

Unsettled: Legal and Policy Barriers for Newcomers to Canada

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FINAL REPORT

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Foreword

May 2006

Community Foundations of Canada and the Law Commission of Canada are very pleased to present *Unsettled: Legal and Policy Barriers for Newcomers to Canada* by Sarah Wayland.

Few issues are as pressing for Canada today as immigration which accounts for more than half of our population growth and about three-quarters of our labour market growth. Yet today's newcomers face significant barriers and they are not doing as well as their predecessors have done.

Neither Community Foundations of Canada nor the Law Commission of Canada are experts on issues of immigrant settlement. Rather, they are two organizations with complementary missions that believe that all sectors in Canada – government, business, and the non-governmental and community sectors – need to put their heads together to figure out how to help immigrants not only settle but thrive. Community Foundations of Canada and the Law Commission of Canada have joined together to fund this research in order to gain a solid understanding of the key challenges faced by new Canadians.

Much has been written about the challenges of immigration in Canada in recent years and this report and its companion literature review draw heavily on the existing body of research. This report's particular contribution is its focus on the legal and policy barriers to the successful settlement of immigrants and refugees, and how these can be overcome.

The barriers are numerous, but there have also been many positive developments in recent years in government policies and programs, efforts by businesses, and community and we salute those. Many are included in this report in the hope that they will provide examples of best practices and encourage new ideas and program innovations.

It is the hope of Community Foundations of Canada and the Law Commission of Canada that this report will help build the case for needed immigration law and policy reforms. As well, we hope that it will help community foundations and our partners in philanthropy determine where they can best invest their resources. Special thanks to Sarah Wayland for her outstanding work, to the project's National Advisory Committee, and to Betsy Martin of CFC and Frederica Wilson of LCC for directing our respective organizations' leadership of this project.

Monica Patten
President and CEO
Community Foundations of Canada

Yves Le Bouthillier
President
Law Commission of Canada

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Lastly, many other individuals around the country provided information of value to the project. Thanks to all of you who took time to help me research the sometimes unwieldy topic of newcomer settlement.

I have tried to ensure the accuracy of every statement in this report. Any mistakes or errors are my own responsibility.

Sarah Wayland

Executive Summary

Immigration has been a key component in the development of Canadian economic, social, and political fabric. Today, Canada is increasingly reliant on immigration for population and labour market growth. As such, it is imperative to ensure that newcomers are able to utilize the skills and resources they bring with them – for economic gain, for humanitarian reasons, and to continue enriching Canadian culture and society. The difficulties newcomers face as part of their settlement experience must be recognized as Canadian problems rather than as “immigrant problems;” and they must be addressed and eliminated to the greatest extent possible.

Research Objectives and Methods

This research was undertaken in order to better understand these problems and their possible solutions. Specifically, this research identified legal and policy barriers to the settlement of newcomers to Canada, including immigrants, refugees, refugee claimants, and others. *Settlement* refers to a process or continuum of activities that a new immigrant or refugee passes through upon arrival in a new country. It can be broken down into three phases: immediate, intermediate, and long-term. *Legal and policy barriers* are provisions within or limitations of legislation, policy, and practice that impede the settlement of newcomers. They can be impediments because of their general focus, specific provisions they contain, or simply the failure to adequately consider an area of settlement.

This report summarizes overall findings and makes recommendations for specific policy and program changes in key areas impacting newcomer settlement. In addition, it describes “ideas for action,” that is, initiatives and programs that are working to overcome these barriers.

A three-pronged approach was employed to identify barriers to settlement and move towards solutions. First, focus groups of newcomers were held in Hamilton, Ontario. Second, more than forty face-to-face and telephone interviews were conducted with front-line workers and key stakeholders in the settlement process. Third, an extensive review of relevant literature was conducted; it forms a companion piece to this report. The review examined current federal and provincial policies, academic and legal sources, and various research reports in six key policy areas: immigration and refugee policy, settlement policy, employment, language education, health care, and housing.

Research Findings, Broken Down by Source

Focus group participants pointed to difficulties finding employment, especially employment in their own field, as a principal barrier to settlement. Those who experienced family separation as part of the migration process spoke of the hardships of separation and complained of the lengthy processing times for immigration. Many of the participants lived on very limited incomes, some of them complaining that they were worse off in Canada than before migrating. Some stated that they did not know where to get help for their needs, nor how to express their views to politicians and decision-makers.



Interviews with front-line workers identified a number of common barriers faced by their clients as well as frustrations related to their work. They spoke of a lack of fit between programs offered and clients' needs and also noted the lack of resources and preparation to assist some of the newly-arrived high-needs populations. They complained that service delivery was hampered by minimal funding or lack of funding altogether for interpreters; that refugee determination and family sponsorship processes take too long; that newcomer clients are isolated, which can lead to depression and physical health problems; and that newcomer clients do not know their rights and have low levels of civic engagement.

Interviews with key informants who were at least one layer removed from the front-lines brought a broader, complementary perspective to the above concerns. Common threads in these interviews included problems related to jurisdiction and policy incoherence that inadvertently create systemic barriers to various aspects of settlement. Informants also felt that settlement policy was too narrowly-defined and did not allow for the development of locally-driven initiatives. Although many of the barriers to settlement are the same across Canada, they believed that the solutions may vary according to a locality's particular strengths, weaknesses, and goals.

The *literature review* process identified numerous legal and policy barriers to settlement in six policy areas. Examples of barriers to settlement in the area of immigration and refugee determination policy include delays in processing that hinder family reunification and keep some Convention refugees and protected persons in legal "limbo" awaiting their permanent resident status. Regarding access to federally-funded settlement services, in most provinces they are available to permanent residents and Convention refugees only. As such, individuals may reside in Canada for years before becoming eligible to access these services. Regarding employment, foreign-trained professionals seeking to be licensed by regulatory bodies face numerous legal and policy barriers, including the cost of the licensing process; the absence of independent appeal mechanisms for rejected applicants; and a lack of internship, co-op, and other placement opportunities to gain the Canadian work experience required by some professions prior to licensing. Regarding language education for adults and children, significant disparities funding and programming exist across provinces and school boards. Language barriers, in turn, adversely affect health care provision.

Synthesis and Analysis of Key Findings

Information collected from the focus groups, interviews, and literature review are synthesized into seven key findings, accompanied by supporting analysis.

Key Finding 1: Canadian public policy fails to recognize that the settlement process has multiple stages and involves a range of policy areas.

Key Finding 2: Settlement sector programming is hampered by limited funding and government-imposed constraints on the design and delivery of settlement services by non-government organizations.

Key Finding 3: Extended family separation is a costly consequence of immigration policy.

Key Finding 4: Employment is the primary settlement need for most newcomers, not least because it helps reduce other barriers to settlement.

Key Finding 5: Communication barriers impede access to services and, for many, are not remedied by available language instruction.

Key Finding 6: The settlement experiences of many newcomers are characterized by isolation, vulnerability, and a lack of civic engagement.

Key Finding 7: Legal and policy barriers to settlement interconnect and produce systemic discrimination against newcomers.

Recommendations for Changes in Policy and Law

In light of the barriers identified in this research project, the top priority recommendations for changing law and policy are as follows:

1. Reduce barriers to collaboration that exist between government departments and jurisdictions, as well as between the public and private sector.
2. Strengthen Family Class immigration by reducing processing times for immigration and family sponsorship.
3. Reduce the number of persons living in legal “limbo” by making permanent resident status automatic upon recognition as a Convention refugee or protected person. Give immigration authorities the ability to revoke that status in cases of genuine identity, security, criminality, or other concerns.
4. Immigrant serving agencies should be given multi-year, stable funding as well as more flexibility in programming.
5. Interpretation services for health care providers, legal services, schools, social services, and other areas of need should be professional and funded by key stakeholders.
6. Admission to the regulated professions should be contingent on meeting fair, specified criteria, and should not be influenced by labour market conditions.
7. Build the capacity of educators to meet the language and other needs of immigrant children and youth.



Recommendations for Non-Governmental Actors

Non-governmental actors can supplement existing settlement policies through their own programming and practices. Some “ideas for action” that reduce the barriers identified in this research are listed in table form in Appendix A of this report. Specifically, programming and funding in the following areas is recommended:

1. Labour Market Integration, such as support for a national roundtable on access to professions and trades; mentorship programs; immigrant loan programs for “bridging” expenses; and regional employment councils;
2. Leadership and Skills Development, such as befriending programs, driving clubs, facilitation training, and peer leadership training;
3. Legal Resources, including legal services, online resources, and printed materials, all available in multiple languages;
4. Community Development, including neighbourhood programs and homework and sports clubs; and
5. Children and Youth, including mentoring and tutoring programs, parenting programs, scholarship programs, school-based outreach programs, orientation materials for newcomer students and their parents; and peer support circles for immigrant and refugee youth.

Under each heading, local and regional programs that could be duplicated in other parts of Canada are described, and contact information is provided. Many of the programs listed relate to several of these five areas at once.

Conclusion

It is very difficult to change the jurisdictional constraints that complicate policy-making around settlement issues in Canada, though efforts to reduce policy incoherence are greatly needed. On the vital issue of improving labour market access for newcomers, for example, multiple stakeholders in various parts of the country are beginning to work together to find solutions. Other worthwhile programs can move towards eliminating barriers to settlement on a smaller scale, even focusing on one person at a time. By engaging directly with newcomer populations, the impetus to work for changes to policy and law will grow.



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A separate Literature Review is a companion piece to this report. The Literature Review contains an overview of legislation that impacts newcomer settlement, plus review chapters on each of the following areas that pertain to settlement: Immigration and Refugee Determination Policy, Settlement Policy, Language Education, Employment, Health, and Housing. The Literature Review is available for download from the websites of Community Foundations of Canada (www.cfc-fcc.ca) and the Law Commission of Canada (www.lcc.gc.ca).

Introduction: Immigrant Problems are Canadian Problems

Canada has a long history of immigration, and immigrants of many backgrounds have shaped Canadian identity and consciousness. Over the years, millions of immigrants have become integral to Canada's social, economic and political fabric. Today, approximately 18% of Canada's population was born overseas, giving Canada one of the world's largest foreign-born populations in terms of percentage. Immigration now accounts for more than half of Canada's total population growth and for 70% of the net growth in the labour market. Three-quarters of immigrants to Canada throughout the 1990s were visible minorities.

Settlement for newcomers has never been a simple or straightforward process. In recent years, however, awareness of settlement problems has entered mainstream consciousness and is increasingly recognized as a Canadian, societal problem rather than an "immigrant problem." In *The Diversity Advantage*, a Report by the RBC Financial Group, one of Canada's largest financial institutions, the situation is described as follows:

Canada's track record in successfully integrating immigrants is slipping. On average, immigrants arrive in this country better educated, in better health, and at similar stage of their careers as those born in the country, but the evidence suggests that during the past two decades, they have been much less successful in achieving success than earlier waves of immigration. Immigrants are having a harder time reaching Canadian income levels than was true in the past, in part because we have cut back on programs that help immigrants adjust and in part because many immigrants have difficulty gaining recognition for the education, skills and work experience they bring with them (RBC Financial Group 2005: 2).

Jeffrey Simpson of *The Globe and Mail* referred to this reality as the "transition penalty of switching countries" (2004). Others have described it as a "settlement backlog problem" (OCASI 2005). As a result, many of the highest-skilled immigrants spend only a short time in Canada before deciding to move elsewhere (Aydemir and Robinson 2006). Those who are not so mobile manoeuvre to the best of their abilities within existing laws, policies, and the broader socioeconomic climate in Canada.

The above quotation identifies many of the major challenges immigrants experience today. In this report, these and other barriers to settlement are identified and discussed, as are proposals for eliminating the barriers. This report will be of interest to policy-makers, granting agencies, service providers, and members of the general public wishing to better understand issues pertaining to the settlement of newcomers.

We think too much in terms of "fixing the immigrant." Instead, we must fix society, especially in urban regions.

Ratna Omidvar, Maytree Foundation



Defining the Research

Objectives of the Research

This research examines the legal and policy barriers to the settlement of newcomers to Canada, including immigrants, refugees, refugee claimants, and others. The objectives are:

1. to provide a clear and soundly supported assessment of the legal and policy barriers hindering the settlement of newcomers to Canada;
2. to identify initiatives and programs that are working to overcome these barriers; and
3. to propose policy and program changes in key areas impacting newcomer settlement, including the need for law reform.

To this end, this report consists of three parts: (1) a project report summarizing overall findings, broken down by key themes, and recommendations for specific policy and program changes in key areas impacting newcomer settlement; (2) a “state of the art” literature review outlining and analyzing the legal and policy barriers to immigrant settlement in Canada; and (3) a compendium of “ideas for action” (programming choices) and potential areas for advocacy.

Who are “Newcomers”?

In this research, the term “newcomer” refers to immigrants, Convention refugees, refugee claimants, and other foreign-born persons who are living in Canada and who intend to reside here for the long-term. Canada distinguishes between *economic immigrants*, comprised of skilled workers and business immigrants and their families and *Family Class immigrants*, persons who are sponsored to immigrate by an eligible family member already living in Canada. *Convention refugees* are selected at a Canadian visa office abroad and arrive in Canada as refugees with permanent resident status. *Refugee claimants* have their claims for refugee status heard after arrival in Canada. Just under half have their claims accepted, and the rest are expected to leave the country. In addition, an estimated 50,000 to 200,000 persons live in this country without status but have no plans to return to their country of origin (Khandor et al 2004: 5). “*Non-status*” persons include failed refugee claimants who remain in Canada without authorization, visa over-stayers, and persons who entered the country illegally.

These categories of newcomers are presented in more detail in the Immigration and Refugee Policy Review chapter. Please refer to Table 1 in that chapter for a numerical break-down of these categories in Canada’s 2006 immigration plan.

Everybody says newcomers are our future. We can’t just leave people to despair. It’s not in anyone’s best interests.

Jack Maga, St. Charles Adult Education Centres (Hamilton)



What is “Settlement”?

Settlement is conceived of as a process or continuum of activities that a new immigrant or refugee passes through upon arrival in a new country. Settlement can be broken down into three phases (Mwarigha 2002: 9-10):

- (1) *Immediate*: Persons require shelter, food, clothing, information and orientation, basic language instruction, and other essential “reception” or early settlement services.
- (2) *Intermediate*: Persons require advanced or employment-specific language instruction, training and education to acquire or upgrade skills, usually with the goal of securing employment. Other needs at this stage include accessing health services, housing, and the legal assistance system.
- (3) *Long-term*: Persons work to overcome systemic barriers and to participate in Canadian society as equals to the Canadian-born population. Long-term settlement includes civic participation and issues related to citizenship. This phase may not be achieved until the “second generation,” that is, by the Canadian children of immigrants.

This view of settlement extends beyond settlement policy as defined and funded by Citizenship and Immigration Canada, as well as beyond the programming offered by most of Canada’s immigrant serving agencies that comprise the “settlement sector.” (Further elaboration can be found in the Literature Review chapter on Settlement Policy.) In brief, a comprehensive understanding of settlement indicates that successful settlement is not the work of an isolated, discrete sector but is rather integrated into other socio-political institutions (Omidvar 2001).

What Constitutes a Legal or Policy Barrier?

Laws and policies are the frameworks upon which governments guide their actions. Laws are rules *carried out* within a jurisdiction that regulate certain actions and are enforced by a political authority. Public policy, on the other hand, is a “*course of action or inaction chosen* by public authorities to address a given problem or interrelated set of problems” (Pal 2001: 2, emphasis added). Both definitions point to an understanding that law and policy cannot be fully understood by looking at legislation, regulations, and policy directives alone. Rather, one must take into account how these are applied and understood, that is, how they are “lived.” According to political scientist Mark Sproule-Jones, distinguishing between laws that have no impact on behaviour and those that are have operational relevance “is critical for understanding how governments in Canada work” (Sproule-Jones 1992: 24). Indeed, the effects of the implementation of laws and policies “provide a major test of how well governments work” (26).

This understanding of law and policy has two implications. First, just as the content of actual laws and policies may erect barriers, so can the absence of laws and policies constitute barriers. What exists may not be problematic so much as what is lacking.

Second, barriers may arise from insufficient resources being allocated to the implementation of otherwise unproblematic policies or laws. Indeed, many Canadian laws set standards for equality, access, and non-discrimination.

The laws themselves do not fall short; rather, it is in their implementation that problems arise. For example, the *Canadian Human Rights Act* prohibits discrimination on a number of grounds, yet the dispute resolution mechanisms place the onus on the newcomer who is unlikely to have the time or resources to fight even a well-justified case. Similarly, in many cases, individuals may have legal rights of which they are unaware. Civic education is thus an important component of eradicating legal and policy barriers to settlement.

Thus, legal and policy barriers are provisions within or limitations of legislation, policy, and practice that impede the settlement of newcomers. They can be impediments because of their general focus, specific provisions they contain, or simply the failure to adequately address an area of settlement. Examples of legal and policy barriers identified in this research are eligibility requirements to access services; inflexible requirements for acquiring licensure in one's profession; the presence of hiring procedures that are reasonable in the Canadian context but discriminate against newcomers, such as not hiring "overqualified" candidates; processing fees for services that may be beyond the reach of many families; the absence of programs to meet specified needs, such as the absence of occupation-specific language training; and, in the case of English as a Second Language (ESL) funding for schools, the absence of accountability mechanisms to ensure that funded programs are even delivered.

Overview of Research Process and Methods

This project used a three-pronged approach to identify barriers to settlement and move towards solutions. First, focus groups of newcomers were held in Hamilton, Ontario, a mid-sized, bridge city between large, diverse urban centres and the smaller cities and communities that must prepare to encounter higher levels of immigration in the future. According to the 2001 Census, Hamilton ranked third in Canada in terms of the proportion of its foreign-born population. Second, interviews were carried out with front-line workers and key stakeholders in Hamilton and in other parts of Canada. Third, an extensive review of relevant literature was conducted.

Focus Groups of Newcomers

Three focus groups of newcomers to Canada took place. To the extent that was possible given participants' scheduling constraints, the first focus group was for persons in Canada fewer than three years, the second was for persons in Canada three years or more, and the third was for refugees and refugee claimants. The groups were facilitated by two locally-trained immigrant women who led a series of group exercises to help participants feel comfortable about sharing their experiences.

Well-educated, experienced people feel unemployed, unwanted when they come here.
We have high expectations, but then we face more challenges than we'd anticipated.

Focus Group Participant

Interviews with Front-line Workers and Key Informants

Interviews featured a standardized list of questions with open-ended responses, and they focused on a sampling of representatives from various sectors involved in settlement. In Hamilton, I interviewed 26 front-line workers, including settlement workers, lawyers, healthcare providers, educators, and school administrators as well as Executive Directors of immigrant serving agencies and other key stakeholders. A dozen other interviews were conducted. In the Toronto area, I interviewed Executive Directors and others with expertise in various policy fields pertaining to settlement. Outside of Ontario, I relied on contacts made at the 10th International Metropolis conference (October 2005) and the fall consultation of the Canadian Council for Refugees (November 2005). In addition, dozens of key informants were contacted via email to answer questions and exchange information.

Literature Review of Various Policy Areas Pertaining to Settlement

The review examined current federal and provincial policies, academic and legal sources, and various research reports. The focus was on factual and analytical materials in six key policy areas: immigration and refugee policy, settlement policy, employment, language education, health care, and housing. Each area of review constitutes a chapter in the Literature Review, which is a companion to this report.

Project Web Log

During the research process, the author kept a web log (“blog”) for posting findings and other information of interest. The website URL is <http://www.waylandconsulting.com>. This final report is posted on the site, and readers are encouraged to post comments in response. The website will be maintained for an undetermined length of time after project completion.

Research Findings, Broken down by Source

Focus Groups of Newcomers

The three focus groups featured a total of 33 participants (10 male and 23 female) from 20 different countries of origin. Twenty of them came to Canada as landed immigrants, eight as refugee claimants, two as Convention refugees, two as visitors or tourists, and one as a student.

During the sessions, participants identified exciting as well as frustrating moments for them in Canada, recounted which services had been helpful to them (and which had not), and suggested avenues for future action by themselves, their communities, and their governments. Some of their remarks, grouped according to topic, are included as an appendix to this report. At the end of the sessions, participants were asked to complete a short questionnaire (also included as an appendix to this report) that contained the following questions:

1. “What are the main difficulties you have experienced in Canada?” Fifteen choices were provided, plus an open response category respondents could fill in.
2. “What are the main difficulties you have experienced that relate to the IMMIGRATION PROCESS and REFUGEE DETERMINATION PROCESS (if applicable)?” Eight choices were provided, plus an open response category respondents could fill in.

Combining the answers from the two questions, the top choices categorized as “very difficult” were, in descending order:

1. finding a job in my field
2. finding a job
3. family separation (as part of migration process)
4. expressing my views to politicians and decision-makers
5. not knowing how or where to get help for various problems AND not having enough money to meet basic needs (same number of responses for both).

These responses generally echoed the content of the discussion in the focus groups as well. When participants were asked to share some of their frustrations since coming to Canada, the conversation in all focus groups was dominated by expressions of frustration and anger over the difficulty of finding decent employment. Participants who came as skilled immigrants complained that they had been led to believe that it would be easier to find good jobs in Canada. Many believed they faced discrimination due to their skin colour, accent, and hijab. Others lamented that they could not get the Canadian experience needed to access higher-paying jobs, even as volunteers. Many of the participants lived on limited incomes, some of them complaining that they were worse off in Canada than before migrating. Related to these concerns were statements that people did not know where to get help for their needs. Persons who experienced family separation as part of the migration process spoke of the hardships of separation and complained of the lengthy processing times for immigration.

Participants seemed able to access education and training, but they were often critical of the content of these programs. Some complained that ESL courses were not designed for professionals, or that they were not suitable for their needs. Others said they had been through lots of training but still could not get jobs because they lacked Canadian experience. One woman lamented how many training courses she had been on but still did not have a permanent, paid job. In many cases, newcomers were taking language and other types of courses, but these were not leading to jobs.

I have a Master’s in Science, and I work in a laundry two or three days a week. Because of my work schedule, which includes some shift work and last-minute shifts, it is difficult to take any training or classes.

Focus group participant



Interviews with Front-line Workers and Key Informants

Front-line workers and Executive Directors of immigrant serving agencies were asked the following questions, among others:

1. What are the main reasons that your clients need your assistance? What are the main services your clients come here for?
2. What would you say are the main barriers they face?
3. What are your biggest frustrations as a worker in this field?
4. Can you suggest policy changes or changes in some areas of the law that would help reduce these difficulties?

In response, the interviewees identified a number of common concerns that were subsequently corroborated by key informants in other parts of the country:

1. **Lack of fit between programs offered and clients' needs. Related concern: Lack of resources and preparation to assist some of the newly-arrived high-needs populations.** Settlement funding stipulates particular programs that service agencies can provide to newcomers. Employment programs in particular such as “job search workshops” are not well-suited to immigrant needs. Many newcomers need actual work experience, but the terms and conditions of employment services programs do not allow agencies to provide this. Also, funding criteria lack a holistic approach that would allow service providers to respond to needs as they see them arising. Schools are also constrained in what they can offer newcomer students.

Regarding the arrival of high-needs populations, this was a particular concern in some urban centres such as Vancouver and Hamilton where hundreds of government-assisted refugees have been resettled from refugee camps directly into the urban core – without the addition of extra resources in terms of health care, interpreters, school social workers, and the like.

2. **Lack of funding or minimal funding for interpreters.** Language barriers prevent persons from making informed choices about health care, education, and other important areas. Much of the funding that agencies can use for interpreting is ad hoc. Community health clinics have made the biggest commitment to making interpretation available, but their budgets are very limited. Other health care centres vary in their practices, many of them relying on family members of patients or available staff who happen to be fluent in the language. Some courts fund interpreters, and some do not. Some school boards hire interpreters on an as-needed basis, but advance planning is required.

We are not prepared for some of the high-needs populations we are receiving.

Nora Lopez, North Hamilton Community Health Clinic



3. **Refugee determination and family sponsorship processes take too long.** These processes should be faster, so that the hardships of family separation are reduced. Many families can never recover from the years spent separated from each other. The time that individuals spend in “limbo” waiting for immigration status and to reunite with family members are emotionally and financially costly. Refugee claimants whose claims are rejected have in the meantime been living and working in Canada, sometimes for years. It is unfair to think that they should simply leave after becoming so established, and unrealistic to think that they will leave. The problems here stem from the under-resourcing of the appropriate government agencies, and the lack of political will to change the situation.
4. **Newcomer clients are isolated, which can lead to depression and other health problems.** Often, this is related to separation from family members, but it can also be the result of poor employment prospects, compounded by lack of proficiency in English or French. This points to the need for community building as well as, especially for women, developing self-confidence.
5. **Newcomer clients do not know their rights, and their levels of civic engagement are very low.** Many newcomers are unaware of their rights in areas such as tenancy and employment, leaving them vulnerable to exploitation. Parents often do not know their rights vis-a-vis their childrens’ education and schooling. Newcomers are uncertain how to get involved in areas that concern them. Newcomers would benefit from rights education, leadership skills development, and the availability of “client advocates” who could go a step beyond the provision of information to actually help them assert their rights and navigate the system.

Interviews with key informants who were at least one layer removed from the front-lines brought a broader, complementary perspective to the above concerns. At least one of the following themes emerged in each of the interviews:

1. **Problems related to jurisdiction lead to policy incoherence and inadvertently create systemic barriers to various aspects of settlement.** Jurisdiction for immigration and settlement is shared by federal and provincial governments. Municipalities, which have little jurisdiction, receive the lion’s share of immigrants and are on the front lines when it comes to accommodating their needs. In addition to vertical jurisdictional constraints, horizontal jurisdiction between departments and ministries means that policies created to address different aspects of settlement, e.g. health or human capital development, tend to be fragmented. Most employment training is administered by Service Canada, but eligibility hinges on having a Canadian employment history, thereby disqualifying newcomers. Immigration remains isolated from skills development, which remains separate from health, and so on. As a result, there is a lack of legislative and policy coherence, even around the same issue. The creation of certain systems, such as the licensure of professionals and tradespeople, was done without immigrants in mind and inadvertently created systemic barriers that seem virtually intractable.

The jurisdiction and policy on Access to Professions and Trades is so carved up that there has been no comprehensive strategy to date.

Rich Janzen, CREHS, Kitchener



2. Settlement policy is too narrowly-defined, and there is not enough support for locally-driven initiatives.

Citizenship and Immigration Canada (CIC) looks only at the short-term version of settlement, whereas most of the barriers are in the longer-term. Immigration fees have increased, but services to immigrants have not expanded. CIC wants “plug-n-play” immigrants that can quickly achieve self-sufficiency. Funding should be more flexible and allow for more nuanced programs. We are not really sure what we get from our settlement spending because there is no coordinating mechanism; settlement agencies operate like a school without a school board. What many are terming the “settlement crisis” is a not a crisis for the settlement agencies per se. They are given funding to do specific programs, and it is beyond their reach to address all the settlement barriers outlined in this report.

Many of the barriers to settlement are the same across Canada, but the solutions may vary according to a locality’s particular strengths, weaknesses, and goals. Multi-stakeholder initiatives that include employers and other actors from the private sector are being undertaken in various parts of the country. However, these are hampered by the lack of provincial and federal core funding available for community-comprehensive strategies. Given the capacity, communities could work to identify local solutions and better learn from each other. At present, many communities and community agencies have identified needs and come up with potential solutions, but they are unable to find funding to move forward with their visions.

Everyone’s doing settlement,
but nobody’s getting settled.

**Uzma Shakir, Council of Agencies
Serving South Asians**

In brief, this research explored three levels of analysis - newcomers, front-line service providers, and key informants with some policy expertise – to identify legal and policy barriers to settlement for immigrants, refugees, and other newcomers. As revealed in the next section, many of these same themes emerged in the literature review of various policy areas relevant to settlement.

Literature Review of Relevant Policy Areas

The literature review process identified numerous legal and policy barriers to settlement. Key findings from the review are listed below, according to policy area. Each policy area listed below comprises a complete chapter in the Literature Review document that is a companion piece to this report.

Immigration and Refugee Determination Policy

Overview of settlement issues

Immigration and refugee determination policies stipulate who is admitted to Canada, but they may impact newcomers after their arrival as well. First, legislation recognizes numerous categories of newcomers, including economic migrants, Family Class immigrants, Convention refugees, refugee claimants, and temporary residents. In addition, an estimated 200,000 to 300,000 persons live in Canada without any status or recognition by the government. The rights and privileges held by newcomers to Canada vary according to their status, with citizens and permanent residents enjoying the most rights. The lack of movement between some categories impacts



settlement as well, for example, the inability of some Convention refugees to acquire permanent residency or for “non status” persons with a work history in this country to become recognized residents.

Second, the ability of newcomers to reunite with their families in Canada, usually through sponsorship of family members from abroad, has an enormous bearing on their settlement experience in Canada. Research indicates that extended family networks and other social networks are a crucial part of the settlement process. This is especially so in the context of lengthy labour market integration and discrimination.

Third, the “securitization” of immigration policy produces a negative social context in which many immigrants and refugees, especially Muslims, feel unwelcome. The same criteria used in the security certificates are used to assess admissibility for immigrants and refugees. Certainly, some individuals do pose security risks to Canada. However, the criteria are vaguely-worded, not accompanied by any burden of proof but rather rely on “reasonable grounds to believe” an allegation, and lack any requirement to make a decision within a reasonable period of time. The belief that the national security provisions in the immigration legislation may violate basic civil rights is at present being tested in the Canadian courts.

Waiting for the call for the (refugee) hearing ... is emotionally exhausting. The stress had already begun in the home country with the unrest, and it continues in Canada.

Focus Group Participant

Legal and Policy Barriers

- An increasing number of refugees in Canada live in legal “limbo.” Their claims for refugee status have been accepted, but they have yet to acquire permanent resident status. Delays in processing, which occur for a variety of reasons, can mean that individuals wait for years and years to become permanent residents.
- Several legal barriers prevent family reunification. These include: family members who were not included on a sponsor’s original application being ineligible for subsequent sponsorship; the definition of family, which does not include siblings or extended family; the inability of refugee children to sponsor parents and siblings to Canada; the low income cut-off threshold to sponsorship; a bar on sponsorship for persons receiving social assistance; and processing fees that are beyond the means of many newcomer families.
- Family reunification processes are under-resourced and subject to delay.
- Citizenship and Immigration Canada collects “cost recovery” fees for immigration and visa applications to offset the costs of immigration programs. However, there is no evident correlation between the amount collected in fees and the services provided.
- The federal government has relied on immigration legislation to arrest, detain, and expel foreigners on national security grounds. The government’s use of “security certificates” restricts basic Charter rights and authorizes the indefinite detention of any foreign national thought to pose a security threat to Canada.



Settlement Policy

Overview of settlement issues

Settlement policy consists of a “variety of programs and services designed to help newcomers become participating members of Canadian society as quickly as possible” (Citizenship and Immigration Canada 2002). Different levels of government assume primary responsibility for programs in these areas. Traditionally, federal-level programs have been the most visible, but federal funding for settlement and language services has not increased over the past decade. Since 1995, the federal government has attempted to devolve responsibility for immigrant settlement to the private sector as well as to provincial governments, calling this “settlement renewal.” Manitoba, Alberta, British Columbia, and now Ontario have negotiated their own agreements with the federal government. Quebec assumed responsibility for its own settlement services in 1991.

A comparative overview of current immigrant settlement programs across Canada documented the wide funding discrepancies between provinces (Friesen and Hyndman 2005b). Settlement services differ not only between provinces, but also from city to city. Municipal governments do not have a voice in the major settlement policy decisions, but services may vary due to local priorities and programming funded by agencies such as the United Way and private foundations.

Settlement services are predominantly delivered by immigrant serving agencies who rely heavily on government funding to provide these services. Their numbers reduced by funding cutbacks and increased competition for contracts, today immigrant-serving agencies tend to be large multi-ethnic agencies that lack the resources to engage in policy advocacy.

Legal and Policy Barriers

- As articulated by Citizenship and Immigration Canada, settlement policy primarily addresses the first stage of settlement only. Many of the important barriers facing newcomers today, however, are manifest in the second stage of settlement, especially regarding access to the labour market. There is a lack of clarity regarding the respective roles of federal and provincial government agencies in addressing this second stage.
- Service providers are constrained by a system in which they receive limited funds to provide very specific services. Resources must be expended on grant-writing and reporting. The funding system limits agencies’ autonomy as well as their ability to respond to local needs that may arise.
- In most provinces, Citizenship and Immigration Canada settlement services are available to permanent residents and Convention refugees only. As such, individuals may have resided in Canada for years before becoming eligible to access these services.



Employment

Overview of settlement issues

Newcomers to Canada in the 1990s were more highly educated and skilled than previous immigrant cohorts, yet they have not fared as well as their predecessors in terms of employment and earnings. Over the past few decades, evidence has accumulated that demonstrates that immigrants face an initial earnings disadvantage compared to the native born. This “entry effect” and its fluctuation over time may be accounted for by various factors such as the changing composition of migrants and age at time of migration (the younger the better). Immigrant earnings have traditionally been found to converge to those of their native-born counterparts over the years. More recent analyses of Canadian Census and other data, however, cast doubt on the prospects that recent immigrant cohorts will ever catch up with their native-born counterparts. An increasing number of economic analyses are now attempting to explain why recent immigrant earnings are not converging as opposed to whether they will eventually catch up.

My husband and I got into Canada by the points system. We passed and became landed due to our education, English skills, and other factors. ... But then we got here and there were no jobs. Our diplomas were not really worth anything.

Focus group participant

The costs of not utilizing newcomers’ skills are numerous, and they impact Canada, the sending countries, and the immigrants themselves and their families. Economic costs include labour shortages, unnecessary retraining, a greater burden on social programs, the loss of potential tax revenue, and an overall increase in immigrant poverty rates. In social terms, the exclusion of newcomers has costs in terms of ethnic and race relations, human rights, the settlement process, and mental health.

Legal and Policy Barriers

- Newcomers to Canada encounter numerous, specific barriers to appropriate employment: lack of accurate information about working in Canada at the pre-migration stage; insufficient recognition of credentials earned outside of Canada; lack of Canadian experience desired by employers; lack of knowledge of Canadian workplace practices; ignorant or discriminatory practices of employers; and narrowly-defined settlement services that do not provide needed information and training.
- The specific barriers faced by foreign-trained professionals seeking to be licensed by regulatory bodies include the methods used to assess foreign credentials and the lack of independent appeal mechanisms for rejected applicants; a lack of access to occupational-specific language training; lack of internship, co-op, and other placement opportunities to gain the Canadian work experience required by some professions prior to licensing; lack of bridging programs to fill gaps in a candidate’s record; lack of networking opportunities; and the cost of the licensing process.



- Immigrants who are unable to find employment commensurate with their skills have recourse to the legal system and human rights tribunals to show that they have experienced discrimination. However, these processes are lengthy, costly, and fail to address systemic discrimination.
- Employment Equity legislation covers more than one million workers in Canada, but it only addresses immigrants, refugees and other newcomers to Canada to the extent that they are visible minorities, women, or disabled.

Language Education (for Adults and Children)

Overview of settlement issues

Language instruction for newcomers is a key component of settlement and an integral part of their education. Increased employment earnings have been linked to language proficiency in one of Canada's official languages, yet close to 90% of immigrants to Canada have neither English nor French as a first language. Language proficiency is an important determinant of income and employment, as is education in general. In addition to the economic benefits, these are also important for personal development and civic participation.

Today's newcomers to Canada are heterogeneous in terms of language ability and educational background.

Immigrants to Canada in the 1990s were the most highly educated immigrant cohort to date (Statistics Canada 2005: 51). At the same time, however, low literacy skills in English or French are a serious problem among newcomer populations. Schools are accommodating increasing numbers of children with little or no formal schooling background, some of whom come from situations of trauma or multi-generational illiteracy. These challenges are far greater than language acquisition alone. Newcomer adolescents who lack second language proficiency often have considerable difficulties catching up to their peers before the end of Grade 12. Language difficulties are believed to be an important reason behind high rates of school-leaving among newcomer youth.

Some newcomer youth need intensive English and a "safe haven." They feel uncomfortable in the high schools. They get lost, even physically ill.

**Susan Friscolanti, St. Charles
Adult Education Centres
(Hamilton)**

Various federal and provincial ministries are responsible for providing language programs to newcomers. The federal government has responsibility for immigration and funds adult language instruction in most provinces. (British Columbia, Manitoba, and Quebec have control over their own settlement services and do not use the LINC program.) The provinces oversee education and fund all elementary and secondary ESL programs. The provinces also fund some ESL programs for adults. School boards and individual schools are also involved in a wide spectrum of settlement services for which there is no funding support.

Legal and Policy Barriers

- Access to federally-funded English as a Second Language adult programs is limited to permanent residents and Convention refugees. Refugee claimants, those awaiting residency status, and Canadian citizens are not eligible, though they may qualify for some provincial programs.



- Significant disparities in adult ESL funding and programming exist across the provinces and territories. British Columbia and Quebec offer courses only up to the first three language levels, whereas Manitoba offers courses up to level eight, including workplace-specific language training.
- ESL policies for adults and children are characterized by a lack of coordination between federal and provincial governments, school boards, community agencies, and other stakeholders.
- Significant disparities in ESL funding and programming for children and youth exist across provinces and school boards.
- Experts believe it takes elementary-age English or French learners at least five to seven years to acquire the language skills needed to succeed in high school, but most provinces fund ESL programs for less time. Teaching ESL is not part of basic teacher training in any province.
- Provincial ministries provide school boards with special funding for ESL and similar services, but the boards are allowed to reallocate the funds to other programs and do so.

Health

Overview of settlement issues

A persons' health includes physical and mental well-being and is impacted by such factors as income and social status, employment, education, social support networks, biology and genetic endowment, gender, and culture. At the time of migration, newcomers to Canada are on the whole healthier than their Canadian-born counterparts of comparable age. Over time, however, they lose this health advantage. Persons from non-European countries – who are most likely to be members of racialized groups -- are particularly likely to report a deterioration in their health.

Immigrants appear less likely to rely on health services than their Canadian counterparts, particularly mental and preventive health services. Data from the Longitudinal Study of Immigrants to Canada (LSIC) showed that only 19% of immigrants had accessed health care services during their first six months in Canada. Lower utilization of health services, rather than reflecting superior health status, may reflect the inadequacy of existing health care services in meeting needs. In some cases, it may stem from fears that information about health problems will be shared with immigration officials. Ensuring accessibility of services is especially important in the area of infectious diseases such as HIV/AIDS and tuberculosis that can be better controlled with early intervention and treatment.

Interpretation should be a billable expense under provincial health insurance. Someone should mount a Charter challenge on this issue.

Chris Friesen, Immigrant Services Society of B.C.

Legal and Policy Barriers

- In Ontario, Quebec, British Columbia and New Brunswick – whose populations include close to 90% of Canada's newcomers – immigrants undergo a three-month waiting period before being covered by provincial

health insurance. The waiting period begins on the date that permanent residency is granted, which can take years for persons applying from within Canada. At any given time, tens of thousands of immigrants, refugees, and other newcomers to Canada live without provincial health insurance coverage.

- Health care provision is adversely affected by language barriers, which limit inquiry and discussion, impact diagnostic accuracy, and lead to additional stress for patients as well as caregivers. In a 1997 Charter case, the Supreme Court of Canada determined that effective communication was an integral part of the provision of medical services. However, the Court did not stipulate who should fund interpretation services. As such, interpretation is often offered on an ad hoc basis by individuals who lack formal training, e.g., hospital staff, family members, or family friends.

Housing

Overview of settlement issues

Housing is a basic need and a critical area of settlement for newcomers to Canada. Where a person lives affects his or her access to services and schools, the formation of social networks, and opportunities for socio-economic advancement. In 2001, 18.3% of immigrant households were living in unacceptable housing conditions (called “core housing need”), as defined by Canada Mortgage and Housing Corporation, compared to 13.7% for non-immigrant households. Core housing need is considerably greater among recent immigrants, renters, and those living in large metropolitan areas. Thirty-six percent of recent immigrant households were in core housing need in 2001. Among renter households in Toronto, half of recent immigrant households were in core housing need, compared to 27.7% of non-immigrant households. High rent-to-income rates can mean that households must forego other purchases, including for basic necessities of life such as clothing, medicine and food.

Our landlord asked us to pay three months’ rent in advance, plus first and last month deposit. We only found out later that it was against the law to do that. At the time, we were so grateful to have a place to live.

Focus Group Participant

Legal and Policy Barriers

- Numerous factors constrain a newcomer’s access to appropriate housing, including lack of financial resources, high housing costs, tight rental markets, a lack of available social housing, discrimination and a lack of knowledge about services and the local housing environment.
- Federal and provincial human rights legislation prohibit discrimination with respect to accommodation (tenancy) and the purchase and sale of property. However, enforcement is lax and dispute-resolution mechanisms are inadequate.
- Ongoing immigration to Canada, especially to large urban centres, has not been accompanied by the construction of any new social housing. The paucity of affordable, non-market housing pushes many newcomers to live in situations of “core housing need.”



Synthesis and Analysis of Key Findings

The above findings identify a wide range of legal and policy barriers to settlement. Many of the findings from various sources are complementary and point to problems related to policy incoherence, jurisdictional constraints, lack of resources to meet certain needs, eligibility requirements for services, and language barriers, among others. In this section, this information is synthesized into seven key findings, accompanied by supporting analysis.

Key Finding 1: Canadian public policy fails to recognize that the settlement process has multiple stages and involves a range of policy areas.

Newcomers to Canada have immediate, intermediate, and long-term settlement needs that fall under the jurisdiction of various levels and departments of government. The federal government is responsible for immigration policy, some human rights and other legislation such as the Canada Health Act, and constitutional issues. Provincial and territorial governments have jurisdiction over many of the services newcomers access the most: health care, education, social services, legal issues (family relations, child custody, child welfare), sometimes accessed through provincial legal aid services, and the occupational regulatory bodies or professional colleges. Municipalities become home to the vast majority of newcomers, but they have little jurisdiction in terms of settlement.

As a result of this complexity, many government agencies have not taken responsibility for settlement. The onus has mostly fallen upon Citizenship and Immigration Canada and the immigrant-serving agencies it funds. As defined by CIC, settlement policy focuses primarily on the first stage of settlement and assumes that immigrants and refugees no longer need any assistance by the time they acquire Canadian citizenship. However, it is increasingly recognized that settlement is a long-term process, and that newcomers' needs extend beyond what the services that settlement agencies are funded to provide.

Immigration impacts society as a whole, and immigrant needs should not be relegated to the settlement sector. Rather, it is the responsibility of various governmental as well as non-governmental agencies to address settlement concerns in areas such as employment, education, housing, and health. *The Canadian Multiculturalism Act*, sections of the *Canadian Charter of Rights and Freedoms*, the *Canadian Human Rights Act*, provincial human rights codes, and the *Immigration and Refugee Protection Act* provide a foundation upon which government agencies can assume this responsibility. Policies should be adapted to better meet the needs of new Canadians.

For much of the past 20 years, CIC has been trying to wind down settlement programs; they have wanted “plug-n-play” immigrants.

Jeffrey Reitz, University of Toronto



Key Finding 2: Settlement sector programming is hampered by limited funding and government-imposed constraints on the design and delivery of settlement services by non-government organizations.

Most federal and provincial settlement services are delivered by nonprofit community-based settlement agencies, termed “immigrant serving agencies.” In past decades, a range of ethno-specific, multi-ethnic, and multi-service organizations delivered a variety of settlement services, sometimes independently and often in partnership with other organizations and institutions. Such organizations engaged in community development and capacity building at the same time that they delivered services in their neighbourhoods. Their physical and ideological proximity to newcomer communities, and their multilingual staff, gave them credibility in those communities as well.

Under current funding practices, however, immigrant serving agencies lack adequate resources to deliver quality programming, and they have lost the programming autonomy that brought them respect initially. Immigrant serving agencies are constrained by a lack of stable core funding, instead receiving limited pools of funds to provide very specific services, often on a year-by-year basis. Many are kept afloat by service delivery contracts for language and programming focused on short-term settlement needs. Project funding, or “contract funding,” entails the government purchasing defined services with specified outputs and controlled funding. Contracts often involve increased accountability requirements with little or no flexibility in program delivery or funding. The rise of project funding has occurred alongside the devolution of settlement services by the federal government. In British Columbia, agencies openly compete against each other for settlement dollars. In essence, immigrant serving agencies provide governments with a low-cost means of service delivery.

This shift from “community agency” to “service delivery agency” has entailed a loss of autonomy to identify and respond to particular, local settlement needs. Front-line workers complain that the programs they can offer do not address clients’ needs. In addition, it has resulted in a decline in the ability of agencies to engage in advocacy on behalf of their clients. “Advocacy chill” is the product of a lack of resources, including the redirection of resources to grant-writing and evaluation, combined with hesitancy to criticize the policies of government funding agencies. In general, settlement agencies are well-informed but do not possess the resources to take on an advocacy role. Two exceptions are the Ontario Council of Agencies Serving Immigrants and the Canadian Council for Refugees. In British Columbia, Canada’s second largest immigrant-receiving province, immigrant serving agencies are prohibited from engaging in advocacy work.

In British Columbia, language classes stop at a level that leaves clients only marginally ready for employment.

Kelly Pollack, MOSAIC

Key Finding 3: Extended family separation is a costly consequence of immigration policy.

The social networks found in families and communities are important factors in the settlement experience. This has long been known to settlement workers but was recently confirmed in the Longitudinal Study of Immigrants to Canada or LSIC (Statistics Canada 2005). This large-scale survey found that newcomers rely on assistance from family and friends more than from any other source – including government agencies and settlement agencies – regarding all four areas of settlement considered in the study: finding accommodation, finding employment, accessing health care, and accessing education or training. Eighty-seven percent of those surveyed in the LSIC already had family or friends in Canada at the time of migration (Statistics Canada 2005: 86).

Newcomers who experience extended family separation as part of their migration experience often find this to be a somewhat unexpected and extremely difficult barrier to their settlement. Prior to undertaking steps to sponsor family members to come to Canada, many immigrants and refugees are unaware that the process can drag on for years. As an outcome of a policy shift in CIC towards economic immigration and away from the Family Class, family reunification programs are under-resourced and subject to delay. In addition, refugee families may remain separated even longer due to delays in acquiring permanent resident status for the sponsoring family member or the inability to pay processing fees that must accompany each application (\$550 per adult plus \$150 per child).

Many front-line workers see evidence that the reduction of Family Class immigration decreases the stability of families. The costs of prolonged family separation include emotional distress, physical risk to those left behind (due to war, violence, poverty or insecurity), loss of trust, increased need for services at the time of reunification, and the economic costs associated with maintaining multiple households. In addition, family members who reunite after years of separation may find themselves never able to overcome their estrangement. Some extended families are unable to reunite in Canada because they do not fit the Western definition of a nuclear family.

CIC's emphasis on increasing the proportion of economic migrants arose from real concerns about a trend toward declining socio-economic prospects for immigrants in Canada. However, immigrants are not faring any better a decade after the policy shift. Further study is needed to better understand the importance of families to the settlement process, and the costs of extended family separation.

To sponsor, you need a certain income. What can you do? I cannot make that much.

Focus Group Participant

Key Finding 4: Employment is the primary settlement need for most newcomers, not least because it helps reduce other barriers to settlement.

Immigrants to Canada are on average better educated than Canadians, and in better health. Most arrive in their peak working years and wish to find meaningful employment. Mobile and multilingual, they arrive in Canada, one of the most ethnically diverse countries in the world. Yet, for a variety of reasons, despite how desirable these qualities would seem in a knowledge-based economy within a globalized world, many newcomers do not experience economic success. The same criteria that are good enough to gain entrance to Canada are often insufficient to gain skills-appropriate employment.

The biggest settlement-related problem faced by immigrants is the inability to find employment, especially employment in the same field where one has education and work experience. Census data reveals that immigrants to Canada prior to the 1990s were by some measures better off economically than the Canadian-born, but that the 1990s saw significant declines for immigrants. According to the 2001 Census, the unemployment rate of recent immigrants aged 25-44 was almost double that of the Canadian-born counterparts. Thirty-five percent of newcomers who arrived in 1991 or later were living below the poverty line in 2001, compared to about 15% of Canada's native-born population.

The economic costs of not utilizing newcomers' skills are numerous, and they impact Canada, Canadian employers, immigrants' countries of origins (in terms of brain drain and lower remittances), and the immigrants themselves and their families. The societal costs of failing to recognize the skills and contributions of newcomers to Canada are as serious as the economic costs. Many immigrants come to Canada with the hopes of making a better life for themselves and their families, appropriate employment being only one albeit vital component of their new situations. Granting newcomers a place in Canadian society involves basic notions of belonging, acceptance, and recognition and is embodied in the term "social inclusion." To fail at social inclusion has costs in terms of ethnic and race relations, human rights, the settlement process, and mental health. (For more information on employment, please refer to the employment chapter of the literature review document.)

Key Finding 5: Communication barriers impede access to services and, for many, are not remedied by available language instruction.

Communication is an essential part of service provision and decision-making about health care, education, legal issues, and other important areas of life. Newcomers who lack proficiency in French or English are often unable to communicate with service providers outside of the settlement sector. (This is one reason why many settlement agencies have sought to expand programming and staffing beyond their original mandates.) Optimally, newcomers should be able to access services in the broader society. Some settlement agencies send interpreters to accompany clients on their visits to physicians and other service providers. However, just as health care to vulnerable populations should not fall solely to community health clinics, communication and interpretation should not be shouldered by the settlement sector alone.



At present, outside of the settlement sector, much of the funding for interpretation is inadequate or *ad hoc*. Many service providers rely on clients to bring their own family members or friends to serve as interpreters, which raises concerns about confidentiality as well as the reliability of communication. Most health care providers, legal service providers, social service providers, and educational institutions have little or no budget for professionally-trained interpreters. Some courts fund interpreters, and some school boards hire interpreters as needed.

Two other possibilities exist for improving communication between newcomers and service providers. One longer-term option is to teach the newcomer to speak English or French. Indeed, this is the goal of language programs that are offered to newcomers. However, many provinces do not offer the levels of language instruction that would be needed to foster very sophisticated communication. British Columbia, Quebec, and most of the Maritime provinces offer only the first three levels (out of eight) of language instruction. Manitoba, on the other hand, offers all levels, plus workplace-specific language classes. Moreover, federal funding for English as a Second Language and French as a Second Language has not increased since 1996, and eligibility criteria prevent refugee claimants, Canadian citizens, and other categories of newcomer from taking these courses. In addition, many individuals who are eligible may not have access to childcare or transportation, or may not be able to find classes that accommodate their work schedules. In many areas of the country, there are long waiting lists to attend ESL courses. Significant improvements to language programs are required to ensure that newcomers reach proficiency in English or French. (For more information on this topic, refer to the language education chapter of the literature review document.)

Another means of overcoming communications barriers to accessing services is to find professionals who speak the same language as the newcomer. This is particularly important in service areas where confidentiality is important. In the Longitudinal Study of Immigrants to Canada, 57% of immigrants surveyed said it was important or very important for their health care provider to be able to speak their language (Statistics Canada 2005: 41). A strategy designed to employ bilingual and multilingual professionals would have the added benefit of increasing the employment prospects of foreign-trained individuals.

One of the biggest frustrations for clients is language. Most of them are bright, but communications barriers make them feel stupid.

Ines Rios, St. Joseph Immigrant Women's Centre (Hamilton)

Key Finding 6: The settlement experiences of many newcomers are characterized by isolation, vulnerability, and a lack of civic engagement.

Many newcomers suffer from isolation that stems from lack of proficiency in English or French, separation from family members, inadequate housing, cultural barriers, and living in poverty. They are often vulnerable to exploitation due to lack of knowledge of their rights in areas such as tenancy, employment, or education and schooling. Many are not sure where to go to get help for various problems. Research indicates that they turn to family and friends first, but those family and friends may not be any more knowledgeable about the legal and policy context that determine their rights.

This vulnerability is compounded by the cutbacks to legal aid in some provinces (e.g., British Columbia) and the precarious status of the legal aid system in others (e.g., Quebec). The federal government does not set standards for minimum coverage across the country. In British Columbia, where legal aid services have been cut severely, immigrant serving agencies have acquired funding from the private sector to hire paralegals to provide assistance in the areas of immigration, family, welfare, housing and employment. In other provinces where no legal aid funding exists, non-governmental organizations and volunteers directly assist immigrants and refugees. In large immigrant population centres such as Toronto, legal aid clinics that serve specific populations, such as South Asian or Chinese, have been able to attract clientèle that might not utilize more generic legal aid services. All of these efforts help educate newcomers about their rights, but they cannot replace a comprehensive, secure legal aid system. Ongoing concerns about the increased vulnerability of some populations has compelled the Canadian Bar Association to support a test case on the constitutional right to legal aid in British Columbia.

In addition, many newcomers do not know how to express views to politicians and decision-makers. Some newcomers have never lived in a democratic country and are unaware of how the political system works, whereas others simply do not believe that anyone will be responsive to their concerns. Issues such as racial profiling by police, the targeting of Muslim men for “random” security checks in airports, and discrimination in the labour market send signals that some newcomer populations are more welcome than others.

These problems point to the need for community building, leadership skills development, and civic education within newcomer communities. They underscore the need for a public policy agenda supportive of social inclusion, not only through public education regarding rights and responsibilities but also via respect for cultural pluralism and improved accessibility to democratic institutions and policy-makers.

Parents don't know their rights, don't know they can make demands on the schools and the system.

Gail Belisario, Principal of Equity, Hamilton Wentworth District School Board

Key Finding 7: Legal and policy barriers to settlement interconnect and produce systemic discrimination against newcomers.

The above findings are listed separately but in actuality are drawn from an interconnected web of legal and policy barriers that impact newcomer settlement. For example, isolation and depression can be related to extended family separation or poor employment prospects. Isolation and poor employment prospects, in turn, may be compounded by lack of proficiency in French or English. The ineligibility of refugee claimants for most CIC-funded settlement programs means that persons may live in Canada for years without access to language instruction. The lack of resources available to settlement agencies to engage in advocacy work can be linked to the lack of rights awareness and civic engagement among newcomer communities. The low income cut-off bar to sponsorship of family members to immigrate to Canada reduces families' abilities to pool their resources, thereby hindering their chances from rising out of poverty. All of these are rooted in existing Canadian laws, regulations and social policies.

In some cases, barriers combine in such ways as to be virtually insurmountable and create systemic discrimination. To illustrate, many newcomers are unable to secure employment because they lack Canadian work experience. Professionals who then apply for entry-level positions to gain experience are rejected from those positions because they are "overqualified." The rejection of overqualified candidates is a sensible hiring policy on its own, but not within the context of the poor labour market prospects facing many immigrants. This issue was addressed in a recent ruling by the Canadian Human Rights Tribunal (Valpy 2006). In brief, different sets of barriers are interconnected, and combine to impact newcomers in particular ways.

Recommendations for Changes in Policy and Law

In light of the barriers identified in this research project, the top priority recommendations for changing law and policy are as follows:

1. **Reduce barriers to collaboration that exist between government departments and jurisdictions, as well as between the public and private sector.** The systemic nature of many barriers to settlement points to the need for more holistic programs that address various settlement needs simultaneously. The federal government is supporting some new initiatives along these lines, and they are being well-received by newcomers. Examples of promising partnerships include the Settlement Workers in Schools program in Ontario and the Toronto Region Immigrant Employment Council. The Internationally Trained Foreign Workers Initiative is a recent

The solutions (for workforce integration) are radically different across the country because the labour market needs differ. In Toronto, it is sheer volume. In other areas, it is about attraction and/or retention of immigrants. We want community capacity to identify local solutions.

Elizabeth McIsaac, TRIEC

inter-departmental effort of the federal government. One component is Enhanced Language Training (ELT). Currently in the pilot program stage, ELT consists of occupational-specific language courses which enable newcomers to improve their language skills simultaneously with their employment prospects. Collaborative programming should be encouraged and expanded.

2. **Strengthen Family Class immigration by reducing processing times for immigration and family sponsorship.** Extended family separation imposes painful and unnecessary costs on top of the other major life adjustments already experienced as part of migration. One of the objectives of the Immigration and Refugee Protection Act is “to see that families are reunited in Canada” (Section 3(1)(d)). As such, Citizenship and Immigration Canada should direct more resources to this end. Outside of CIC, an investigation by the Auditor General of Canada should clarify the relationship between “cost recovery” processing fees and the resources devoted to processing various immigration-related applications. (For further information on this issue, please refer to the Immigration and Refugee Determination Policy chapter of the Literature Review that is a companion to this report.)
3. **Reduce the number of persons living in legal “limbo” by making permanent resident status automatic upon recognition as a Convention refugee or protected person. Give immigration authorities the ability to revoke that status in cases of genuine identity, security, criminality, or other concerns.** Most refugees in Canada make their claims for refugee status from within this country rather than from overseas. The time required to file a claim, have it accepted, apply for permanent resident status, and receive that status takes about three years on average. During this “limbo” time, persons are not eligible for federally-funded settlement services, nor to sponsor family members to come to Canada. This delay is a huge barrier to settlement. This recommendation requires amending the Immigration and Refugee Protection Act and/or the regulations. (For further information on this issue, please refer to the Immigration and Refugee Determination Policy chapter of the Literature Review that is a companion to this report, or to Brouwer 2004.)
4. **Immigrant serving agencies should be given multi-year, stable funding as well as more flexibility in programming.** Program funding that is tied to the delivery of specific services should be supplemented by other multi-year, stable funding. This would allow agencies to engage in longer-term planning as well as to have more autonomy to introduce programs that meet locally-identified needs. This might entail local partnering with service providers outside the settlement sector to develop new programs, or with other settlement agencies in different locales. The need for stable funding is particularly acute in British Columbia, where government allocations to agencies do not even meet the actual costs of delivering settlement services. (This is further discussed in the Settlement Policy chapter of the Literature Review document.)

Fund initiatives that bring people together to work on problems. There are so many links between community development, social planning, access to the labour market, and settlement.

**Uzma Shakir, Council of Agencies
Serving South Asians**



5. **Interpretation services for health care providers, legal services, schools, social services, and other areas of need should be professional and funded by key stakeholders.**

Newcomers to Canada should work to improve their own proficiency in English or French, but in the meantime they should be provided improved access to professional interpreters who can assist them in meeting their settlement needs. Interpretation should not be left to family and friends alone. Likewise, it should not be left to settlement agencies and community health clinics to send interpreters with their

clients who need assistance elsewhere, unless they are provided with funding to do. Various government and non-governmental agencies who serve newcomer clients must include interpretation in their budgets. A side benefit of implementing this recommendation is that the expansion of professional interpreting programs could capitalize on existing language expertise, thereby providing employment for newcomers as well. (This issue is further discussed in the Health chapter of the Literature Review document.)

Our biggest problem (serving newcomer clients) is the lack of funding for interpreters.

**Judy MacNeil, Dundurn
Community Legal Services
(Hamilton)**

6. **Admission to the regulated professions should be contingent on meeting fair, specified criteria, and should not be influenced by labour market conditions.**

Self-regulating bodies are mandated to protect public safety and “the public interest.” Until now, public interest has been defined narrowly, focusing on the interest of the profession above all else. Yet the ORBs are not mandated to take labour market conditions into account in their practices. Occupational regulatory bodies should be pressured by provincial governments and other stakeholders to reconceptualize what it means to act in the public interest. Also, independent appeal mechanisms should be in place for applicants wishing to challenge licensure decisions. The issue of access to professions and trades has entered public consciousness, but progress has been slow. (For further information on this issue, please refer to the Employment chapter of the Literature Review document, PROMPT 2004, MOSAIC 2006, or Thomson 2005.)

7. **Build the capacity of educators to meet the language and other needs of immigrant children and youth.**

Increase the accountability of provincial English and French as a Second Language funding to ensure that it is actually used for this purpose. More broadly, educators should be given the training, tools, and resources to be better prepared to work in environments characterized by cultural, religious and linguistic pluralism. Initiatives should not be limited to ESL/FSL teachers. Some coverage of the needs of ESL/FSL learners should be included as part of basic teacher training across the country. Having some settlement infrastructure in place is key to attracting newcomers to smaller population centres. (More information on this issue can be found in the Language Education chapter of the Literature Review document.)

We try to do what's best for students and then work to get funding for it. Good policy should follow good practice.

Jack Maga, St. Charles Adult Education Centres (Hamilton)



Recommendations from other sources

The recommendations above do not address all of the barriers identified in this report. Some of the barriers have obvious solutions, such as increased funding or widening eligibility requirements to improve access to service. Eliminating other barriers would entail major government restructuring to change jurisdictional boundaries. Though it is beyond the means of this report to address every barrier identified, it is helpful to know where to find some detailed recommendations and “best practices” that address settlement. Indeed, many excellent recommendations exist to improve different aspects of the settlement experience. All of the reports listed below are available for download from the Internet. Please refer to the Further Reading section of this report for details:

- In the areas of immigration, *refugee determination*, and *settlement policy*, excellent ideas have been proffered by the Canadian Council for Refugees (1998 and others) as well as by provincial umbrella associations such as the Ontario Council of Agencies Serving Immigrants (OCASI), *Table de concertation des organismes au service des personnes réfugiées et immigrantes* in Quebec, and the Affiliation of Multicultural Societies and Service Agencies of British Columbia (AMSSA). In their paper on family separation, Bernhard, Landolt, and Goldring (2005) include numerous recommendations for policy-makers, educators and service-providers, and for members of families themselves.
- Regarding *language education*, on ESL in the schools, the Auditor General of Ontario (2005, Chapter 3) and various reports by People for Education recommend changes in Ontario. The Atkinson Charitable Foundation’s “ten point agenda for the inclusion of new immigrant students” (2005) contains recommendations that go beyond ESL. On language instruction for adults, best practices are laid out by MWB Educational Consultants (No date).
- On the *employment and workforce integration* of newcomers, recommendations can be found in the report from the 2005 consultation held by the Public Policy Forum (Lopes 2005) and in a paper commissioned by the Hamilton Training Advisory Board (CREHS 2004). On the issue of access to professions and trades, reports containing recommendations focusing on Ontario (PROMPT 2004) and British Columbia (MOSAIC 2006) will be of interest outside those provinces as well.
- In the area of *health and immigration*, Hyman (2001) and Gagnon (2002) make numerous recommendations pertaining to legal and policy barriers facing immigrants, as does Bowen (2001) on the specific issue of language barriers to accessing health care.
- On *housing for newcomers*, see Mattu (2002) for recommendations regarding housing problems faced by immigrants and refugees on British Columbia’s Lower Mainland and Zine (2003) for recommendations arising out of Toronto.



Recommendations for Non-Governmental Actors

Most recommendations around settlement issues require legislative, policy, or resource commitments from government. As detailed in the previous section, there are many steps that policy-makers can take to improve the settlement experience of newcomers. In addition, private actors such as foundations and employers are also well-placed to assist newcomers in their settlement efforts. Without absolving government agencies of their responsibilities, non-governmental actors can supplement existing settlement policies through their own programming and practices.

What follows are some briefly articulated “ideas for action” that build on the barriers identified in this research. These and other programming ideas are listed in table form in Appendix A. The ideas listed below are well-suited to engagement by various non-governmental actors, though they could certainly be funded and administered by government agencies as well – as indeed some of them already are.

Labour Market Integration

According to labour sociologist Jeffrey Reitz, the success of Canada’s immigration policy all boils down to one essential feature: “institutions that link workers to jobs and provide for the international transferability of skills” (2005: 8). Employers must be able to assess prospective workers’ skills and abilities to perform the required tasks. However, there are barriers to achieving institutional change that would allow for better skill transferability. These include institutional complexity; timing and decision-making structures; and the effect of racial attitudes and discrimination (Reitz 2005).

In view of these complexities, opportunities exist for private actors to move forward to help newcomers enter and advance within the labour market. In this section, several possibilities for action are identified, starting with the least ambitious and moving up the ladder of commitment.

Support for a National Roundtable on Access to Professions and Trades (APT)

Capacity Canada is a relatively new umbrella organization that has formed to explore the implementation of national-level standards for some elements of the APT process. The creation of national-level standards for licensure would improve inter-provincial mobility for Canadian-educated individuals as well as for foreign-trained persons. Capacity Canada also intends to create a framework of accountability for the occupational regulatory bodies. An important part of this process is the direct involvement of immigrant professionals who work in partnership with each other and contribute to the decision-making process. At present, Capacity Canada has an organizer in Toronto for the eastern half of Canada and one in Vancouver for the western part of the country. Funded by the Department of Canadian Heritage, the first national roundtable will be held in September 2006.

Foundations, employers and service providers around Canada are encouraged to disseminate information about this initiative. Organizations such as the Law Commission of Canada should consider providing legal expertise for



this organization, possibly in the form of a law student seconded to the project or a foreign-trained lawyer who could work with the leadership council in this formative year.

Mentorship Programs

Working from the premise that change happens one person at a time, mentorship programs are a simple, straightforward means of improving the employment prospects of newcomers. The objective is to give skilled newcomers the connections and knowledge that can only be gained from experience in the workforce. In the program, new immigrants are matched with mentors who share the same profession. Under the Mentoring Partnership, which operates in Toronto and outlying regions of Peel and York, mentors share their knowledge and experience by giving 24 hours of their time over a four-month period to help their mentee navigate the job search process. *Programme d'aide à l'intégration des immigrants et des minorités visibles en employ (PRIIME), Quebec* is another example of an existing mentorship program.

Immigrant Loan Programs for “Bridging” Expenses

The Calgary Foundation recently created the Immigrant Access Fund with the objective of providing micro loans for the accreditation, training and upgrading of internationally trained immigrants. According to the program guidelines, “With a small loan of up to \$5,000, immigrants can fund an accreditation process that allows them to work where they are most needed. Funding will support a period of study and examination fees, or short term upgrading to enter their chosen field in some capacity, where they can continue building on their qualifications.” This micro loan facility is the first of its kind in Calgary.

A similar loan program run out of the Maytree Foundation in Toronto has a very successful track record. Of the 90 loans granted, there have been only four defaults, a lower default percentage than is usually experienced by commercial banks.

Regional Employment Councils

One of the most exciting initiatives around workforce integration for newcomers to Canada has been the Toronto Region Immigrant Employment Council (TRIEC). The idea for creating TRIEC arose out of the 2002 Toronto City Summit Alliance, a coalition of over 40 civic leaders from the private, labour, voluntary and public sectors in the Toronto region. The Alliance asked the Maytree Foundation to take the lead on creating a workforce integration council. A council was formed and submitted a successful funding proposal to the federal government. TRIEC is notable for several reasons:

- the driving force behind it was a civic coalition, not government, though it relies mostly on government funding;
- it has advanced the farthest in terms of becoming an autonomous organization reliant on a variety of funders. Today, TRIEC has a \$1.2 million budget and multiple funders. Only 20% of funding comes from Maytree Foundation;



- its activities are characterized by extensive involvement from the private sector; and
- other, newer regional immigrant employment councils can learn from TRIEC's experiences.

In other cities and regions, efforts to create multi-stakeholder initiatives around immigrant employment have met with varying degrees of success. One of the biggest obstacles is that the federal funds that were made available to TRIEC for start-up are not available to other regions wishing to form similar councils. The lack of federal or provincial funds for community-comprehensive strategies stands as a real stumbling block to local efforts to create cross-stakeholder fora. As such, initiatives such as Employment Access Strategy for Immigrants (EASI) in Vancouver have suffered from the lack of momentum that can accompany an absence of core funding. In Kitchener-Waterloo, Ontario, the Waterloo Region Immigrant Employment Network formed in 2005. It operates with local funding and has benefited from the support of the Kitchener and Waterloo Community Foundation and being championed by the local Chamber of Commerce. In Hamilton, Ontario, the Hamilton Community Foundation funded a workforce integration summit meeting in December 2005, and plans are under way to form a local immigrant employment council.

The attraction of these local initiatives is that they adapt to local needs and priorities. Also, employers often think locally rather than in terms of policy issues. They are more likely to become coalition builders in local initiatives than to work for policy change, though an interest in advocacy may arise from increasing awareness of various barriers.

Other Areas of “Ideas for Action”

There are many other areas of action where foundations, organizations, and even individuals can assist newcomer settlement. Some of the ideas arising out of the discussion of barriers identified in this report pertain to engaging families in education and schooling; giving newcomer students tools and incentives for achievement; creating cross-cultural peer support circles of newcomers; enhancing leadership skills development; and developing community capacity through neighbourhood-based programs. Another important area of action pertains to civic education and rights education. The provision of multilingual educational materials and workshops for newcomers can help inform them of their rights. Important to all these initiatives is to allow space for community formation and the percolation of new ideas.

The Neighbourhood Program is about bringing people together and building relationships.

**David Derbyshire, Hamilton
Community Foundation**

The “Ideas for Action” Compendium that forms Appendix A to this report lists dozens of programs that are currently being offered, or were offered in the recent past, to address various aspects of settlement. These are grouped under five headings: Employment (including the ideas outlined above as well as others); Leadership and Skills Development; Legal Resources; Community Development; and Children and Youth. Under each heading, local and regional programs that could be duplicated in other parts of Canada are described, and contact information is provided.

Conclusion

In conclusion, it is very difficult to change the jurisdictional constraints that complicate policy-making around settlement issues in Canada, though efforts to reduce policy incoherence are greatly needed. Organizations such as Capacity Canada are working towards that goal. Locally-driven initiatives around workforce integration are another example of efforts to overcome some of these constraints. Multiple stakeholders, from inside and outside government, are coming together to work on the vital issue of improving labour market access for newcomers. These initiatives are young, but any success should be modelled and encouraged as the dividends will be great.

Other worthwhile programs can move towards eliminating barriers to settlement on a smaller scale, even focusing on one person at a time. If every foundation or agency that receives this report commits to creating one internship position for a newcomer, significant progress will be made in the lives of many individuals. By engaging directly with newcomer populations, the impetus to work for changes to policy and law will grow.



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Appendix A. Compendium of Ideas For Action

EMPLOYMENT-RELATED

Mentoring

IDEA	OBJECTIVE	PROGRAM	FUNDED BY	ADMINISTERED BY	MORE INFORMATION
Mentoring Partnership	To give skilled newcomers the connections and knowledge that can only be gained from experience in the workforce.	Matches new immigrants with mentors who share the same profession. Mentors give 24 hours of their time over a four-month period to help their mentee navigate the job search process by sharing their knowledge and experience. Over 600 matches made by March 2006, 60% of mentees got jobs in their field.	HRSDC, Maytree Foundation, Region of Peel, Citizenship and Immigration Canada, United Way of Peel Region	Toronto Region Immigrant Employment Council (TRIEC) geographic region: Toronto, Peel Region, and York Region	www.thementoringpartnership.com
Mentoring program for immigrant women	To provide newcomer women with networks and know-how to secure paid employment.	Mentors and mentees meet weekly over a three month period.	United Way	Ottawa Community Immigrant Services Organization	Elwira Felczak, Immigrant Women's Program 613-725-0202 x325 efelczak@ociso.org
Supported Volunteering Program for New Canadians	To enable new immigrants to secure volunteer positions	Mentoring program for new immigrants by more established immigrants.	United Way	Volunteer Ottawa	Cristina Enache 613-736-5270 x225



Apprenticeship

IDEA	OBJECTIVE	PROGRAM	FUNDED BY	ADMINISTERED BY	MORE INFORMATION
Career Bridge	To give internationally trained professionals short-term Canadian work experience.	Creates four-month paid internship opportunities within a host organization committed to providing relevant work experience for the individual. Immigrants are pre-screened for language skills, educational qualifications, and international experience. 85% went on to work full time in their fields for Canadian employers.	Government of Ontario	Career Edge Organization (not-for-profit) (a working group of TRIEC) geographic region: Greater Toronto Area	www.career-bridge.ca
New Immigrant Workforce Development Project	To help familiarize immigrants with the Canadian workplace and develop own skills.	Temporarily employs a new immigrant at the Chamber. Chamber uses networks to move the immigrant into permanent work in a Calgary business.	Calgary Chamber of Commerce	Calgary Chamber of Commerce (Talent Pool Project)	Julie Ball, Executive Director, Calgary Talent Pool 403 750-0439 TPool@CalgaryChamber.com
Programme d'aide à l'intégration des immigrants et des minorités visibles en employ (PRIIME)	To provide Canadian work experience for newcomers never employed in North America.	Financial assistance to employers for up to 30 weeks, for hiring new immigrants and visible minorities.	Emploi-Québec, and le ministère de l'Immigration et des Communautés culturelles	Emploi- Québec	http://emploiquebec.net/francais/entreprises/recrutement/aide/immigrants.htm



Bridging/Training

IDEA	OBJECTIVE	PROGRAM	FUNDED BY	ADMINISTERED BY	MORE INFORMATION
Talent at Work Program	To engage immigrant and refugee women in profession-specific training to complement international education and facilitate entry into the Canadian workforce.	(1) internationally-trained accountant skills refresher or (2) research support services	Ontario Trillium Foundation	St. Joseph Immigrant Women's Centre, Hamilton	St. Joseph Immigrant Women's Centre 905-529-5209 www.stjoseph-women.on.ca
Going Global for Canadian Women Micro-Entrepreneurs	To help train low-income and immigrant women in Peel to establish successful micro-businesses.	Training program	Ontario Trillium Foundation	Canadian and African Business Women's Alliance (Peel)	Vuyiswa Keyi, Executive Director 905-568-8300

Employment and Bridging Loans

The Immigrant Access Fund (IAF)	To provide micro loans for the accreditation, training and upgrading of internationally trained immigrants.	With a small loan of up to \$5,000, immigrants can fund an accreditation process that allows them to work where they are most needed. Funding will support a period of study and examination fees, or short term upgrading to enter their chosen field in some capacity, where they can continue building on their qualifications.	Calgary Foundation	IAF formed a partnership with the Mennonite Central Committee, Employment Development (MCC-ED) to market the program and find suitable applicants. MCC-ED administers the loans program.	Kerry Longpré, Calgary Foundation klongpre@thecalgaryfoundation.org 403-264-1662 x7706
Immigrant Employment Loan Program	To develop a new and permanent stream of financial capital for immigrants and Convention refugees, esp for short term training and upgrading; assessment of previous skills, education, and experience.	Loans for up to \$5000, to be paid back within 3 years. Borrower becomes a member of Alterna Savings and can access a full range of banking services. Track record: lower default rates than for general bank loans	Maytree Foundation	Maytree Foundation, Alterna Savings geographical area: Greater Toronto Area	Stephanie Saunders, Communications Coordinators, The Maytree Foundation, 416-944-2627 or www.maytree.com



Appointments to public agencies, boards, and commissions

IDEA	OBJECTIVE	PROGRAM	FUNDED BY	ADMINISTERED BY	MORE INFORMATION
abcGTA	To address the imbalance between the proportion of immigrants and visible minorities in the GTA and their relative lack of representation on public agencies, boards and commissions (abc's).	Creation and maintenance of a website that includes (1) a directory of immigrant and visible minority candidates who are qualified, willing and able to serve on boards of public institutions, and (2) vacancy announcements posted by institutions and agencies.	Maytree Foundation	Maytree Foundation Geographical area: Greater Toronto Area	Marjan Montazemi, Project Manager, 416-944-2627 ext 236 or www.maytree.com

Multi-stakeholder Workforce Integration Initiatives

Community consultation: Immigrant skills workforce integration	To develop a coordinated community strategy to integrate immigrants into the local labour market.	Learning about new community models in Waterloo and Toronto, engaging in small group strategizing, developing a community action plan. (This is the preliminary step to creating a more permanent network.)	Hamilton Community Foundation	Social Planning and Research Council of Hamilton (SPRCH)	Don Jaffrey, ED, SPRCH ph. 905-522-1148
Waterloo Region Immigrant Employment Network (WRIEN)	To bring together partners for the purpose of better attracting immigrant talent and ensuring immigrants are more visible and successful in the Waterloo region	Horizontal network involving representatives from funders, business, immigrants, government, educational institutions, and community-based agencies. Consists of steering committee, plus 5 working groups	Various, all from within region. Original summit was funded by Kitchener and Waterloo Community Foundation (preliminary step)	Greater Kitchener Waterloo Chamber of Commerce	www.wrien.com
Toronto Region Immigrant Employment Council (TRIEC)	To find and implement local solutions that lead to more effective and efficient labour market integration of immigrants in the Toronto Region.	Multi-stakeholder collaboration comprised of representation from employers, labour, occupational regulatory bodies, post-secondary institutions, assessment service providers, community organizations, and all three orders of government.	Various, including Maytree Foundation	Has its own secretariat	Elizabeth McIsaac 416-944-2627 x233 emcisaac@maytree.com



LEADERSHIP AND SKILLS DEVELOPMENT

IDEA	OBJECTIVE	PROGRAM	FUNDED BY	ADMINISTERED BY	MORE INFORMATION
Welcome Hands	To recruit volunteers from the community to support recent immigrants and help new Canadians acquire language skills and work experience through structured volunteer involvement.	Provide newcomers with experience in graphic design, reception, research, interpretation, translation, tutoring.	Ontario Trillium Foundation	Ottawa Community Immigrant Services Organization	Carol Clarke, Volunteer Coordinator 613-725-5671 x333 cclarke@ociso.org www.ociso.org
Driving Club	To provide in-class instruction to enable women to acquire their G1 license, and ultimately to G2.	Five-week course for immigrant and refugee women. Bolsters autonomy and extends employment possibilities for immigrant women.	Hamilton Community Foundation	St. Joseph Immigrant Women's Centre geographic area: Hamilton, ON	St. Joseph Immigrant Women's Centre 905-529-5209 www.stjoseph-women.on.ca
Somali women's Driving Club	To train five women driving instructors as well as five "companions" who can accompany them on their road tests.	Driving instruction aimed at Somali women who cannot be in a car alone with a man, and many of whom lack proficiency in English or French.	Community Foundation of Ottawa	Rainbow Skills Development Centre	Georgette Houle, CFO 613-236-1616 x230 ghoule@cfo-fco.ca www.cfo-fco.ca
Conversations	To help newcomers connect with someone else and improve their English.	Individual tutoring sessions that create a one-on-one connection between recent newcomers and longer-term immigrant volunteers.	Volunteer program	Ottawa Community Immigrant Services Organization	Carol Clarke, Volunteer Coordinator 613-725-5671 x333, cclarke@ociso.org www.ociso.org



LEADERSHIP AND SKILLS DEVELOPMENT continued

IDEA	OBJECTIVE	PROGRAM	FUNDED BY	ADMINISTERED BY	MORE INFORMATION
Facilitating Inclusion Leadership Enhancement Project	To provide women of underrepresented ethnoracial and ethno-cultural communities with participatory group facilitation training.	Twelve weeks of part-time in-class training, followed by community development projects. Participants had the opportunity to develop projects directly within own communities.	Hamilton Community Foundation	St. Joseph Immigrant Women's Centre	Cat Cayuga 905-529-5209 www.stjoseph-women.on.ca
Leaders for Change Community Leadership Program	To proactively accelerate the development and impact of emerging leadership across the GTA and Canada.	Gives social activists and community leaders the opportunity to build leadership skills, to identify and reflect on critical issues facing our society and to apply new knowledge and insights in small group work with community partners.	Maytree Foundation	Maytree Foundation	Katarina Vukobratovic, Program Assistant 416-944-2627 x229 www.maytree.com
Newcomer Connection	To reduce isolation of newcomer women and families; to train peer leaders and give them social work experience	Trains immigrant women volunteers to reach out to isolated newcomer women and families. Over a three-year period, a total of 70 peer leaders have completed the required 60-hour training program and have connected 4,800 immigrant women to community resources and services.	Toronto Community Foundation	North York Community House	Mini Alakkatusery, Toronto Community Foundation 416-921-2035 x 205 malakkatusery@tcf.ca



LEGAL RESOURCES

IDEA	OBJECTIVE	PROGRAM	FUNDED BY	ADMINISTERED BY	MORE INFORMATION
Paralegal Advocacy Project	To assist immigrants and refugees to deal effectively with the Canadian legal system; to provide services in a linguistically and culturally sensitive environment.	Provides summary advice, legal representation, and referrals to immigrants and refugees, concerning a variety of issues such as immigration, family, welfare, housing or employment.	Law Foundation of British Columbia	MOSAIC – Vancouver Geographic area: Lower Mainland British Columbia	Paralegal or Bilingual Counsellors can be reached at 604-254-9626
Multilingual Legal Publications	To increase public awareness of BC's law and justice system; to improve accessibility and utility of legal and law-related materials; to allow community workers and settlement practitioners in BC to provide essential and basic legal information to new Canadians with limited knowledge of English; and to ensure the relevance of the legal information and educational materials through periodic community consultations.	An online resource for community workers and newcomers providing access to comprehensive legal information and other resources. Resources available in 9 languages. Several dozen subjects available, e.g. abuse, citizenship, employment, executor, family law, legal aid, power of attorney.	Law Foundation of British Columbia	MOSAIC Geographic area: British Columbia	www.MultilingoLegal.ca
Legal Information for Immigrants and Refugees in Ottawa	To educate newcomers about their legal rights.	Three pamphlets available in 10 languages.		Immigrant and Visible Minority Women against Abuse	www.settlement.org
Rental Housing booklets	To educate newcomers about the rental housing market.	Rental Housing in Ontario. Booklets for newcomers in 10 languages.		Centre for Equality Rights in Accommodation	www.settlement.org
CLEONet	An online clearinghouse for community legal education in Ontario. Primary audience is people who work at legal clinics and community organizations across Ontario.	Provides access to comprehensive legal information and other resources. Resources available in many languages. Several dozen subjects available.	Law Foundation of Ontario	Community Legal Education Ontario Geographic area: Ontario	www.cleonet.ca



COMMUNITY DEVELOPMENT

IDEA	OBJECTIVE	PROGRAM	FUNDED BY	ADMINISTERED BY	MORE INFORMATION
Homework Club and Sports Project	To build community for newcomers from Rwanda	Homework club and a project that aims to use sports as an avenue for community building.	Ontario Trillium Foundation	Rwandese Social Services and Family Counselling Centre c/o Jewish Family Services of Ottawa-Carleton	Mark Zarecki 613-722-2225
Neighbourhood Program	To support neighbourhood based activities that create opportunities for residents to strengthen their neighbourhoods and improve the quality of their lives.	Directly supports neighbourhood groups, helping residents turn ideas for community improvement into action. Small neighbourhood grants, technical assistance and support to existing resident leadership.	Hamilton Community Foundation Projects included sewing club, driving club, Sudanese and Congolese community initiatives.	Hamilton Community Foundation	David Darbyshire, Neighbourhood Program Coordinator Betty Muggah, VP, Grants & Community Initiatives 905-523-5600 www.hcf.on.ca



CHILDREN AND YOUTH

IDEA	OBJECTIVE	PROGRAM	FUNDED BY	ADMINISTERED BY	MORE INFORMATION
Pathways to Education Program	To create a culture of achievement and success for disadvantaged youth.	Offers academic and financial supports to students, including mentoring and tutorial sessions four nights a week, transit tickets to students with good attendance. Every student gets a \$1000 bursary, held in trust, for each year of high school they complete. The money can only be used to defray the costs of post-secondary tuition.	Community foundations and private donors Relies heavily on volunteer tutors and mentors, many of them university students.	Developed by Regent Park Community Health Centre	Norm Rowen, Program Director 416-642-1570 x.225 normanr@regent-parkchc.org pathwaystoeducation.ca
The Maytree Scholarship Program for Protected Persons	To give financial support to Convention refugees so that these young people could attend University or Community College	Has funded over 100 students since the beginning of the program. Limited to Toronto area schools.	Maytree Foundation	Maytree Foundation	Feven Haddish 416-944-2627 www.maytree.com
Sharing Hope in Starting a New Life	To create an innovative parenting program that offers psycho-educational support for refugee and immigrant women with children under 12 who have survived war, political persecution and armed conflict abroad.	Twelve weekly language and culture-specific group sessions include time for mothers, children and family time together. Evaluations indicate that child and adult participants gain an improved sense of belonging and psychological health.	Toronto Community Foundation	St. Joseph's Health Centre, Toronto	Mini Alakkatusery, Toronto Community Foundation 416-921-2035 x 205 malakkatusery@tcf.ca
Immigrant Parents for Education	To develop leadership training for immigrant parents so that they can be actively involved in the educational system.		Calgary Foundation	Coalition for Equal Access to Education	Kerry Longpré, Calgary Foundation klongpre@thecalgaryfoundation.org 403-264-1662 x7706



CHILDREN AND YOUTH continued

IDEA	OBJECTIVE	PROGRAM	FUNDED BY	ADMINISTERED BY	MORE INFORMATION
Settlement Workers in Schools	To help newcomer students and their families settle in their school & community; to foster student achievement.	A school-based outreach program that connects newly arrived families to services & resources in the school & community. Programs exist in Hamilton, Kitchener Waterloo, Ottawa, Peel, Toronto & York Region.	CIC – Ontario Region	SWIS is a partnership of settlement agencies, boards of education and CIC. SWIS workers are employees of settlement agencies.	Peter Dorfman, SWIS Provincial Coordinator pdorfman@cicswis.ca 416-534-7319
The Learning Partnership – Kindergarten Welcome Bag (KWB)	To provide information to newcomer parents.	The KWB provides pre-school children with resources and orientation at their neighbourhood school where they receive the KWB. Over 1,600 students and their families with first languages including Arabic, Chinese, Gujarati, Somali, Spanish, Vietnamese received the Welcome Bag and were engaged in spring and fall family workshops.	Toronto Community Foundation		Mini Alakkatusery, Toronto Community Foundation 416-921-2035 x 205 malakkatusery@tcf.ca
New Moves	To help newcomers to Canadian high schools survive and thrive.	Orientation in DVD format. Available in 16 languages. Distributed Canada-wide.	Citizenship and Immigration Canada	Settlement Workers in Schools	Peter Dorfman, SWIS Provincial Coordinator pdorfman@cicswis.ca 416-534-7319



CHILDREN AND YOUTH continued

IDEA	OBJECTIVE	PROGRAM	FUNDED BY	ADMINISTERED BY	MORE INFORMATION
Building Systemic Solutions to Educational Challenges Faced by Refugee Children and Youth	To develop and test an integrated service delivery model/framework to meet the needs of refugee children and youth entering the public school system; to develop a system that will, in a timely manner, inform the School District of arrival information stats for refugee children and youth.	This project will also provide parallel services to these youngsters in the community through interpreter-assisted homework clubs. Pilot focuses on the Afghan refugees settling within school district boundaries.	Partners: Vancouver foundation, United Way of the Lower Mainland, Burnaby District School Board, and Immigrant Services Society of Canada (ISS)	ISS	Deepthi Jayatilaka, Program Director, Vancouver Foundation Vancouver 604-688-2204 deepthi@vancouverfoundation.bc.ca
My Circle Project	1. To increase the active participation and positive integration of immigrant and refugee youth into Canadian society through a peer support model. 2. To build capacity of Greater Vancouver organizations and communities to work with newcomer youth.	1. Immigrant youth support circles, run by immigrant youth for immigrant youth. (These circles support leadership development as well as support for new immigrant and refugee youth.) 2. Duplication of the MY Circle model in Greater Vancouver Area's youth service system.	Partners: Vancouver Foundation, United Way of the Lower Mainland, City of Vancouver and a range of community serving organizations.	community serving organizations	Deepthi Jayatilaka, Program Director, Vancouver Foundation Vancouver 604-688-2204 deepthi@vancouverfoundation.bc.ca



Appendix B.

List of Persons Interviewed

Barbara Carroll, Professor of Political Science, McMaster University

Bill Torrens, ESL Consultant, Hamilton-Wentworth District School Board (HWDSB)

Carol Clarke, Volunteer Coordinator, Ottawa Community Immigrant Services Organization

Chris Friesen, Director, Settlement, Immigrant Services Society of B.C.

Clifford Bell, Director, Training Institute, Immigrant Services Society of B.C.

Cristina Enache, Program Coordinator, Supported Volunteering, Volunteer Ottawa

David Derbyshire, Neighbourhood Co-ordinator, Hamilton Community Foundation

Denise Brooks, Executive Director, Hamilton Urban Core Community Health Centre

Don Jaffrey, Executive Director, Social Planning and Research Council of Hamilton

Elizabeth Griete, Director, Settlement Programs, Ontario Region, CIC

Elizabeth McIsaac, Toronto Region Immigration Employment Council

Elizabeth Webb, LINC Coordinator, St. Joseph Immigrant Women's Centre (Hamilton)

Evardo Navarro, Executive Director, Hamilton Welcome Place

Gail Belisario, Principal of Equity, HWDSB

Geri Sadoway, Staff Lawyer, Immigration and Refugee Group, Parkdale Community Legal Services (Toronto)

Harish Jain, Professor of Business, McMaster University and Commissioner, Canadian Human Rights Commission

Henry Aviles, Housing Help Centre (Hamilton)

Ines Rios, Executive Director, St. Joseph Immigrant Women's Centre (Hamilton)

Jack Maga, Principal, St. Charles Adult Education Centres, HWDSB

James Saveli, ESL teacher, Dr. J. Edgar Davey Elementary School, HWDSB

Jay Sengupta, Staff Lawyer, Hamilton Mountain Legal and Community Services

Jeffrey Reitz, Professor, Department of Sociology and R.F. Harney Professor of Ethnic, Immigration & Pluralism Studies, University of Toronto

Judith Bishop, School Trustee, HWDSB

Judy MacNeil, Executive Director and Staff Lawyer, Dundurn Community Legal Services (Hamilton)

Kelly Pollack, Director of Employment & Language Programs, MOSAIC (Vancouver)

Leah Schwenger, Principal, Dr. J. Edgar Davey Elementary School, HWDSB



Madina Wasuge, Program Manager, Settlement and Integration Services Organization (Hamilton)

Marg Weibert, ESL teacher, Dr. J. Edgar Davey Elementary School, HWDSB

Marufa Shinwari, Refugee Assistance Program Manager, Settlement and Integration Services Organization (Hamilton)

Mary Cornish, Cavalluzzo Hayes Shilton McIntyre and Cornish, Barristers and Solicitors (Toronto)

Maxine Carter, Access and Equity Coordinator, City of Hamilton

Morteza Jafarpour, Executive Director, Settlement and Integration Services Organization (Hamilton)

Nora Lopez, Immigrant and Refugee Health Program, North Hamilton Community Health Clinic

Oksana Buhel, Coordinator, Capacity Canada

Olive Wahoush, PhD candidate, Faculty of Nursing, McMaster University

Ratna Omidvar, Executive Director, Maytree Foundation

Rich Janzen, Centre for Research and Education in Human Services (Kitchener-Waterloo)

Robert Young, Immigration Lawyer, Sullivan, Festeryga, Lawlor and Arrell, LLP (Hamilton)

Sherman Chan, Director of Settlement Services, MOSAIC (Vancouver)

Susan Friscolanti, ESL Supervisor, St. Charles Adult Education Centres, HWCDSB

Ted Richmond, Coordinator, Inclusive Communities for Children, Youth and Families, Laidlaw Foundation

Uzma Shakir, Executive Director, Council of Agencies Serving South Asians and President, Ontario Council of Agencies Serving Immigrants



Appendix C.

Selected Remarks Made During the Focus Groups

(These are taken from hand-written notes, so some are paraphrased.)

Employment

Woman from Iraq: My daughter came here this summer but could not find a job. Finally she found work at Subway (sandwich shop). She was given a uniform with short sleeves. When she showed up at work on the first day, wearing a thin long-sleeved shirt under the uniform (because she is Muslim and covers herself), she was fired.

Woman from Jordan (also wearing head covering): I have gotten called for an interview before, and I wore my hijab to the interview. They said they would call me about the position, but I am still waiting until this day for that call to come.

Man from Iraq: My higher education was in Canada, in Alberta in the 1960s. But I still could not get a job, so I went overseas and worked in Iraq and north Africa and became a full professor of Chemistry in 1983. Now I am back in Canada and have found no work in my field. I took a job as a technician recently, working a night shift, but when I started working I was given basic cleaning tasks to do, so I quit after five days. How can the government affect hiring? It is a private market here, and employers don't hire us.

Woman from Bulgaria: Human rights policies are already in place. It looks great according to the government websites. But that doesn't mean you'll get a job.

Woman from Bulgaria: Career centres should be more specialized – we are all lumped together despite different backgrounds and interests. It is hard for us even to get volunteer jobs. They should reserve spots for apprentices – government should promote this.

Woman from Pakistan: Workplace culture: people are trained to think a certain way, and it is hard to come into that from outside. We hear about school yard bullying, but it also goes on in the workplace. Human resources personnel should be trained in diversity issues.

Man from Pakistan: I have a Masters in Science, and I work in a laundry 2 or 3 days a week. Because of my work schedule, which includes some shift work and last-minute shifts, it is difficult to take any training or classes. My wife has a university degree.

Woman from Jordan: Instead of giving welfare, open training centres so I can get Canadian experience. I did a co-op of 150 hours. They said I was very good as a teacher's assistant. I even ran the class when the teacher was absent. I was a teacher for many years in my own country.

Volunteering doesn't always lead to a job. You may spend a year or two as a volunteer, and then a position opens and someone else gets it.



Woman from Lebanon: I have a suggestion. The government has paid so much money for me to be trained in different areas. But I still don't have a good job. I was a teacher for years before I came to Canada. Why don't they let me work in a school here so I can see what it is like, even as a volunteer?

Woman from China: I had to give up my job in Oakville when my mother-in-law returned to China because I didn't have childcare. There is a waiting list for after-school care. But I quit my job too soon according to EI requirements, so I did not qualify for EI. That was a real low point for me and my family, financial difficulties.

When you are still overseas, you should have access to free evaluation of your credentials. Canada should give you the right information, and also enforce the professional bodies to do more to accept foreign credentials.

Woman from China: This country is like a triangle. There are only a very few of the best jobs and lots of the worse jobs. The less educated you are, the more likely you are to get a job. I had an easier time than my husband who had more education. If you want to do manual labour, like work in a mushroom factory, then it's not as difficult to get work.

Man from Pakistan: "Why is Canada allowing more and more people to come here?" If Canada needs labour, hire us. I heard a story on the radio recently that the most qualified people in this country are taxi drivers.

Woman from Iraq: Sometimes people won't hire you because you wear a veil.

Woman from Cameroon: The problem is where to find the information. I had a friend here in Hamilton – she helped me so much with getting volunteer experience. Others have a hard time because they didn't know about the pathway to getting a job here (getting Canadian experience).

Woman from Syria: "The Charter is so beautiful. It made me want to come here." Any immigrant or refugee who comes here, except if they are from Europe or the US, has to go back to school. "Why do they bring us here? To keep the low jobs to fill. That's what I see, bottom line."

Immigration, Sponsorship and Family Separation

Woman from Iraq: One of my worst moments in Canada was that my mother was in Iraq dying of stomach cancer in 2003, and I could not visit her one last time. I did buy a ticket to go see her, but at the airport I was not allowed on the plane because I did not have a transit visa, for the 6 hours or so I would be having a layover. When we came to Canada, we had not needed a transit visa, but that changed after 9/11. We didn't know about that, and neither did the travel agent.

Woman from Bulgaria: My husband and I got into Canada by the points system. We passed and become landed due to our education, English skills, and other factors. We even went to London, England for an interview at the Canadian Consulate there, where we were told that our skills would be welcome in Canada. But then we got here and there were no jobs. Our diplomas were not really worth anything.



Woman from Brazil: My husband sponsored me. He applied and it took six months. It was not a problem.

Woman from Palestine: My brother applied to Canada as a business class immigrant. He is now in his 8th year without a clear decision from CIC. He has paid lots of money for this, including for him and his family to get a medical exam every year and also police checks have to be renewed. They always tell him it is “in processing.”

To sponsor, you need a certain income. What can you do? I cannot make that much. And my mother needs a permit (visa) to visit me, to sit in the embassy for days and days. I have to prove I can give her enough food just so she can come for a visit.

Man from Pakistan: Even if you can prove all that, they don’t allow them to come. My mother-in-law was denied three times and so has never met her own grandchildren of nine years. They say she might want to stay here. People in the embassies are misusing their power – there is money involved, corruption. I know a young woman who cannot get accepted to Canada, even though my church wants to sponsor her as a refugee (privately-sponsored refugee). She is being persecuted in my homeland.

Man from China: When you apply for your parents to come, we wait ten years and still don’t know if they will be allowed. But they cannot get a visa either – totally ridiculous. They ignore our human rights even though the Canadian government talks about that.

Refugee Determination Process

Man from Rwanda: Refugee claimants have two problems. First, they are waiting for the call for the hearing which is emotionally exhausting. The stress had already begun in the home country with the unrest, and it continues in Canada. Second, claimants don’t have the right to study here, no access to OSAP. SIN begins with 9. A catch -22: You cannot get a job before your hearing, but you cannot get education either.

Woman from Cameroon: My worst times were when my refugee claim failed (1999). Then we appealed which also failed, but it took a long time. Then we tried humanitarian and compassionate application, but I couldn’t get legal aid for that. A lawyer in Toronto wanted \$8500 to represent us. People told us not to do it, but my husband decided to do it. We paid the lawyer, and we did get accepted to stay in Canada. Then we had to pay for the medical exam. I don’t understand lawyers – how can they charge so much?

Language Education

Woman from China: The ESL courses are too easy for professionals. In China, we learn good English comprehension, but we need practice with the speaking.

Housing

F from Pakistan: When we moved here, my family finally found a house to rent after a long time. Our landlord asked us to pay three months’ rent in advance (paying quarterly instead of monthly), plus first and last month



deposit. We only found out later that it was against the law to do that. At the time, we were so grateful to have a place to live.

Social housing – there isn't enough of it.

Health

Facilitator: Nobody has put anything related to health concerns on the timeline. Are health issues not important?

response 1: Who has time to think about your health?

response 2: Immigrants are generally healthy when they arrive, they have been screened. But their health declines as they stay here, due to stress and other mental challenges.

Social assistance

Man from Pakistan: If you run out of EI (Employment Insurance), cannot get Ontario Works (social assistance) if you have assets or your spouse has a job. You are not eligible. But we own a house. I am punished because I have a house.

Other

Woman from Palestine: "Well-educated, experienced people feel unemployed, unwanted when they come here." We have high expectations, but then we face more challenges than we'd anticipated.

Woman from Bulgaria: I could not get a credit card because I had no credit history here. But you need that card to rent a car and do lots of other things.

Man from Iraq: Our native countries need our skills – we are wasting them, and ourselves, here.

Woman from Somalia: (She arrived 12 years ago and works as an interpreter for Somalis, many of whom are very recent arrivals.) My community is having a very difficult time here. In my community we are losing our children. People came here for their children, but the children become strangers to them. It is like watching them die. They are terrified of having their children taken away, this is what they hear about most before arriving in Canada. The children learn their rights and threaten to get CAS (Children's Aid Society) involved or get the parents in trouble (for physically disciplining them). They don't respect the authority of the parents.

Woman from Syria: Once I was in a laundromat, and a woman started taking my clothes out of the machine. I asked her what she was doing, and she told me to go back to where I came from.

To live in Hamilton, you need a driver's license. If you are black, police will stop you every day for nothing ... I have changed my car many times.

They acquire the cream from all over the world but then they don't appreciate it. They insult us.



Appendix D.

Focus Group Data Collection Sheet

TOTALS OF ALL THREE FOCUS GROUPS

Migration History

1. How long have you lived in Canada? (mark one)

Less than 1 year 04
 1 – 2 years 06
 3 – 5 years 13
 6 – 10 years 06
 more than 10 years 04

TOTAL: 33 persons

2. What was your status when you arrived in Canada? (mark one)

Landed immigrant 20
 Refugee Claimant 08
 Government-Assisted Refugee (GAR)... 01
 Privately-Sponsored Refugee 01
 Tourist /Visitor 02
 Student (subsequently sponsored
 by husband as “inland spouse”) 01

3. Have you experienced family separation as part of coming to Canada?

YES 12
 NO 17
 Did not respond 04

Living in Canada

4. What are the main difficulties you have experienced in Canada?

	No problem	Some difficulty	Very difficult	Does not apply OR Don't know
finding a job	1	9	21	2
finding a job in my field	1	4	23	4
finding adequate housing	7	16	7	3
accessing appropriate health care	14	13	3	2
getting education or training	8	13	6	5
communication with others (language issues)	13	17	1	2
not knowing how or where to get help for various problems	4	17	11	2
differences between my culture and Canadian culture	5	17	10	1
getting legal advice	7	11	8	7
getting legal representation	9	6	8	9
expressing my views to politicians and decision-makers	5	3	14	10
becoming a Canadian citizen	12	4	2	13
racism or discrimination	4	13	10	5
having enough money to meet basic needs	6	16	11	0
getting places (transportation)	6	21	3	2
OTHER (please explain)				
Childcare: The school dismissed too early. It's very hard to live with kids and work.			1	
Dental (2 persons)			2	
waiting times to see healthcare specialist or have certain tests			2	
OTHER (please explain)				
Credentials recognition			1	



5. What are the main difficulties you have experienced that relate to the IMMIGRATION PROCESS and REFUGEE DETERMINATION PROCESS (if applicable)?

	No problem	Some difficulty	Very difficult	Does not apply OR Don't know
cost of application	12	8	7	6
long waiting time for processing of paperwork	2	14	10	6
knowledge of process (which forms to file, how to complete)	12	13	5	3
having the documentation required	13	7	7	4
family separation	11	0	15	6
treatment by officials or bureaucrats	10	11	2	7
refusal of claim for refugee status	6	1	3	22
lack of appeal for refused claim	4	2	1	24
OTHER (please explain) Whenever we call an answer machine would answer.			1	



Information about yourself

6. Are you male (M) or female (F)?

- 10 male
- 23 female

7. How old are you?

- 02 18 – 29 years old
- 12 30 – 39
- 10 40 – 49
- 07 50 – 59
- 02 60 or more

8. What is your country of birth?

There were 20 countries of origin represented. Broken down by region:

- 3 EUROPE (Eastern)
- 13 MIDDLE EAST, NORTH AFRICA & WEST ASIA
- 4 EAST ASIA
- 9 AFRICA
- 4 LATIN AMERICA AND CARIBBEAN

Within regions, broken down by country (one person from each country listed, unless otherwise noted in parentheses):

EUROPE: Albania (2), Bulgaria

MIDDLE EAST, NORTH AFRICA & WEST ASIA: Algeria, Iraq (4), Jordan, Lebanon, Pakistan (2), Palestine, Syria (3)

EAST ASIA: Cambodia, China (3)

AFRICA: Angola, Cameroon (2), Congo (DRC) (2), Nigeria, Rwanda (2), Somalia

LATIN AMERICA AND CARIBBEAN: Brazil, Haiti (2), West Indies/Trinidad

Community Foundations of Canada is the national membership organization for the 150+ community foundations in cities, towns and rural areas across Canada. CFC was founded in 1992 to connect and support the country's growing community foundation movement. Its mission is to build stronger communities by enhancing the philanthropic leadership of community foundations.

The Law Commission of Canada was created by statute in 1997 as an independent federal law reform agency to advise Parliament on how to improve and modernize Canadian law. Its mission is to engage Canadians in the renewal of the law to ensure that it is relevant, responsive, effective, equally accessible to all and just.

Law Commission of Canada

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