

Canada's Changing Immigration Policies:

Report on Panel Discussion

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On November 19, 2014, a panel of experts convened at Ryerson University to discuss the consequences of recent developments in Canada's immigration and settlement policies. These developments have been summarized in the *RCIS Working Paper [A Critical Review and Assessment of Canada's Fast Changing Immigration Policies](#)* by Lotf Ali Jan Ali. The panel consisted of Ratna Omidvar, Executive Director of the Global Diversity Exchange; Morton Beiser, Professor of Distinction in Psychology; Gil Lan, Assistant Professor, Ted Rogers School of Management; and Naomi Alboim, Adjunct Professor at Queen's University School of Policy Studies. The panel was chaired by Academic Director of RCIS, Harald Bauder. In this Research Brief, we summarize the main points of the discussion.¹

The panelists identified a number of trends in Canadian immigration policy. Increasingly, the federal government's immigration system reflects a *two-tiered approach* to immigration, with pathways to permanent residency for highly skilled workers recruited through the Federal Skilled Worker category, and lower skilled workers entering Canada under the Temporary Foreign Worker category, which contains few avenues to permanent residency. In addition, some occupations have been reclassified as low-skilled, thus making it more difficult for foreign workers in these occupations to transition into permanent residency. The increased emphasis on economic-class immigrants will come at the cost of a decreased focus on Family Class and refugee migration to Canada. The increasingly stringent requirements of the Family Class, the stipulations of the "super-visa," as well as greater restrictions inherent in the definition of dependent family members of asylum claimants and refugees illustrate the growing limitations placed on family reunification² and refugee admission under the new policies.

Ratna Omidvar addressed a number of concerns surrounding the recent changes, highlighting some possible *disconnections between new policy directions and their objectives*. More stringent language ability requirements for new applicants, as well as the introduction of pre-recognized authenticated educational credential recognition, may cause a shift in source countries to the United States, the United Kingdom, Australia, and New Zealand. This may well serve as a disincentive for those from source countries, such as China, India, and the Philippines to apply for permanent residency. This shift comes at a time when Canada is pursuing an expansion of trade relations with non-traditional trading partners, such as China and India. Such a change in selection criteria could lead to a shift and imbalance in Canada's efforts towards diversifying trade

¹ We thank the panelists for providing us their speaking notes.

² See: Jacklyn Neborak's *RCIS Working Paper [Family Reunification? A Critical Analysis of Citizenship and Immigration Canada's 2013 Reforms to the Family Class](#)*

relations. Although it is still premature to assess the impact of this shift, the results of similar changes in Australia, to a certain extent, provide evidence to this effect. In addition, the potential reduction in the permanent settlement of migrants from non-traditional source countries may be exacerbated by recent changes to the Live-In Caregiver Program (LCP), which is overwhelmingly driven by migrants originating from the Philippines. The establishment of a 2,750 person cap on how many live-in caregivers are able to access Permanent Residence presents a significant reduction in the number of LCP workers accepted each year since 2005. This change offsets the otherwise positive development of removing the live-in requirement of this program.

The challenges for immigrants from non-traditional source countries are not limited to more stringent selection criteria. As Gil Lan outlined, there continues to be a lack of appropriate supports for new immigrants regarding *familiarity with the legal system*. Lan highlighted the issue of “legal astuteness” among new immigrants, which can be characterized by the absence of knowledge of the Canadian legal system. Confusion arising from differences between legal practices in countries of origin and in Canada can greatly impact the success of new immigrant entrepreneurs. The absence of supports for new entrepreneurs in this area presents a significant gap in immigration policy and demonstrates a distinct lack of investment in the success of new immigrant entrepreneurs. The potential to build upon the experiences and knowledge of earlier immigrant entrepreneurs who have managed to succeed in the Canadian marketplace is an untapped resource that could perhaps be pursued.

Lan also highlighted a potential blind spot in the design of the Start-Up Visa Program. The program focuses on innovation and “big idea” entrepreneurship, while overlooking what can perhaps be characterized as less glamorous, yet crucial businesses that form a critical part of the local economy.

Naomi Alboim observed that since the implementation of the new citizenship test in 2010, pass rates have decreased by approximately ten percentage points. In addition, the new citizenship language requirements introduced in 2011 have contributed to a lower pass rate among immigrants from certain countries of origin, most notably countries from where visible minorities originate. Alboim expressed concern regarding this development: if fewer people are able to *access citizenship*, then fewer immigrants will be able to vote, enjoy the benefits of democratic political participation, and subsequently develop a sense of belonging in Canada. Furthermore, although there is a push in certain municipalities to allow non-citizens to vote in local elections, access to voting rights does not counteract the deleterious effects of limiting access to citizenship,, as the rights and social benefits associated with formal Canadian citizenship play a significant role in successful integration and settlement.

Significant changes have also been introduced that affect refugees and asylum seekers. Morton Beiser described how changes to the Interim Federal Health

Program for refugees were implemented through an Order in Council and without parliamentary debate, which removed access to health benefits for all refugees and asylum claimants except for Government Assisted Refugees (GARs). By removing critical health care services to anyone but GARs, a *discriminatory framework* favouring GARs has emerged, which puts the health of other refugees at great risk. The federal government also ignored the Federal Court ruling deeming these changes unconstitutional and ordering that refugee health protection revert to its original form by November 4th, 2014. In response to the federal government's refusal to act, the provincial government of Ontario has initiated an Ontario Temporary Health Program, which offers healthcare to refugees. The inaction of the federal government and the subsequent response from the province effectively shifts the burden for refugee health from federal to provincial levels of government.

The federal government's changes to refugee treatment were described as contradicting Canada's constitution as well as international protocols and the UN refugee convention. Beiser ended by expressing his concern that "we violate the spirit that made us into world leaders in our treatment of refugees – a spirit that was internationally recognized when we received the UN's Nansen medal". Moreover, the federal government's recent policy is "making a mockery of our vision, of ourselves as a caring and compassionate society by neglecting and punishing the most vulnerable among us, an action that makes us less than we want to be."

These broad-sweeping changes to Canada's immigration policies in recent years stand in stark contrast to the more traditional balanced approach for which Canada was once admired around the world. Greater restrictions placed on access to Permanent Residence for certain groups of migrants, combined with changes to the citizenship test and language requirements have negatively impacted access to citizenship for certain groups. In addition, the changes to the Interim Federal Health Program, and the federal government's refusal to reverse the changes following a Federal Court ruling, are causes for grave concern regarding the future direction of Canada's immigration policies. Canada's immigration system is changing from one built to positively contribute to the social fabric of Canadian society to one that is purely driven by economic concerns.