is found in access request A-2021-01792 submitted by Sean Rehaag (see Annex C):

LIST 1: RPD Decisions in request year

LIST 2: RAD Applications for New System RPD Decisions in Claims Referred (2012-request year)

LIST 3: JR Applications for RPD Decisions / RAD Decisions in New System Claims (2012-request year)

LIST 4: JR Applications for Legacy RPD Decisions (2015-request year).

LIST 5: Claim Categories and Claim Type for RPD Claims in New System (2012-request year)

LIST 6: Gender and year of birth for claimants referred to RPD from 1 January to 31 December of request year

LIST 7: Irregular Border Crossers

If research needs evolve, Sean Rehaag could request different or additional statistical information in his annual Access to Information request citing this arrangement. The IRB would review the request to determine whether the new requested data could be disclosed.

All provisions of this arrangement would continue to apply to all data released to Sean Rehaag and his research team under this arrangement (i.e. all data released without suppression of small values).