

“A STONE IN THE OCEAN”:

A MIXED METHODS INVESTIGATION INTO THE EXPERIENCES OF FAMILIES

TRYING TO REUNITE IN CANADA

by

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A dissertation presented to Ryerson University in partial fulfillment of the
requirements for the degree of Doctor of Philosophy in the program of Policy Studies

Toronto, Ontario, Canada, 2017

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“A stone in the ocean”: A mixed methods investigation into the experiences of families trying to reunite in Canada

Doctor of Philosophy, 2017

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Abstract

Every year many families are formed, or find themselves separated, across borders. To address the problem of family separation, the family class stream of immigration to Canada, which accounts for 20-30% of new immigrants annually, allows citizens or permanent residents to sponsor certain family members for permanent residency. Yet there has been very little research on experiences of this policy. Family reunification immigration, located at the intersection of the personal and the political, has been marginalized by masculinized policy disciplines that focus on macro-trends in immigration and render the family invisible, and by feminized disciplines that focus on the family and individual in immigration while rendering policy invisible.

This dissertation fills that gap in the literature, using a critical policy studies approach informed by aspects of Critical Theory, intersectionality and Foucauldian interpretations of power. I explore the lived experiences of families as they apply to reunite through the family class stream, and of families who would like to apply to reunite but cannot. I used mixed methods—qualitative interviews and quantitative surveys—to collect data from 169 families, and 100 key informants who support applicant families, including lawyers, consultants, settlement workers and constituency office caseworkers.

This approach and research design allowed me to expose and develop a deep knowledge of families’ experiences that have until now been marginalized. Findings show that, though the decision on an immigration application is important, a sole focus on that decision both excludes applicants’ vastly different experiences during the process and renders invisible those who cannot even apply. Diversity in

experiences was closely related to interactions between different aspects of social location, and policy design and implementation. Applicants exercised many forms of initiative and agency, but were ultimately constrained by policy structures.

The new Government has recently made promising changes, but we must ensure these changes are effective and continue to advocate for further improvements that would mitigate applicants' negative experiences. Finally, more research needs to be done, most importantly on family reunification through immigration streams that were excluded from this study.

Acknowledgements

Dozens of people have supported me over the course of this project, too many to name here individually, but please be aware I am hugely grateful to each and every one of you.

I would like to thank my supervisor, Dr. Mehrunnisa Ali, for being so supportive during my more difficult periods and for putting up with a convoluted way of creating a paper that does not lend itself at all well to supervision. Dr. Vappu Tyyskä and Dr. Francis Hare, thank you for your feedback and encouragement at key points in the process. To all my fellow students, but especially Rebecca Hii, thank you for joining me on this journey and for being at the other end of the phone through long nights of work; I look forward to being at your defence soon.

Thank you mum and dad, for accepting and encouraging my seemingly endless student status and to Anna, Megan and Katie for bringing my feet back to earth every week. Thank you to the many friends and colleagues who have provided me with practical support, who have shared recruitment information, provided feedback on data collection tools, and checked translations. Thank you to my Ottawa and Toronto ‘families’ for being my social workers and cheerleaders throughout. Linda and Phi, thank you so much for welcoming me into your home on such a frequent basis. Christian, merci pour tout.

Finally, I couldn’t have done this, of course, without the participants. I would like to thank all the professionals who took time away from their busy jobs to share their experiences with me. You all do incredibly important work that makes such a difference in the lives of separated families. But most of all I need to thank the families. It was an honour to bear witness to your inspirational stories of what it means to fight to be with those we love.

For Katie.

I can't wait to show you Canada.

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1. Theoretical framework, policy context and literature review

Article 13(2): Everyone has the right to leave any country, including his own, and to return to his country.

Article 16(3): The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Universal Declaration of Human Rights, 1948

What happens when family members do not have the same rights to movement? Everyone may have an internationally-enshrined right to leave a country, but no-one has the right to enter any country, other than (assuming she is not stateless) her own. When members of a family—and how ‘family’ is defined is another question—do not have the same rights to be physically present in the same country, they must rely on immigration policies to be able to live together. However, while there is a wealth of academic research on the consequences of family separation and the importance of family reunification, there is a gap in the research on how families achieve that reunification through immigration policies and processes.

This dissertation focuses on the experiences of families who are separated by borders and who want to reunite in Canada. I use an interdisciplinary critical policy studies approach to explore lived experiences of the Canadian family class immigration stream—the part of the Canadian immigration system responsible for reuniting the largest number of families—to answer the question: How successful is family class policy design and implementation in achieving the objective of ‘reuniting families in Canada’? I describe and problematize varied experiences of family class applicants throughout the process, exposing strengths and weaknesses in policy design and implementation and generating recommendations that would improve families’ experiences.

I argue the following:

- Though the ultimate decision rendered on an immigration application is important, research needs to look deeper. Experiences leading up to that decision are crucial for understanding families' lives both during and after the application process.
- A critical policy studies approach, drawing from (but distinct from) intersectionality, is particularly appropriate for exposing how these experiences are influenced by the ways in which policy processes and external contexts intersect with different factors of social location, not limited to race, gender and class.
- A research design that incorporates both qualitative and quantitative methods adds an extra layer to our understanding of families' experiences, generating knowledge that would otherwise remain invisible.
- Individuals and families can and do exercise agency in multiple ways during the application process, but they are constrained by the power that the Canadian state wields over immigration.
- The new Liberal Government has made several promising recent changes but much more could be done to improve—and remove discrimination from—the experiences of families who would like to reunite.

This dissertation adds to the limited body of research on family reunification immigration policy in Canada. Most importantly it provides a voice to families trying to reunite—families who constitute a large proportion of immigrants to Canada—whose stories have never been studied in an academic context. In doing so it generates important new knowledge on potential improvements to Canadian family reunification policy. Audiences who will benefit from the study include organizations that advocate for improvements to family reunification policy, the politicians who determine immigration

policy, the department—Immigration Refugees and Citizenship Canada¹—responsible for implementing that policy, and ultimately program applicants, through improved policy and processing. I intend this project to be the starting point for future research projects that will build a much more comprehensive academic literature on Canadian family reunification policy.

To briefly summarize the organization of the dissertation², in this first chapter I present the theoretical framework and contextual background. In Chapter 2 I deconstruct the research question and describe the research design and methods. Chapters 3, 4 and 5 present the application process as it was experienced by participants. Chapter 6 pulls together common threads of intersecting social locations woven through families' experiences and reframes the application experience in the context of policy design and implementation. In the final chapter, Chapter 7, I reflect on the research process and make recommendations for both policy and future research.

This first chapter outlines the location of the study in relation to academic disciplines and describes the theories that underpinned and framed the study; namely a broad critical policy studies approach. I outline how critical policy studies draws on various aspects of different critical theories of social science—from the Critical Theory of the Frankfurt School to intersectionality—to deconstruct policy. I then turn to the policy problem that is the topic of this research; family separation. I review literature on both the problem, and historic and current policy responses, describing previous internal

¹ The main federal government department responsible for immigration changed its name from Citizenship and Immigration Canada (CIC) to Immigration Refugees and Citizenship Canada (IRCC) very shortly before the end of data collection. To reflect this timing, and remain true to the voices of participants, I use 'Citizenship and Immigration Canada' as I describe the context and findings, or 'CIC' when quoting participants directly, if they used the acronym. In the introduction and final chapter, however, as I talk about the recent past, present and future, I switch to the current name of Immigration Refugees and Citizenship Canada (IRCC).

² Chapter 2 describes the organization of the *findings* in more detail as this is determined by the methodology described in that chapter.

(governmental) and external analysis of family reunification³ policy. I close the chapter by identifying and analysing the gap in the academic literature on Canadian family reunification policy.

Interdisciplinary research: Policy, immigration and immigration policy

Academically, this study is located at the crossroads of migration studies and policy studies: I therefore start by defining my understandings of ‘policy’ and ‘immigration’ and how the latter is structured by the former. ‘Public policy’ has been defined as “a course of action or inaction chosen by public authorities to address a given problem or interrelated set of problems” (Pal, 2010, p. 2). In the Canadian context public authorities at federal, provincial and municipal levels include both the elected officials who decide upon policy and the bureaucrats that implement it (Howlett, Ramesh & Perl, 2009; Rutgers, 1994).

The ‘course of action’ in Pal’s definition includes several stages that are often referred to as a policy ‘cycle,’ although, in reality, they overlap and are not necessarily linear (deLeon, 1999; Jann & Wegrich, 2007; Sabatier, 2007). First—in a stage known as agenda-setting—public authorities usually identify and define a ‘problem’ that needs to be addressed by public policy (Howlett, Ramesh & Perl, 2009); this problem can relate to an almost unlimited range of issues deemed to be of public concern (Kraft & Furlong, 2007). Second, in the policy formulation stage, public authorities identify potential policy solutions to the problem, and third, in the decision-making stage, they chose between those solutions. Authorities then implement the chosen policies or engage others to do so; this is the policy implementation stage. Finally, in the policy evaluation stage, they or others assess whether the policy response has been successful in addressing the original problem (Howlett, Ramesh & Perl, 2009).

³ There is much vagueness and inconsistency in terminology used for family related migration (Charsley, 2012a). I use family reunification here to refer both to those who are reuniting after a period of separation, as well as those who want to live together for the first time. The latter is referred to elsewhere as family formation migration or marriage migration. I describe these processes in more detail below. My definition does not include families who migrate together.

One ‘problem’ that public authorities can develop policy to address is immigration. We live in a world that is organized into nation states delineated by socially constructed, politically-defined borders (Wray, 2012). ‘Migration’ refers to the movement of people permanently or seasonally, for any reason, within a state *or* across borders (migration, 2016), while ‘immigration’ more specifically implies entry *into* a given politically-defined territory “for the purpose of settling”⁴ (immigration, 2016). States are therefore able to legalize movement through immigration policies that allow temporary or permanent membership in their communities (Salter, 2006). Immigration policy thus consists of the decisions made by public authorities (and the implementation of those decisions) that dictate who is allowed to immigrate legally into a political territory and who is not. Immigration policy is related to, but distinct from, settlement policy; the latter is policy on what happens to immigrants *after* they have arrived in a country and settle into their new home.

Immigration policy around the world is usually decided by authorities at the national or federal level, though it can also be made at the supranational (e.g. the European Union) or the sub-national (e.g. Quebec) levels. Immigration policy may allow legal immigration for a broad range of reasons. Economic immigration, for example, is designed to help the economy of the destination country, while family reunification policy allows families to be together. A distinct type of immigration policy is refugee policy, which allows people fleeing persecution either to claim asylum in, or sometimes to be resettled to, a new country.

To locate this dissertation in the context of policy, immigration, and immigration policy, my focus is the stream of Canadian immigration policy—often referred to as ‘family class’—that enables Canadian citizens and permanent residents to sponsor family members to immigrate to Canada⁵. My

⁴ ‘Emigration’, the opposite of immigration involves migration *out of* a politically-defined territory.

⁵ Labels used to refer to different parts of the immigration system are used inconsistently and ‘Family Class/family class’ is no exception. The legal definition of ‘Family Class’ technically includes only family members outside Canada and not spouses and partners who are already in Canada, but as all fall under the same policy stream

focus is on the current policy response to the problem of families separated across borders; as I describe below, various forms of policy have been implemented over time to reunite families in Canada. This policy is designed and implemented primarily at a federal level although the province of Quebec has the power to determine who is allowed to immigrate to that province.

As interdisciplinary fields, both migration studies and policy studies include research that ranges in focus from the macro, 'big' picture, such as global migration movements or theories of policy formulation, to micro 'individual' pictures, such as the psychology of individual immigrants or impacts of specific policies on a defined group of individuals (see Brettell and Hollifield, 2008, for an overview of migration research and Howlett, Ramesh & Perl, 2009, for an overview of policy studies). This study, which looks at families' lived experiences of a particular section of immigration policy, combines both the macro and the micro; it looks at peoples' (micro) experiences in the context of (macro) policy decisions and actions. In other words, it examines how the design and implementation of policy influence policy outcomes for families.

Theoretical framework

Given the location at an interdisciplinary intersection of migration studies and policy studies, the project engaged a complex critical policy studies approach informed by, but distinct from, various theories of the social sciences. The label 'critical' is often used more broadly in policy studies than in the philosophy of social science; critical policy studies take ideas from Critical Theory and identity-based theories, as well as from efforts that have been made to recognize the overlap and overcome traditional

focussed on family reunification they are often referred to together as 'family class,' for example in the annual Facts and Figures document (Citizenship and Immigration Canada, 2015a). The technical term used for the overarching program is the 'Family Reunification Program' but this is rarely seen outside government documents. I therefore use 'family class' in the latter, broader, sense to refer to all programs that fall under the family reunification stream of immigration, as I felt it the clearest and most concise way to distinguish the programs that fall within that stream from other family reunification provisions that exist in the separate economic and refugee streams (described in further detail below). I only capitalize Family Class when I refer to the specific (legal) class of applicant; family members who are applying from outside Canada.

divisions between these approaches (Johnson, 2004; McNay, 2008). This project, as described below, engaged a critical policy studies approach in research design, implementation and analysis, but it is important to first review those underlying theories that served to inform it.

Underlying theories

‘Critical Theory’ in the social sciences is closely associated with the Frankfurt School; based originally on Marxist theory, it later also incorporated ideas from interpretivism and post-structuralism. Critical theorists focus on analyses of structural power relations that incorporate agency, subjectivity and reflexivity (Apel, 1977; Joseph, 2005; Lee, 2002; Marcuse, 1937; Wellmer, 1969). They argue that social scientists have a choice to either accept society as it is or to work towards its transformation (Barnett & Sikkink, 2009; Bennett, 2009; Wellmer, 1969) and advocate for the latter, working explicitly towards societal emancipation from the unequal power relations identified in their analyses (Dryzek, 2006; Gouldner, 1970; Marcuse, 1937).

Class-based critical theories drawing on the ideas of the Frankfurt School that speak directly to issues of migration include Dependency Theory (Frank, 1967), and World Systems Theory (Wallerstein, 1974). These theories argue that economic globalization has furthered the exploitation of workers and resources from the Global South for the gains of elites primarily in the Global North and that migration enables an internationalization of the proletariat and an exacerbation of inequalities both within and between countries (Rosewarne, 2010; Sassen, 2000; Siim, 2009).

Canada, for example, has almost continuously prioritized immigration that benefits the Canadian economy. Recent governments have used migration as a way of mobilizing cheap labour through, for example, a heavy reliance on temporary foreign workers. This emphasis has very clear implications for families; different programs provide different levels of rights to family reunification depending on whether the migrant in Canada is seen as disposable and temporary, or desirable and deserving of permanent status (Canadian Bar Association, 2005; Canadian Council for Refugees, 2004a).

Critical policy studies also draw upon identity-based theoretical approaches. Identity-based theories have criticized the Critical Theory analysis of oppression for using a macro-, top-down approach. Instead they use a micro-, bottom-up approach to work towards the exposure of, and emancipation from, oppressive social, cultural, economic and political relations that are based on identity. The many different forms of feminism, for example, focus on oppressions rooted in gender/sex relations⁶ (Randall, 2010; Stivers, 1990; Zerilli, 2006), analysing why there is gender discrimination and promoting a range of possible actions to address gender-based oppression (Evans, 1997; Rosenberg, 2012; Vickers, 1997).

The intersectional approach has built in turn on feminists' exposure of the differential experiences of women, but argues that a sole focus on gender can render other factors invisible that may be more relevant in any given situation (Bobrow, 2006; Hennessy, 2003; Hill Collins, 1986). Asian, Black, Latina, Muslim, Post-colonial, Queer and Third-World feminisms, amongst others, argue that universalisation of the voice of the privileged (white, middle-class) woman in feminist standpoint epistemologies, ignores intersecting 'horizontal' oppressions wherein a woman's experiences are based on a range of identity standpoints including, but not limited to, race⁷, class and sexuality (e.g., Bhavani & Coulson, 2003; Davis, 1981; Fekete, 2006; hooks, 2000).

⁶ As with all labels, the definitions of 'sex' and 'gender' are debated within and between feminisms. While the former is usually used to refer to biologically determined characteristics and the latter as a socially constructed ascribed label, these uses have been challenged both in their individual falsely dichotomous natures (e.g. male/female does not allow for the continuum that includes transgender) and for the blurred line between the categories of sex and gender (e.g. Butler, 1992; Haraway, 1991; Stryker, 2007). I subsequently refer to analyses of 'gender' in feminist and critical studies, while fully acknowledging this disputed definition. In data collection, I left the response to the question on gender identity open in order that participants could answer according to the way in which they self-identified.

⁷ The definition of the label of 'race' is also deeply contested, and has been built on false, externally imposed, artificially dichotomous, phenotypical distinctions that have been used to justify the oppression of racialized minorities (Gilroy, 2000). In immigration discourse, issues of 'race' are complicated further by frequent interconnections to, and conflation with, ethnicity (a broader concept that includes but is not limited to culture and language), nationality (often external perceptions of belonging to a political nation-state, but also including self-identified belonging to nations within states) and religion (May, Modood & Squires, 2004; Stasiulus & Yuval-

Intersectional analysis has explored the ways in which different (and fluid) non-hierarchical identity standpoints intersect positively and negatively to influence self-definition and definition by others, and the dialectical relationship between these definitions and other factors such as public policy (Baer, 2009; Hames-García, 2001; Zerilli, 2006). In immigration, intersectional critiques have exposed the ways in which gender, race and class have informed experiences of Canadian immigration programs as a result, for example, of increased emphasis on certain types of professional experience and education in the economic stream (Dean & Wilson, 2009; Gibb & Hamdon, 2010; Hall & Sadouzai, 2010).

The identity-based emphasis on recognition of difference has been critiqued for obscuring the matter of structural economic injustice and vice versa, and increasing attempts have been made to overcome the divide between identity-based and class-based theories (Johnson, 2004; Markell, 2006; Wolin, 2006). Critical theories as a whole have come to incorporate understandings of the intersectional experiences of various forms of identities *and* economic status, within complex constructed contexts (Benhabib, 1995; hooks, 2000; Joseph, 2005; Olin Wright, 2005). These approaches argue that the politics of recognition, of acknowledging and addressing identity-based inequalities, and the politics of redistribution, of acknowledging and addressing economic and material inequalities, should be seen as different, rather than competing, aspects of critical analysis (Ingram, 1990; Stirk, 2000; Vickers, 1997).

Lastly, this research also draws on an understanding of power developed by Michel Foucault. Associated with various theoretical approaches over his lifetime, though he himself wished to remain uncategorized (Foucault, 1983), Foucault's ideas nevertheless overlap at times with the broader theories described above as well as critical policy studies in particular. Rejecting the absolute structuralism of Critical Theory, Foucault (1976a, 1977a) saw power as relational, passing through a network or web that functions from the micro to the macro level. Individuals circulate around this web and can

Davis, 1995). In this research I collected separate data on nationality (citizenship), race/ethnicity (open, as defined by the participant) and religion; in the findings chapters I identify each time to which I am referring.

simultaneously undergo and exercise power (Foucault, 1976a), reflecting intersectionalist ideas of shifting interactions between different, fluid aspects of identity (Staunes & Søndergaard, 2011). Foucault argued that power and knowledge are intimately connected, and the state and society exercise power through examination and surveillance, to enforce compliance to a 'norm' (1977b). Though Foucault did not speak explicitly about immigration, these ideas can clearly be applied to a government's examination of potential immigrants in order to allow entry to only immigrants they considered to be 'good' or 'suitable'.

Critical policy studies

Informed by different aspects of the critical theoretical traditions described above, the field of policy research includes a growing number of studies that label themselves as having a critical policy studies "orientation" (Orsini & Smith, 2007, p. 1). These studies recognize the overlap between different critical approaches and benefit from incorporating aspects of each.

The various critical theories of policy studies all challenge the dominance of traditional positivist approaches to policy studies and policy research. This traditional approach has focussed on using the scientific method to test causal theories of social problems and determine technocratic policy responses (see Howlett, Ramesh & Perl, 2009, for an overview); or, more abstractly, to test theories of the public policy process that focus on, for example, institutions (Lowndes, 2010; Ostrom, 2005; Rhodes, 2009), or individual agency (Hindmoor, 2010; Sanders, 2010). Critical policy studies dispute the claimed neutrality of positivist approaches, recognizing instead an inherent value-ladenness in policy research that influences definitions of what constitutes 'policy,' as well as decisions over which policy problems to research and which methodologies to use (Hodgson & Irving, 2007; Johnson, 2005; Reus-Smit & Snidal, 2009).

Feminist research has exposed the inherent male bias of political science and policy studies (Burt, 1995; Evans, 1997), showing how power and knowledge interact to support systems of patriarchy

in policy processes (Frazer & Lacey, 1993; Galston, 2006). Feminists argue that patriarchy has led political science (which as an academic discipline has been developed primarily by men), to focus on 'masculine' spheres of public policies, using methodologies that employ autonomous individuals as the unit of analysis (Lambright, 2010; Smith, 1987; Vickers, 1997). They have deconstructed the way that neo-liberalism has degendered policy by universalizing the autonomous citizen, subordinating women to men, and falsely separating the public (autonomous male) and private (dependent female) spheres (Gavigan, 1996; Stout, 2010).

Critical approaches to policy studies, in contrast, aim to speak "truths to powers" (Radin, 2000. p.186). They work to expose the increasingly complex governmental and non-governmental, and national and international locations of power, as well as (historic and current) relationships between these locations of power and policy discourse and processes (Frazer, 2008; Immergut, 2006; Stone, 1997). Critical policy researchers must be aware of and challenge even the power of 'expertise' upon which their work is based (Dryzek, 2006; Goodin, Rein & Moran, 2006); they promote communicative and deliberative forms of policy analysis and decision-making that work to neutralize power inequalities, create effective dialogue, and turn policy researchers and public administrators into facilitators and co-participants (Adorno, 1969; Sossin, 1993). They recognize the co-constitutive, dialectic relationships between social scientific 'knowledge', language and society and argue that critical policy research can close the gap between theory and practice (Apel, 1977; Furlong & Marsh, 2010; Lambright, 2010).

This transformative praxis works towards liberating oppressed knowledge (Wellmer, 1969), removing constraints that objectify citizens (Hoffman, 1987), and promoting a "deeper democracy" (Dryzek, 2006. p. 198). Critical policy analysis thereby makes visible processes and outcomes that have been "rendered invisible in traditional policy studies" and that have served to marginalize certain groups, including, but not limited to, women (Phillips, 1996, p.251; see also hooks, 2000; Mann, 2012; Orsini & Smith, 2007). Feminist policy studies argue, for example, that policy researchers, by studying

the everyday experiences of women affected by policies, help to expose subjugated knowledges and raise issues that have been overlooked (Hankivsky, 2007; Smith, 1987).

Drawing on intersectionality, critical policy research aims for thick description that explores externally and internally imposed constructions of complex contexts (Geertz, 1973). It deconstructs how fluid, multiple forms of individual and group identity can combine as forms of power or discrimination in policy (Alaoui, 2012; Gedalof, 2007; Jackson, Brown, Brown & Marks, 2001). It can make explicit the ways in which the categories of 'race', 'nationality' and 'ethnicity' are constructed, conflated and distinguished differently in policy, research, and by immigrants and majority populations (Baek & Lee, 2012; Kymlicka, 2011; Thompson, 2008). Heterogeneity within all such constructions requires attention to the voices of people who are directly affected but so often overlooked in policy research; in the case of immigration policy, the voices of immigrants (Anthias, 2002; Brettell & Hollifield, 2008; Miller, 2006). As immigration research usually involves native speakers of more than one language and an unlimited and always broad range of cultures, deconstruction of language and understandings is even more important (Morris, 1938).

Critical policy research challenges the paternalistic focusing on vulnerabilities that denies marginalized individuals their agency (Murray, 2004; Velez, Huber, Lopez, de la Luz, & Solórzano, 2008). In Canadian immigration research an historical focus on vulnerabilities has rendered invisible ways in which Chinese, Japanese and Jewish communities mobilized during the 20th Century to both work around discriminatory processes and have them repealed (Hawkins, 1988; Verma, 2002; Ward, 2002). Nor has current activism within immigrant communities (Ku, 2011) been well documented, some of which, as I describe below, led to changes to policy design and implementation over the course of this project.

The Frankfurt School promoted interdisciplinarity (Horkheimer, 1937) and favoured a qualitative *and* quantitative process (Apel, 1977; Habermas, 1965), underscoring that complex, interdisciplinary

policy studies, which require different tools for different contexts, benefit from multiple methods (Creswell & Plano Clark, 2010; Nørgaard, 2008; Pawson, 2006). Similarly, critical researchers in policy studies challenge the construction of quantitative methods as ‘scientifically superior’ to qualitative methods, arguing that their exclusive use leads to narrow results, disconnected from the real world (Ricucci, 2010). Quantitative analysis can illustrate, for example, gaps in policy outcomes that result from various aspects of identity, though value judgements over what is being counted must be made explicit (Horkheimer, 1937; O’Neill, 1995; Shue, 2006). The openness of interdisciplinary approaches to a variety of methods enables the exploration of complex policy situations and an increased trustworthiness and credibility of findings. In turn this supports the policy relevance of research and its goal to enhance social justice (Laforest & Phillips, 2007; Teddlie & Tahsakkori, 2009).

Finally, critical policy research methodologies are steeped in self-reflection (Sossin, 1993). Critical policy research requires self-awareness on the position of the researcher, on the intersecting nature of her identity—for example, as a white, middle-class, anglophone, able-bodied, British, female immigrant. She must be aware of how her social location and experiences have all contributed to the double hermeneutic of her research; how the findings she presents will be the interpretations she has made within her “frames of meaning” of the interpretations her research participants have made of the topic being studied (Giddens, 1984, p402; see also Phillips, 1996). The critical researcher should be aware of horizons to her understanding (Gadamer, 1960), willing to unlearn previous knowledge and have an openness to hostile information (Habermas, 1981). She should also have an open imagination to be able to generate ideas of what society could look like (Marcuse, 1937).

Critical policy studies: problem definitions and policy solutions

Critical policy research can and has been used to deconstruct all stages of the policy cycle. Critical researchers point out that if and how a problem is defined determines what policy responses (if any) are suggested; systematic distortion of language and exclusion of certain voices can severely

constrict the presentation of available policy options, rendering those preferred by elites to be “false necessities” (Dryzek, 2006, p. 196; see also Buckler, 2010; Parsons, 2010).

Drawing on Marxism and the Frankfurt School, critical theories of policy expose the global hegemony of liberal ideology that constructs capitalism as universal and natural, and the individual as a ‘homo economicus’ consumer and producer of material goods (Bennett, 2009; Buckler, 2010; McKeen & Porter, 2003); this can be seen in the policy emphasis on immigration for economic (public) reasons over immigration for humanitarian (private) reasons. Concurrently, feminist policy analysis has argued that the definition of problems as public or private has been used to dictate whether public policy is a justifiable response (Goodin, Rein & Moran, 2006; Rosenburg, 1987) and though the border between private and public is constantly shifting, large parts of life, such as health and social care, have in recent decades been re-privatized (Armstrong, 1996; Boyd, 1997; Brodie, 1996). Feminist jurisprudence has identified how legal theory and the law, developed almost exclusively by men, serves as an instrument of male supremacy that emphasizes independence and separation and devalues attachment and care (Baer, 2009). This reprivatisation and ensuing exclusion from the policy sphere has unequal costs for already marginalized groups such as women, those who are poor, and racialized people (Graefe, 2007; McKeen & Porter, 2003).

Policy decisions and experiences are rooted in the ways in which problem definition constructs (often along gender and racial lines) ‘good’ and ‘bad’ citizens. ‘Good’ citizens are seen to deserve access to universal services, in contrast with ‘bad’ citizens who at best should be offered only ‘means-tested’ services (Bovens, ‘T Hart & Kuipers, 2006; deLeon, 2006; Ingram & Schneider, 2006). Negative constructions based on, for example, class, gender and race, reinforce, and can be reinforced by, discriminatory policies that lead to the marginalization of certain groups in society. Those who are constructed as fitting the Canadian nationalist ideal—itsself built on the dispossession and persecution of

indigenous peoples (Thobani, 2000)—constitute an invisible ‘norm’ and benefit from comparatively positive policy outcomes (Ingram, Schneider & de Leon, 2007; Jung & Almaguer, 2004; Nowlin, 2011).

In immigration, this construction of ‘good’ versus ‘bad’ feeds into the categorization of the ‘deserving’ (safe, economically beneficial and therefore preferred) and the ‘undeserving’ (dangerous, a drain on the economy and therefore to be discouraged) immigrant (Adelman, 2002; Ryan, 2010; Shachar & Hirschl, 2013). Based in race, gender and class biases in particular, the ‘ideal’ immigrant is constructed as an easily assimilable, self-sufficient, white, middle-class, male, skilled worker immigrating alone or as head of a nuclear household through one of the programs that falls under the economic stream of immigration (Ng & Shan, 2010; Ong, 2003; Walsh, 2008). Critical policy analysis deconstructs how such discourses create and justify class-based, racialized and gendered policy marginalizations in immigration, along with marginalization based on other aspects of identity. Recently, for example, intersectional analysis of immigration has incorporated (dis)ability (Hanes, 2009; Khedr, 2012; Salter, 2007), youth (Li, 2010; Ngo, 2009; Walsh, Este, Krieg, & Giurgiu, 2011), older immigrants (Chow, 2010; McDonald, 2011; Patterson, 2004), LGBTTTQ status (Olivieri & Garcia, 2012; Smith, 2007) as well as language, immigration status, immigration class, and many other intersecting factors (Creese, 2011). The relevance of such marginalizations to family reunification migrants, given the demographics of new immigrants who have arrived through that stream both historically and in more recent decades, is described below.

Critical policy studies: Public administration and policy implementation

Critical approaches to policy implementation challenge the modernist view of a strictly technical and bureaucratic hierarchical public administration (Hoffman, 1987; Luton, 2007; Miller & Fox, 2007). They argue that the idea of a neutral bureaucracy creates an artificial politics-administration dichotomy that turns individuals from subjects into objects and ignores the pragmatism and cultural, value-laden nature of public administration (Frederickson, 1991; Sossin, 1993; Svara, 2008). Critical researchers reveal conditions of power and dependence within policy implementing organizations, and between

organizations and their clients (Ferguson, 1984; Frederickson, Smith, Larimer, & Licari, 2012); feminists, for example, have argued that gendered power relations within institutions exacerbate gender bias built into the tools of policy and programming (Dryzek, 2006; Ferguson, 1984; Hankivsky, 2007).

Feminist public administration has highlighted a disconnect between management discourse and front-line workers' actions that stems from an entrenched division between constructions of 'settlement women' and 'bureau men' and that remains evident in disproportionate numbers of men in management positions and women in certain frontline professions (Ferguson, 1984; Stout, 2010). This male dominance in positions of power is perpetuated by the construction of an 'ideal administrator' who embodies the 'masculine' virtues of goal-oriented and efficiency-maximizing professional expertise, and management, leadership and public virtue (Ferguson, 1984; Phillips, 1996; Riccucci, 2010).

In immigration, critical institutional research can evaluate the discretionary power of 'street-level bureaucrats' (people who process applications), the role of people who manage the bureaucracy, and the limits to the roles of people who supposedly oversee the policy process, such as the Auditor General and the parliamentary Standing Committee on Citizenship and Immigration (hereafter referred to in-text as the Standing Committee). It can expose gaps between the way immigration policy is written and the way it is implemented and experienced (Bloemraad, Korteweg & Yurdakul, 2008; Brettell & Hollifield, 2008).

The presentation of immigration policy, for example, as neutral and unbiased and therefore resulting in equal outcomes for all, has been challenged by critical policy researchers. Specifically, incorporation of ideas from intersectionality and post-modernism has led to increasing acknowledgement of the diverse policy experiences of marginalized groups, and of diverse experiences within those groups (Bobrow, 2006; Bovens, 'T Hart & Kuipers, 2006; Laforest & Phillips, 2007). Later feminists provided important corrections to early weaknesses in Critical Theory and early liberal feminism, by identifying the importance of recognizing the difference between formal equality (equal

legal rights) and substantive equality (equal treatment in reality) (Hankivsky, 2007; Pal, 2001; Phillips, 1999). While achievements have been made in Canada on the former, the latter has not yet been reached, partly as a result of ambiguous policy that allows for discriminatory implementation (Boucher, 2007; Matland, 1995) and differential treatment based on social and political constructions (Ingram & Schneider, 2006).

To summarize, based on common themes of deconstruction and emancipatory goal orientation, various critical approaches to policy studies and policy research have developed (Ray, 2004). Critical theories of policy differ on the ontological and epistemological spectra, and they prioritize different forms of oppression and emancipation, depending in particular, on whether they are more closely related to the Frankfurt School and use primarily class-based analysis of outcomes, or whether they work towards exposing inequalities based on lack of recognition of difference (Johnson, 2005; Orsini & Smith, 2007; Squires, 2006). Yet the emergence of intersectionality has helped to address tensions between different critical approaches; internal debates between structure and agency, materialism and ideas, have been partially resolved with the recognition that all are integrated and must be considered together and dialectically (Frazer & Lacey, 1993; Marsh, 2010).

Critiques of critical policy studies

Rationalists, reflecting general critiques of research that employs qualitative methods, accuse critical approaches to policy studies of untestability and unfalsifiability in their use of interpretive approaches (Furlong & Marsh, 2010). They label critical policy research as 'un-scientific', ungeneralizable and of little use in assisting policy decisions (Berg, 2009; Vromen, 2010). At the opposite end of the ontological spectrum, post-modernists have critiqued critical theories for essentialism, and for attempting to combine incompatible ontological and epistemological positions (Frederickson, Smith, Larimer, & Licari, 2012; Sweetman, Badiie & Creswell, 2010).

Critical policy studies are criticized for not being critical *enough*, and for accepting dominant boundaries of what is considered to be ‘public policy’ (Randall, 2010); citing, for example, feminists in political science who have critiqued approaches to research within that discipline rather than the boundaries of the discipline itself (Randall, 2010). Moreover, academics in the field of policy studies (where marginalized groups remain exceedingly underrepresented) have not yet embraced feminist and intersectionality approaches (Burt, 1995; Manuel, 2007); a weakness that is replicated in front-line policy analysis and practice within government, where an emphasis on (masculinized) reductionism, speed, and simplification complicates the incorporation of feminist intersectionalist methodologies (Manuel, 2007). Finally, critical policy research methodologies are accused of failing to live up to their own image by not embodying the relationships with research ‘participants’ for whom they advocate (Sweetman, Badiee & Creswell, 2010).

This project is firmly situated within a critical policy studies framework. In sum, interdisciplinary in nature, and mixed-methods in design, it bridges both macro-, Critical Theory, and micro-, identity-based, approaches. It works to give voice to people who have previously been marginalized in academic literature and to recommend changes to the policy area concerned, in order to improve the experience for families who live the policy. I address the critiques of critical policy studies throughout this dissertation; I worked interdisciplinarily to reach outside of the traditional boundaries of any single discipline, justify the mixing of methods in the next chapter, and build to a complex analysis of the interactions between intersecting social location and policy structures in Chapter 6.

Policy context: Family separation and family reunification

Before I turn to the specifics of the methodology, I first describe the problem and policy context, and deconstruct the gaps in the literature that justify my research. I use the general framework of the policy cycle outlined above to describe both the policy itself and relevant governmental, non-governmental and academic literature.

Defining the policy problem: Family separation

The policy problem that I explore with this research is that of ‘family separation’, both components of which are interpreted in many ways. First, the *policy* definition of ‘family’, as I identify throughout the text, is focussed on the ‘nuclear’ family, though it has changed over history and even over the course of this project. When I refer to ‘family’ outside of a specific policy context, I am using, unless otherwise identified, a broader definition of ‘family’ based in the *International Convention on the Rights of the Child* (1989) that includes nuclear and “members of extended family or community”.

Family ‘separation’ also, of course, covers a range of circumstances both *within* and *across* borders; it is the latter that is the focus of this dissertation. Definitive numbers are not available (Williams, 2012), but with globalization and the increasing movement of people, as well as ever expanding communications technologies, transnational family separation due to voluntary or involuntary migration and family formation across borders are likely only to increase (Heikkilä, 2011a; Leinonen, 2011; Östh, van Ham, & Niedomysl, 2011). As I discussed above, however, family does not fit neatly into neoliberal migration frameworks that are centred around encouraging the immigration of individual workers who are seen to benefit the economy (Ng & Shan, 2010; Ong, 2003; Walsh, 2008). These frameworks render the family invisible or construct the family as ‘undesirable’ (Bauder, 2003; Li, 2003; Murray, 2004; Wang & Lo, 2000).

Therefore, while most countries are signatory to multiple international conventions and declarations that recognise the right to family life, different levels of rights to immigrate with family members, and different levels of rights to family reunification for families that are already separated, have developed both within and between different countries⁸. I describe below the growing research on family reunification policy in Asia and Europe (Charsley, 2012a; Jørgensen, 2012; Stam, 2011), but there has been little on the Canadian context.

⁸ I discuss similarities and differences between the Canadian and other immigration systems in Chapter 6.

This dissertation examines that Canadian context. That is, family separation in this research refers to families with different rights to be in Canada, specifically (a) one or more members are Canadian citizens or permanent residents and therefore are allowed to remain in Canada indefinitely, while (b) other members of the family do not have citizenship or permanent residency, and therefore are not allowed to remain in Canada indefinitely. This separation may involve current physical separation across borders, or it may not, as in the following scenarios:

- A Canadian citizen or permanent resident who is living in Canada may be in a familial relationship with someone who does not have a permanent right to remain in Canada, though they may or may not have a visa that allows them to be here temporarily. For example, a Canadian citizen or permanent resident may meet and fall in love and form a relationship with an international student, temporary foreign worker, a refugee claimant or an undocumented migrant.
- A Canadian citizen or permanent resident may form a family while living abroad, perhaps while studying or working in another country. The Canadian citizen or permanent resident has the right to return to Canada permanently but their family member does not, though they may be able to come to Canada temporarily.
- A Canadian citizen or permanent resident in Canada may become separated from a family member who is abroad. This can happen for many reasons. A young adult may immigrate to Canada alone, leaving behind her parents, but later wishes to bring them to Canada, perhaps so that they can be closely involved in the lives of their grandchildren or perhaps so that she can care for them as they get older. Or, a father may have been separated from his young children during a conflict in his home country. He eventually makes his way to Canada and successfully claims asylum but is unable to bring his children through

provisions for family reunification in the refugee program because at the time he is unsure of their whereabouts.

- A family may be formed across borders. For example, an immigrant to Canada may marry someone she knew prior to migration, or she may meet and form a relationship with someone from her home country on subsequent visits. Or a Canadian citizen or permanent resident may adopt a child from another country, perhaps their country of origin. In these circumstances, and those of the previous bullet point, the person outside Canada *may* be able to visit the Canadian citizen or permanent resident in Canada (and vice versa), but they have no legal right to stay in Canada indefinitely.

The common theme is that one member of the family has the right to be in Canada permanently while another member of the family does not. The family may have originally been living together, and one of them migrated so they are now seeking to *reunite*. Or it may have formed through international adoption or international marriage, the latter dubbed “one of the world's biggest social trends” by the Economist (2011)⁹ in which case they may be seeking to live together for the first time.

Why should family separation be considered a policy problem?

The consideration of family separation as a policy problem is justified by literature on family separation and family migration, primarily from academic fields outside of the policy sciences. Academic research on family separation and family migration, usually focused on the nuclear family, has generally examined either the experiences during separation for the migrant or the family members left behind, or the post-migration settlement outcomes of immigrant families who have arrived as a family unit or who have been reunited after a period of separation.

⁹ There is limited data on the prevalence of international marriage, though the same article claims that “in rich countries alone such unions number at least 10 million.” (The Economist, 2011)

Research on (usually nuclear) families that migrate together has shown that the presence of positive relationships can be extremely helpful to immigrants during the often-stressful migration process. For example, international research has indicated that presence of family can have a positive impact on the mental health of migrants and that support provided by family members can be one of the most important resilience factors for migrants dealing with stressors encountered during the migration process (Fenta, Hyman & Noh, 2004; Mansouri & Cauchi, 2007; Schweitzer, Melville, Steel & Lacherez, 2006; Sossou, Craig, Ogren, and Schnak; 2008), though other research has shown that family relationships can also be a source of post-migration stress, for example, when approaches to acculturation differ (Hyman, Guruge & Mason, 2008).

Studies on separation have shown that the longer the period of migration-related family separation, the greater the negative impact on everyone involved; including the migrant (Kohli & Mather, 2003; Martin, 2011), the family members separated from the migrant (Menjivar & Abrego, 2008), and the family as a whole, once reunited (Cohen, 2000). Family separation has also been shown to have an impact on the destination country; skilled and business immigrants, encouraged to immigrate in order to benefit the economy of the receiving country, may consider provisions for family reunification when deciding whether to immigrate, or after arrival whether to remain or to return to their country of origin (Gui & Koropecj-Cox, 2016; Khoo, 2003).

Whether or not an immigrant, or indeed anyone who has formed a transnational family¹⁰ has any of these positive or negative experiences depends on their ability to be with the people who are important to them and any period of physical separation (and if there is separation, on the characteristics of that separation). Canadian citizens or permanent residents who are separated from

¹⁰ As this research focuses on immigration experiences, I use the labels “transnational family” and “cross-border family” in the sense of immigration status (Williams, 2012)—to emphasize that family members, as they go through the processes described in this research, have different relationships with the Canadian state and its borders. This is distinct from the use of this terminology elsewhere that can include citizens of the same country who build relationships across ethnicities or cultures (Charsley, 2012a).

family members by migration, or who form families across borders, must rely on Canadian immigration policy (or that of another country) to allow them the right to be together. It is to that policy context that I now turn.

Historical policy responses

Family separation is not a new policy problem in Canada: a country in which everyone but indigenous peoples are either immigrants or descended from relatively recent immigrants. Ever since the early days of the English and French colonies, families have been separated across borders, and family reunification policy has been used over the centuries as both a tool to build a 'nation' and as a tool to exclude. Looking through a critical policy lens, one can see that patterns of inclusion/exclusion based on social constructions of gender, race and class appeared well before Confederation and, as I discuss later, continue to this day in the gendering and racialization of family reunification (and other) immigrants.

The first appearance of an immediately gendered and class-based 'family' migration policy occurred in the 1660s when women who were seen to be 'disposable' in France were sent to marry male colonisers in order to balance gender disparity and grow the colony (Knowles, 2007). This pattern was repeated for the same reasons by the British in the 1800s who rescinded their policy, however, when they decided the 'wrong' kind of women were immigrating (Kelley & Trebilcock, 2000). The early promotion of marriage migration from France and Britain to grow the colonies through 'desirable' immigration can be directly contrasted with the similarly gendered and racialized *exclusion* of Asian women in the late 1800s and early 1900s; it was thought that keeping families separated (along with the introduction of a Head Tax) would encourage male Asian workers to return once their labour had been exploited to build the Canadian railways (Chow, 2000; Dua, 2007; Ward, 2002). Similarly, during later times of extremely restrictive immigration policy, such as the Great Depression and World War II,

immigration was limited by race and gender, allowing only certain, usually European, residents to bring their wives and children to Canada (Kelley & Trebilcock, 2000).

The post-war boom led to family reunification policy (and immigration in general) being opened up to allow sponsorship of a wider range of family members. This led to a large number of extended family members being sponsored from (amongst others) southern European countries such as Italy, Portugal and Greece (Daniel, 2005; Kelley & Trebilcock, 2000). Yet while explicit racial discrimination was eliminated from economic immigration policy in 1962, the ability to reunite with family in Canada remained more limited for people who were not from Europe or the Americas (Chow, 2000; Daniel, 2005; Hawkins, 1988). The skewed distribution of visa offices benefited applicants from traditionally favoured countries (Knowles, 2007; Madokoro, 2013; Whitaker, 1987).

In contrast, the Immigration Act of 1976 is generally considered the most well-constructed and progressive immigration legislation Canada has ever had, removing many of the previously discriminatory obstacles in family reunification policy and other areas of immigration (Kelley & Trebilcock, 2000). That Act, sowing the seeds for the current system, included a 'Family Class' for close family members (nuclear family plus parents/grandparents) and a category of 'assisted relatives' within the newly introduced points system for independent immigrants who were extended family members of people already in Canada. It was not long, however, before negative public reactions started to grow, reflected in and reinforced by media reporting of, for example, myths of widespread abuse of the system by Italian families (Hawkins, 1988). This led to tightening immigration restrictions including for family class from the late 1980s, and a move toward the Immigration Act that governs immigration to Canada today (Kelley & Trebilcock, 2000).

Recent family reunification policy¹¹

Current immigration policy is governed by the *Immigration and Refugee Protection Act* (2002). Originally passed in 2002, there have been many amendments, perhaps most importantly those outlined in the 2008 *Action Plan for Faster Immigration* which was part of an omnibus budget bill (*Budget Implementation Act*, 2008). The *Action Plan* greatly expanded the powers of the Minister for Citizenship and Immigration; it allowed him or her to bypass legislative change that required parliamentary approval by unilaterally issuing Ministerial Instructions “with respect to the processing of applications and requests” (*Budget Implementation Act*, 2008, s.118. 87.3[3]).

IRPA lists ten objectives, one of which is “to see that families are reunited in Canada” (*Immigration and Refugee Protection Act*, 2002, 3(1)(d)). The Act prescribes three main streams of immigration: economic, family class and refugees, each of which include provisions for families. This reflects the position of the government that “allowing immediate family members such as spouses, common-law partners and children to be together is an inherent need of all people, which conforms to a basic human right” (Citizenship and Immigration Canada, 2014b, p. 26).

An application for permanent residency through *IRPA* always has a principal applicant who must qualify according to the rules of the program through which they wish to immigrate. An application can also include eligible ‘dependents’ who are granted permanent residency on the basis of their relationships (spouse/partner or dependent children, as defined below) to the principal applicant. Someone who is transitioning from temporary to permanent status in Canada under the economic stream, or someone who has her in Canada refugee claim accepted, is allowed to include her dependents on her own permanent residency application; once approved the dependents can then reunite with her in Canada.

¹¹ The policy presented here is that experienced by participants in this project. The most recent changes are presented in Chapter 7.

In all other cases of family separation, or when families have been formed across borders, the primary means for achieving the goal of family reunification in Canada is the family class stream. Family class, in turn, consists of several programs according to the type of family member and, in the case of spouses and partners, the location of application processing.

Eligibility

A Canadian citizen or permanent resident can sponsor for permanent residency her spouse, common-law or conjugal partner, dependent biological or formally adopted children, parents or grandparents, and a small number of other family members (such as orphaned nieces or nephews), as long as the sponsor and the sponsored family members, as well as the relationship between them, meet certain requirements (Citizenship and Immigration Canada, 2015b). This policy definition of family, in its prioritization of partners and dependent children, has been criticized by advocacy organizations for actively supporting the idea of the ‘nuclear family,’ implicitly constructing other forms of family as ‘non-conventional’ and failing to recognize the global diversity of relationships upon which families are formed. This diversity is recognized in academic research (Raghuram, 2004; Simmons, 2008; Wilton, 2009) and by the Human Rights Committee of the International Covenant on Civil and Political Rights (International Organization for Migration, 2003) and the *International Convention on the Rights of the Child* (1989), which call for a broad interpretation of family for migrants that takes into account different social and cultural contexts.

In addition to being a citizen or permanent resident, a sponsor must be at least 18 years old. If she is a citizen, she can submit an application to sponsor a spouse, partner or dependent child whilst living outside of Canada, providing she can prove her intent to return to Canada with the sponsored family member. If she is a permanent resident she can only submit a sponsorship application if she is living in Canada (Citizenship and Immigration Canada, 2015b).

There are various reasons that someone may be ineligible to sponsor family members, including being bankrupt, in default of an immigration loan or child support payments, being in prison, or being on social assistance other than for disability (Citizenship and Immigration Canada, 2015b). Since March 2012, someone who was themselves sponsored by a spouse or partner is ineligible to sponsor a new partner until five years has passed from the date she gained permanent residency (Citizenship and Immigration Canada, 2012c). People who apply to sponsor parents and grandparents must also prove (using official tax returns) that they have earned the minimum required income of the low-income cut off (LICO) plus 30% for each of the three years prior to applying (Citizenship and Immigration Canada, 2015b).

Sponsors must sign a sponsorship undertaking that states they agree to financially support their family member(s) for a certain number of years. This ranges from three years for a spouse or partner to 20 years for parents and grandparents (Citizenship and Immigration Canada, 2015b). The sponsorship undertaking is legally binding regardless of whether the relationship breaks down during the period of the undertaking.

Increases to both the minimum income requirements (from LICO to LICO+30%) and the length of sponsorship undertaking (from 10 to 20 years) to sponsor parents and grandparents were part of a major overhaul of that program in 2014. By 2011, more applications being submitted annually than were being processed had created a backlog of 165,000 (Citizenship and Immigration Canada, 2011a). In an attempt to address the backlog, the Minister at the time, Jason Kenney, placed a temporary moratorium on new applications for two years. This was lifted in January 2014 with the stricter criteria as well as a new quota of 5,000 new applications to be accepted per year (Citizenship and Immigration Canada, 2013a).

The use of economic arguments to justify policy exclusion of family members—such as parents and grandparents—who are considered not to contribute to the economy, from a program that is

supposed to be based in the humanitarian, non-economic principles enshrined in *IRPA*, has been criticized. Family reunification immigrants and ‘dependents’ of economic immigrants (not to mention refugees and, most predominantly, asylum seekers), have been constructed as less easily assimilable and therefore a greater threat to national identity, security and stability, and more likely to be reliant on social support and thereby a burden on the taxpayer (Bauder, 2003; Li, 2003; Murray, 2004; Wang & Lo, 2000). In 2012, Minister Kenney directly exacerbated this construction by suggesting that family members were unable to meet economic criteria in their own right (Citizenship and Immigration Canada, 2012d). This construction failed to recognize the many forms and functions reflected in families worldwide (Canadian Council for Refugees, 2013a; Neborak, 2013; Newman & White, 2006; Ontario Council of Agencies Serving Immigrants, 2011; Smith, 2004) and ignored many family members’ economic and non-economic contributions to both their own families and broader society (VanderPlaats, Ramos & Yoshida, 2012). The use of such discourse exacerbates broader public opinion, can be internalized by the ‘othered’ community, and fails to recognize that sponsors are also taxpayers (Abu-Laban, 2007; Creese, 2011; Franklin, 2015).

The policy of minimum income requirements to sponsor family members has also been criticized for marginalizing the many immigrants who work in lower income occupations (Kofman, 2004); increasing the minimum necessary income to sponsor parents and grandparents restricts the use of this program to the wealthy. As, for example, disproportionate numbers of immigrants who are women and/or from the Global South work in low-income occupations, this also has gendered and racialized implications (Canadian Council for Refugees, 2013b; Ontario Council of Agencies Serving Immigrants, 2013).

The family members who are applying to be sponsored for permanent residency must provide evidence of a ‘genuine relationship’ to the sponsor, if they are the principal applicant. If they are classed as a dependent on the application they must provide evidence of a genuine relationship to the principal

applicant (Citizenship and Immigration Canada, 2015b). The type of proof depends on the type of relationship and the way it is defined in *IRPA*. Spouses must provide proof of a genuine marriage, and common-law partners must prove a conjugal relationship that includes a minimum of one year of cohabitation. The conjugal partner category is reserved for people for whom it is impossible to either marry or cohabit, for example because neither partner is able to get a temporary visa to live in the country of the other partner for at least a year (Citizenship and Immigration Canada, 2015b).

In October 2012, policy was changed so that spouses, common-law and conjugal partners who have been in a relationship less than two years and who do not have children with the sponsor receive only conditional permanent residency and must continue to live in a common-law relationship with their sponsor for two years, or they risk losing their permanent residency (Citizenship and Immigration Canada, 2012g). Advocacy organizations argued that this could further marginalize vulnerable women, and that provisions to exempt survivors of abuse revictimizes the survivor (Canadian Council for Refugees, 2012a; Keung, 2016d; Ontario Council of Agencies Serving Immigrants, 2012a; Seth, 2014). Their arguments were supported by research from other countries where sponsored family members face conditional status upon arrival (Jørgensen, 2012; Liversage, 2012; Wray, 2012; see Merali, 2008, for a summary of earlier research)¹².

Dependent children are defined as biological or adopted children aged 18 or under. The only exception is children who are dependent on the sponsor (or principal applicant) due to a physical or mental condition. The current definition¹³, introduced in August 2014, is much narrower than that used previously¹⁴. Dependent children must provide proof of a biological relationship, for example through

¹² Upcoming changes to conditional permanent residency proposed by the current government are detailed in Chapter 7.

¹³ Upcoming changes to the definition of the dependent child proposed by the current government are discussed in Chapter 7.

¹⁴ This defined dependent children as (a) biological or adopted children under the age of 22 who were not married; or (b) older children if they had been financially dependent and in full-time education continuously since before

birth certificates or DNA tests (the same proof applies for parents and grandparents). Adopted children must have been adopted through a process recognized by the adoption authorities in the province in which the sponsor lives (Citizenship and Immigration Canada, 2015b).

Again, there were strong reactions to the restriction to the definition of ‘dependent child,’ which was also justified in part with economic arguments. The new definition means that children over 18 must apply to immigrate to Canada in their own right¹⁵. Advocates argued this definition is contrary to Canadian societal conventions where many young adults—over half of 20-24-year-olds according to the 2011 census (Immigration, Refugees and Citizenship Canada, 2016n)—remain at home, and that it renders young adults at risk and inhibits the settlement of parents who immigrate to Canada without their young adult children (Canadian Council for Refugees, 2013a; Ontario Council of Agencies Serving Immigrants, 2013).

As well as providing proof of the relationship, the principal applicant and their dependents must also prove their identities and pass health and security checks to show that they are not medically or criminally inadmissible to Canada (Citizenship and Immigration Canada, 2015b). Dependents of the principal applicant who are not intending to immigrate to Canada—so-called ‘non-accompanying family members’—must also be declared and examined at the time of the original application; if not, they cannot be sponsored at a later date. If an application is refused, the family can file an appeal. In certain situations, a family can apply for a Humanitarian and Compassionate exemption from the rules, but these exemptions are granted in only a small number of cases (Citizenship and Immigration Canada, 2015c).

the age of 22; or (c) older children who were financially dependent continuously due to reasons of disability (Citizenship and Immigration Canada, 2013a).

¹⁵ As those applying individually through the skilled worker program must demonstrate a minimum number of years of professional experience, those who have been in full-time education continuously are unlikely to be able to immigrate as individuals.

Family class requirements and processing

The implementation of *IRPA* as a whole is guided by the *Immigration and Refugee Protection Regulations*. Family class policy is implemented through the Family Reunification Program, organized into four main categories or sub-programs: spouse/partner inside Canada (inland), spouse/partner and dependent children outside Canada, parents and grandparents, and other relatives and adopted children. The Minister for Immigration each year sets processing priorities for all areas of immigration (economic, family class and refugees), including target numbers (levels) for the different types of application *within* family class (Citizenship and Immigration Canada, 2015e). For example, the *Report on plans and priorities for 2014-2015*¹⁶, a time at which many participants' applications were being processed, set levels for 2015 of 45-48,000 spouses, partners and children, 18-20,000 parents and grandparents, and 3,900-5,200 other family members under compassionate grounds (Citizenship and Immigration Canada, 2015e).

Requirements

In order to apply for permanent residency through family class the sponsor and their family members must fill in forms and collect together the supporting documentation that proves the relationship, and the identity and background of the sponsor, the principal applicant and any accompanying or non-accompanying family members of the principal applicant. Requirements for documents that fit Canadian standards in relation to identity, proof of relationships, and health and security checks have been argued by advocates to discriminate against the poor, people from the Global South and women (Canadian Council for Refugees, 2000). Requirements for proof of spousal/partner relationships, for example, have been criticized for, reflecting—not necessarily in policy but in practice—western heteronormative assumptions, which have the potential to marginalize, for example, same-sex partners (Olivieri & Garcia, 2012).

¹⁶ Levels since data collection are discussed in Chapter 7.

An increasing complexity in application processes favours families who can afford to employ lawyers conversant with the immigration system (Sossin, 1993). The various fees, tests and translation of documents demand significant resources, varying access to which can result in intersecting marginalization on class, nationality/race and gender bases (Dean & Wilson, 2009; Gibb & Hamdon, 2010; Hall & Sadouzai, 2010). The discretionary authority of visa officers¹⁷ who decide the strength and legitimacy of claims increases the potential for unequal treatment (Sossin, 1993).

Processing

The processing of applications is carried out in offices in Canada and overseas and includes two separate processes, as detailed in Figure 1. First, the person in Canada must be approved to be a sponsor. Second, the person(s) being sponsored (the principal applicant and any dependents) must be approved for permanent residency. Those applying to sponsor someone to Quebec must complete an extra step for their family member(s) to be approved for immigration to that province.

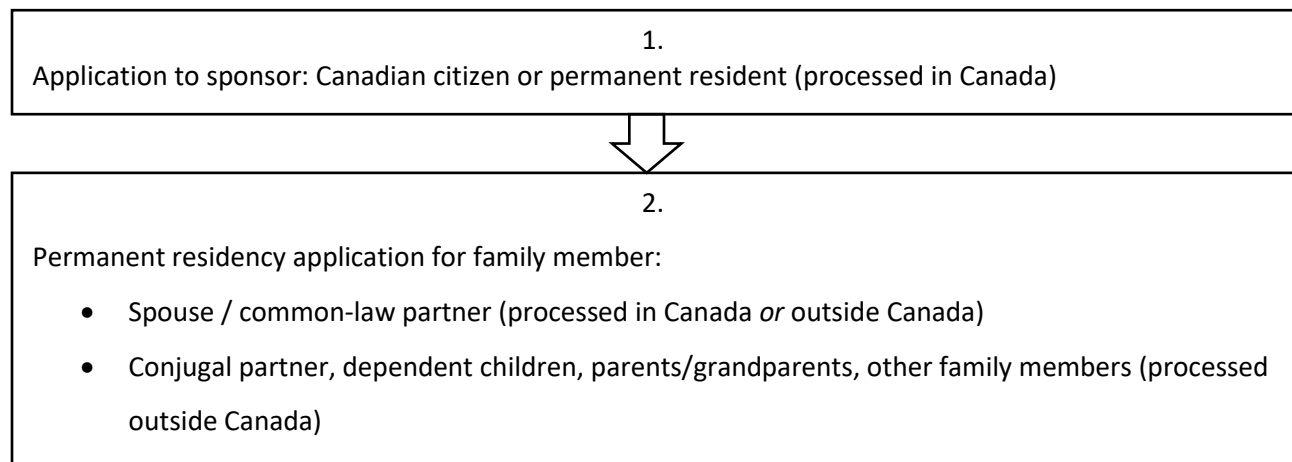


Figure 1: Stages of the application process

When the spouse or partner being sponsored is already in Canada, couples have the option of applying through the ‘inland process’, in which both parts of the application are processed in Canada. The inland program is unique in granting the spouse or partner access to a work permit in Canada while

¹⁷ By ‘visa officer’ I mean all who make decisions on individual applications.

the application is processed. For other types of application, the sponsor approval is carried out in Canada while the approval of the family members for permanent residency is usually carried out outside of Canada, in the visa office that is responsible for the country in which they are resident. Some overseas visa offices, e.g. Tel Aviv, are only responsible for applications from one country. Other visa offices such as Nairobi or London, serve a much larger number of countries (Citizenship and Immigration Canada, 2015f).

The New Democratic Party (NDP) has argued the distribution of visa offices (which in itself is a policy decision) can contribute to discriminatory (processing time) outcomes as it continues to favour applicants from the Global North (Standing Committee on Immigration and Citizenship, 2012). The Standing Committee (as well as advocacy organizations) has encouraged the government to work to reduce the differences in processing times between visa offices (Canadian Bar Association, 2005; Canadian Council for Refugees, 2009; Standing Committee on Citizenship and Immigration, 2012). Indeed, towards the end of data collection more permanent residency applications started to be processed either in another visa office with a greater capacity (e.g. London for Pakistan applications), or in Canada (e.g. in Ottawa for US applicants) (Citizenship and Immigration Canada, 2015f).

The issue of processing times is a recurrent one. For spouses and partners, and dependent children there are service standards that 80% of cases will be processed within 12 months but Citizenship and Immigration Canada itself has reported in the past that it has consistently failed to meet these standards (Citizenship and Immigration Canada, 2014b). The time taken to process 80% of cases has varied greatly. For example, the average time taken for family class cases between 2002 and 2012, increased from 15 months in 2002 to 28 months in 2012¹⁸, but this masked large differences between programs (Citizenship and Immigration Canada, 2014b, p. 43). The processing time for spouses and

¹⁸ Current processing times are discussed in Chapter 7.

partners remained steady between 10 and 14 months on average, while for parents and grandparents the average time jumped from 18 months in 2002 to 58 months in 2012.

Family class statistics

The total number of people admitted under family class was relatively stable over the ten most recent years for which figures are available (2004-2014), totalling between 60,000 and 70,000 each year (with the exception of the years that extra parent and grandparent applications were being processed to reduce the backlog). As detailed in Table 1, the numbers for spouses/partners and children did not vary greatly, while admissions under the parent and grandparent program varied enormously, as the backlog first grew, and then resources were put into reducing it in 2012 and 2013 (Citizenship and Immigration Canada, 2015a).

Table 1: Family class admissions 2005-2014 (Citizenship and Immigration Canada, 2015a)

	Lowest number admitted (year)	Highest number admitted (year)	2014
Spouses/ partners	38,541 (2011)	45,458 (2005)	42,124
Children	2,716 (2012)	3,338 (2007)	3,265
Parents / grandparents	12,475 (2005)	32,322 (2013)	18,150
Other family members	946 (2012)	3,122 (2014)	3122

An internal evaluation of the Family Reunification Program (Citizenship and Immigration Canada, 2014b) revealed details of basic demographic characteristics of applicants. Men were more likely to sponsor family members than women—in 2011, 57% of sponsors were men and 42% were women—though the gap seemed to be closing very slowly. Almost 75% of 2011 sponsors were aged 25-44, while 10% were less than 25 years old, and almost 15% were 45-64. Finally, in 2011, 23% of sponsors were Canadian-born, 34% were economic immigrants, 24% had themselves been sponsored, and 12% had come to Canada as refugees (Citizenship and Immigration Canada, 2014b).

In contrast, *sponsored family members* in 2011 were more often women (59%) than men (31%). Again, most (65%) were between the ages of 25-44, while 8% were 0-14 years old, 19% were 15-24 years old and 8% 45-64 years old. The most well-represented source countries for sponsored family members were India (11%), China (10%), USA (9%) and Philippines (7%). 89% of sponsored family members arrived as principal applicants; only one in 10 applications included dependents (Citizenship and Immigration Canada, 2014b).

Family class evaluation

Little academic research has been completed on family reunification policy, as I discuss below, but there are several internal reports that touch on aspects of family class, and advocacy organizations have released several reports that describe how different families experience the policy. The most thorough internal evaluation of the family class stream¹⁹, already mentioned above, was completed by Citizenship and Immigration Canada in February 2014 (Citizenship and Immigration Canada, 2014b), covering cases from 2007-2011. The review looked at the relevance and performance of family reunification programs. There was particular emphasis on gathering data from people who work in the program, as well as from applicants (through a survey and focus groups). It concluded that the program remains relevant and that the program “has been successful at reuniting families” (p. 55), though it did mention several ‘challenges’ for example in information and communication, and timeliness of processing (Citizenship and Immigration Canada, 2014b).

While this is the only recent comprehensive review (that is publicly available), certain aspects of family class have also been highlighted in reports from other governmental and parliamentary bodies, such as that by the Standing Committee (Standing Committee on Citizenship and Immigration, 2012) cited above on processing times. In Fall 2010, a report from the Office of the Auditor General (OAG)

¹⁹ This was officially labelled an evaluation of the Family Reunification Program, including both Family Class (outside Canada applications) and the Spouse and Partner inside Canada Class that together are commonly referred to as family class.

found that while Citizenship and Immigration Canada had started to set service delivery standards, it had only done so for a small number of services such as the processing times for spouse/partner and dependent children overseas applications (Office of the Auditor General, 2010). In the same report, the OAG advised that Citizenship and Immigration Canada should evaluate the quality of service provision “more comprehensively” (para. 3.24), which perhaps led to the internal evaluation described above. The Office of the Auditor General also specifically directed the department to “collect and analyse client feedback and complaints to identify systemic service issues” to which the department responded that it would implement a client feedback system by 2012 (para. 3.34).

Those critical of government policy evaluations have argued that evaluations of ‘success’ in immigration policy should take into context the multiple stated goals of *IRPA* (Miller & Fox, 2007). Thus, the goal of allowing families to reunite should be measured “by the ease with which families can be reunited in Canada and not by the economic performance of Family Class migrants” (Li, 2003, para. 4); as noted above, former Minister Kenney frequently used the latter to argue for changes to family class. This tendency could also be seen in the internal evaluation of the Family Reunification Program—seven out of nine points summarized under ‘final outcomes’ related to economic outcomes for Canada (e.g. employment or reliance on social assistance) but only one mentioned ‘social, cultural and other economic benefits’ of family reunification (Citizenship and Immigration Canada, 2014b, p. ix.). Moreover, while the government has employed discourses of ‘failure’ in parts of immigration policy (e.g. processing backlogs) to justify new policies (e.g. a moratorium on new applications), critics have pointed out that these ‘failures’ are at least partly attributable to previous policy decisions; the backlog was an inevitable result of annual levels that deprioritized processing of certain kinds of application (Citizenship and Immigration Canada, 2012i; Standing Committee on Citizenship and Immigration, 2012).

Gap in the literature

Most (though not all) of the non-governmental literature on current family immigration policy and its implementation comes from advocacy organizations and other non-academic sources. Academically there is much research that describes why family separation should be considered a policy problem. Yet there is a clear gap in research on policies that address this problem, including family reunification policy design and implementation.

Immigration and settlement research, as already discussed, is an intrinsically interdisciplinary field of study that has been approached from a wide range of theoretical perspectives (Castles & Miller, 2009; Samers, 2010), but migration studies within individual disciplines have been critiqued for often maintaining narrow foci and rarely talking to each other (Brettell & Hollifield, 2008; Meyers, 2000; for an exception see Kimberlin, 2009). Gaps remain between disciplines that favour ‘macro’ approaches and those that favour ‘micro’ approaches; there is a gendered academic public/private divide, between those that focus on policy and those that focus on settlement experiences (Charsley, 2012a; Romero, 2008), a divide that is exacerbated by the “fragmented” (Saetran, 2005, p. 566) nature of policy research and limited communication across fields.

Questions and theories that have focussed on (masculinized/public) economic and political aspects of migration have tended to centre the rational decision-maker or structural explanations of migration (Freeman, 2011; Halfacree, 2004; Henry, 2009); many studies in disciplines such as political science, economics and geography have focused either on the movement of individual ‘principal applicants’ through either economic or refugee streams (Boucher, 2007; Epstein & Nitzan, 2006; Humphrey, 2003) or on the relationship between nation states and international institutions and migration (Boswell, 2007; Brettell & Hollifield, 2008). Especially in the case of economic migration, such studies are often top-down analyses that use rational positivist approaches to analyse the potential contribution of the principal applicant to the destination country, or of general trends in migratory

movements (Chiswick, 2008). They exclude the perspectives of migrants themselves (Gardiner Barber, 2008) and their direct interactions with the immigration system during the process (Robertson, 2011).

Across other disciplines increasing numbers of researchers are looking at immigration through a critical lens, but disciplines such as psychology (as summarized by Hernandez, 2009) and sociology (as described by Schmitter Heisler, 2008) have traditionally focussed on individual, family or community experiences, mostly post-migration. Feminists have long exposed the ways in which political science upholds a constructed public/private dichotomy in the study of public policy, subordinating the (nuclear dependent) family to the autonomous (usually male) head of the household (Lambright, 2010; Smith, 1987; Vickers, 1997). This can be seen clearly in the lack of systematic analysis of family reunification policy in Canada, a gap that exposes the lack of integration in migration studies of macro issues of policy and micro issues of individual and family experiences (Brettell & Hollifield, 2008; Meyers, 2000; Romero, 2008).

Thus while both immigration and policy studies claim to be interdisciplinary fields of study, most individual studies into immigration policy have been carried out, at best, interdisciplinarily across either macro- or micro-focussed disciplines (Brettell & Hollifield, 2008; Robertson, 2011)²⁰. In doing so, they have failed to address the interaction of policy with the 'private' sphere of the family. They have marginalized (feminized/private) non-economic social and cultural factors in decision-making, and the differentiated experiences of household members (Flowerdew & Al-Hamad, 2004; Raghuram, 2004; Smith, 2004). Women and family members of immigrants are almost completely excluded from policy analysis. Immigrant family members have been constructed in both immigration policy and policy research simply as 'dependents'; mere appendages who do not warrant study in their own right.

²⁰ It was interesting to note that on the website of the body that funded much of this research, on which all funded PhD students must be listed (and searchable) by discipline, there was nowhere to situate an interdisciplinary study such as this one. It was eventually categorized under 'demography' which I would argue is a poor label for the interdisciplinary content of the research.

At the same time, critical 'bottom up' research that does look at social and cultural factors in the 'private' sphere often overlooks the way in which these factors intersect with and are reinforced by public policy (Bailey & Boyle, 2004; Halfacree, 2004). That research has paid little attention to immigration policies that quite literally define who may be considered a family member and who may not, or to the ways in which migration policies work to mitigate or exacerbate lived negative experiences of separation. Research into streams that are perceived as 'private' (such as family class), and into the dependents of economic migrants, primarily consists of micro analyses of the experiences of families in destination countries or transnational families that are divided across borders. Kofman's (2004) argument that migration literature pays scant attention to the limitations that *immigration policy* places on the formation and maintenance of familial and social networks continues to be relevant, as does Newman and White's (2006) assertion that much feminist research on the broader relationship between state and family similarly fails to incorporate family migration.

Neither has critical scholarship that explicitly claims an intersectionalist approach yet paid a great deal of attention to *family migration* policy. Other feminized areas of policy such as social policy, have long since been taken up and analysed by feminist scholars (Boyd, 1997; Brodie, 1996), but feminist and intersectionalist analysis of the broader relationship between the state and the family has yet to fully explore the immigration angle (Newman & White, 2006). Similarly, feminist studies of migration policy have looked extensively at areas that intersect with violence against women, such as trafficking in persons (Oxman-Martinez, Martinez & Hanley, 2001; Raghuram, 2004) or at feminized aspects of economic migration, such as the internationalization of domestic labour (Preibisch & Hermoso Santamaria, 2006). However, policy that dictates family migration and reunification, which spans the public/private divide has yet to be treated in an equal amount of depth by feminist and intersectionalist researchers, though efforts are emerging in literature on marriage migration in Asia and Europe (Charsley, 2012a; Jørgensen, 2012; Stam, 2011).

In Canada there is very little research on families' experiences of the policies that frame their migration. Given that over 60% of new permanent residents immigrate to Canada annually either as 'dependents' of a principal applicant in the economic or refugee stream, or as 'sponsored dependents' of a family member already in Canada²¹ (Citizenship & Immigration Canada, 2015a), this is a substantial omission. The lack of academic policy research into family migration policy exacerbates the lack of understanding about, for example, gender, race, class and sexuality-based marginalizations and constructed vulnerabilities that are specific to immigrants using Canadian family reunification streams. The work of advocacy organizations in Canada, as already discussed, has suggested that there are multiple areas of family reunification policy that require further, systematic, in-depth study. One of the largest of these areas is the family class immigration stream that is the topic of this research.

Summary

Critical theories of policy studies have clearly made many contributions to the study of immigration and settlement policies. They have embraced the idea that plurality enables us to see issues more clearly (Adorno, 1969; Arendt, 1998); intersectional interdisciplinary critical approaches have the potential to expose marginalizations in immigration and settlement policy processes that cannot be seen by more focused research. They must work to prevent entire immigration policy streams, which represent a large number of immigrants to Canada, from falling through the gaps in the net of interdisciplinarity.

Academic literature on family separation and settlement outcomes shows why it is important to close the gap in the literature on family reunification policy. Academics researching the migration experiences of families should not forget to include the ways in which experiences are directly framed

²¹ This percentage includes neither those who arrive as resettled refugee families, nor those who immigrate through economic streams for whom family reunification is one of the primary factors in the decision and therefore underrepresents the proportion of immigrants for whom family is a factor in migration.

by migration policy. Research to expose families' experiences of the policy and programs that inform their separation and reunification is long overdue.

This study attempted to broaden the scope of migration policy research to include a substantial area of Canadian immigration policy that has too often been overlooked. In Canada at least, family migration over recent years was under increasing pressure as governments preferred to focus on migration that they saw as directly benefiting the economy (Citizenship and Immigration Canada, 2012d). The election of a new government, towards the very end of the data collection stage, that had promised to re-centre family reunification in immigration policy, made research into ways in which they may be able to improve the experience for reuniting families even more relevant.

In this chapter I have positioned family migration at an intersection between (i) micro and macro approaches to the study of family; and (ii) micro and macro approaches to the study of migration. I have argued that research on families, migration, and policies thereof, has traditionally been carried out in 'silos' within academic disciplines and that family reunification policy has fallen through gaps between disciplines. Therefore, this study employed a critical interdisciplinary policy studies approach drawing on and recognizing the complex interdependence of macro (e.g. immigration policy) and micro (e.g. family relationships) issues to holistically understand experiences of the family class stream. This goal and the approach I described above directly informed the research design to which I now turn.

2. Methodology

This chapter describes and discusses the research design. I outline the research questions and methods used, describe participants, and reflect upon the ethics involved and my role as a researcher. Having referenced strengths and weaknesses of design throughout, I then discuss the limitations and delimitations of the study as a whole. I finish by describing how the theoretical framework and research design influence the presentation and organization of the findings and analysis in the chapters that follow.

Research Questions

The overarching question of this project was: How successful is family class policy design and implementation in achieving the objective of ‘reuniting families in Canada’? My interpretation of the question, the theoretical framework, and the context of the study led me to construct investigation through the following sub-questions:

- i. What are the lived experiences of family class policy and programs (a) for applicants who attempt to (re)unite with family members in Canada and (b) for people who would like to sponsor family members but believe they cannot?
- ii. What are the strengths and weaknesses of family class policy and programs, from the perspectives of applicants, potential applicants and other stakeholders?
- iii. What changes could be made to family class policy design and implementation to improve applicants’ experiences of family reunification in Canada?

These research questions aimed to address the gap in the literature; that is, the study aimed to explore families’ experiences not *after* immigrating to Canada, but as the immigration process was happening. In doing so, the findings would complement the literature on immigrants’ settlement experiences—that discusses the experiences of families reuniting in Canada after extended

separations—by suggesting factors that influence those experiences of separation. As this is the first study on the experiences of families going through the family class application process, questions were deliberately broad.

This study was situated directly at the intersection of immigration policy and families' experiences of migration; it focussed directly on family reunification policy and regulations (in *IRPA* and *IRPR*), and the implementation thereof, through the different programs that fall under the family class stream of immigration. It worked to overcome the public/private divide in academia discussed in the previous chapter, by looking at the ways in which the personal and the political intertwine under family reunification policy. The research drew on feminist theory by directly addressing and highlighting an area in which public policy has a profound effect on private lives (Randall, 2010), and on intersectional approaches to highlight the disproportionate effect on the lives of the women and immigrants from the Global South who constitute the majority of family members sponsored through family class (Citizenship and Immigration Canada, 2015a).

Also reflecting the critical framework described in the previous chapter, the research aimed to identify and critique structural injustice and work towards the transformation of policy and practice (Barnett & Sikkink, 2009; Bennett, 2009; Wellmer, 1969). Research questions were deliberately broad and open to interpretations, recognizing that the policy design and outcomes of its implementation could be interpreted differently depending on the standpoint of the stakeholder, whilst also acknowledging that there are results that can be empirically measured and quantified (Marsh & Furlong, 2010). For example, on the one hand I problematized the concept of 'successful,' recognizing that it was a term that was open to interpretation, and I acknowledged that participants' descriptions to me of how they felt during the process were interpretations that I in turn would interpret. On the other hand, outcomes such as approval/refusal, requests for more information, and processing times could all be quantified.

I also recognized a dialectical relationship between structure and ideas in immigration policy (Marsh, 2010). For instance, the social construction that certain family relationships (e.g. between parents, and more specifically mothers, and children) are intrinsically more important than others (e.g. siblings) has informed policy implementation, for example by allowing sponsorship of the former but not the latter. In turn policy may reinforce family structures in Canada and thereby further entrench the dominant norm (Ingram, Schneider & de Leon, 2007). The research questions and design therefore aimed to probe the ways in which immigration policy may reinforce such constructions.

Critical policy analysis, as described in Chapter 1, attempts to address the power imbalance between policy makers/implementers and people on the receiving end of policy, which in the past has led to the marginalization in policy research of the voices of the latter (Clemons & McBeth, 2009). To prevent this marginalization, the research questions in this project deliberately centred on the lived experiences of people whose lives are most affected by this particular policy; families trying to use the policy to reunite in Canada. Consistent with critical policy analysis, I recognized that immigrants could not be treated as isolated individuals, as they so often are in majority discourse and research, but that they must be considered in the context of the social and political environment. I needed to resist the trap of 'othering' research participants, of objectification and de-contextualization (Krumer-Nevin, 2012), by capturing participants' meanings, theories and analyses of family class, through the multiple methods and broad questions, and ongoing reflection described later in this chapter.

The broad nature of the research questions, the critical theoretical framework and the lack of literature on the topic all suggested the need for a similarly broad research design that could capture and integrate both qualitative and quantitative data from a variety of perspectives. I therefore chose to use a mixed methods research design that I now describe in detail.

Methods and Procedures

i. Overview: A Mixed Methods Design

‘Mixed methods’ research designs, that combine both qualitative and quantitative approaches in a number of different ways, are a growing phenomenon (Charmaz, 2012; Creswell, 2009). This project followed a sequential exploratory strategy (Creswell, 2009), using (1) qualitative semi-structured interviewing to explore the topic, followed by (2) statistical analysis of quantitative survey data to expand those findings. Data at each stage were collected from two sources of data—applicants and key informants²²—as described in Figure 2.

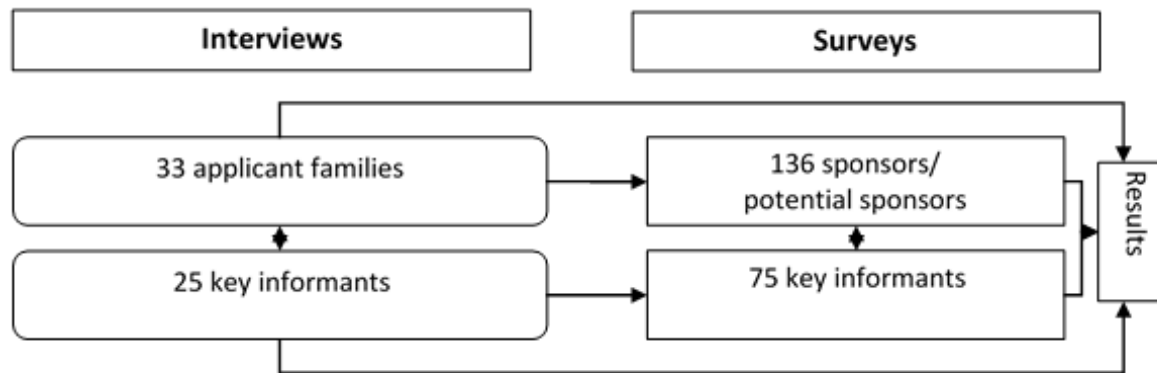


Figure 2: Overview of methods

This approach was most appropriate given the theoretical framework, research question and academic location within the interdisciplinary field of policy studies. Interdisciplinary mixed methods were favoured by the Frankfurt School (Apel, 1977; Habermas, 1965; Horkheimer, 1937) and have since been used in a range of ways by researchers working within a critical theoretical framework (Perlesz & Lindsay, 2003) and in interdisciplinary fields such as migration (Brannen, 2008). Using mixed methods allowed for greater depth in analysis and generation of findings that would have been impossible with only one method (Creswell & Plano Clark, 2007; Fielding, 2012; Flick, 2012). As Greene (2005)

²² Participant characteristics are described below.

summarizes, the use of mixed methods and multiple sources enhanced “understanding that is woven from strands of particularity *and* generality, contextual complexity *and* patterned regularity, inside *and* outside perspectives, the whole *and* its constituent parts, change *and* stability, equity *and* excellence” (p. 208), a theme to which I return in the final chapter.

Mixed methods are appropriate in policy studies, as they recognize that the complex nature of policy studies requires different questions and methods for different contexts (Creswell & Plano Clark, 2010; Nørgaard, 2008; Pawson, 2006). Using mixed methods improves the ability of the policy researcher to explore multifaceted policy situations with differential outcomes, increasing the trustworthiness and credibility of findings, and in turn supporting the policy relevance of research (Laforest & Phillips, 2007; Pawson, 2008; Teddlie & Tahsakkori, 2009). Applied to this study, mixed methods allowed for exploration (a) of gaps between policy goals (e.g. to reunite families), policy interpretation (e.g. how different actors such as policy implementers and those to whom the policy is targeted define what constitutes a familial relationship) and policy outcomes (e.g. that families remain separated), and (b) of the contextual factors that have an impact on these gaps (Fielding, 2012; Flick, 2012).

A *sequential* mixed-methods approach was useful for several reasons. First, the initial emphasis on qualitative methods reflected the lack of well-developed knowledge in evaluation of family class policy and the need to ground the research in the voices and experiences of people directly affected by the policy. It allowed for detailed exploration of the experiences of a diverse population, in order to identify the most salient concepts for further quantitative study with a greater number of applicants (Creswell, 2009; Flick, 2012). Second, the quantitative component, comprising primarily of univariate and bivariate analysis of closed survey questions, enabled me to build upon the interview findings (Flick, 2007; Mathison, 2005), allowing me to explore whether experiences identified in the interviews resonated with a much larger sample of people, and if not, to work through discrepancies to further

enhance understanding of the phenomenon (Creswell and Plano Clark, 2007; Creswell & Tahsakkori, 2007).

The theoretical framework of the study included recognition that the diverse range of people involved in the family reunification process would have varied meanings and interpretations of the policy. Using multiple sources of data enabled a deeper understanding of the experience by drawing on a range of perspectives (Charmaz, 2012; Fielding, 2012; Hall & Howard, 2008). Particularly importantly, it enabled inclusion of families whose experiences may otherwise remain hidden (Pawson, 2008; Vikstrom, 2010)²³. Families applying for reunification through the program, or who wanted to but believed they could not, provided first-hand narratives of lived experiences of policy. Professionals who support people as they go through the application process supplemented these findings with important input based on many years of experience supporting applicants.

ii. Exploration: Qualitative interviews

The first stage of the research, following approval from the Ryerson University Research Ethics Board, consisted of collection of qualitative data through semi-structured interviews. This stage worked towards the research goals of exploring (1) how participants' understandings of 'family reunification' reflected or contested policy definitions (2) lived experiences of program applicants, (3) weaknesses and inconsistencies in policy implementation, and (4) ways in which policy could be improved.

Consistent with feminist and intersectionalist approaches, interviews allowed development of a deep understanding of program applicants' varied constructions and interpretations of family separation and family reunification policies and experiences (Hay, 2002; Ingram & Schneider, 2006; Vromen, 2010).

Semi-structured interviews enabled some structuring of the content; it allowed me, for example, to

²³ As I describe below, the use of a widely disseminated anonymous survey allowed particularly vulnerable families who may not wish to do in-person interviews to participate and the inclusion of professionals allowed for the emergence of experiences that may not be common (and therefore may not appear in data from participant families), but that were nevertheless very important to those affected.

maintain a focus on the immigration process rather than on post-immigration settlement issues, while allowing for unexpected topics to arise (Creswell, 2009).

Target participants

Each applicant interview was with a family who had submitted at least one application for reunification in Canada through family class. At the time of the interview, participants were either still in the application process or had completed it in the previous five years. I invited both the sponsor and any adult family members they were sponsoring to participate in the interview²⁴. I purposefully recruited participants from all programs within the family class stream of immigration (i.e. spouse or common-law partner in Canada, spouse, common-law or conjugal partner and dependent children outside Canada, parents and grandparents, and other relatives who are dependent orphan children²⁵).

I also deliberately targeted applicants who were at different stages of the process. This included families in the first stage (approval as a sponsor), families in the second stage (approval of sponsored family members for permanent residency), and families whose sponsorship application was recently completed. This allowed me to explore the experiences of the different stages under current policy. Interviewing only families who had already completed the process would have generated data on previous versions of the policy, which would have less relevance for parts of the policy that had recently changed. It also improved the trustworthiness of information on early stages, as participants still in the first stage were reporting on more recent experiences of which they had clear memories (Creswell, 2009).

I purposefully sampled participants sponsoring family members from countries that produce a large number of applicants (e.g. India, China), and visa offices that advocacy organizations have

²⁴ This research project covers sponsorship of all types of family members, including children. However, as adult family members are more likely to be involved in the immigration application process and as research with children would significantly add to the scope and timeline for the project, children were not interviewed.

²⁵ I described the different programs in Chapter 1.

associated with vastly different experiences, such as western European visa offices compared with the visa offices in Nairobi or Islamabad. This was to allow me to capture a broad range of experiences within the limitations to the number of interviews that I had the capacity to complete.

Target participants for key informant interviews were immigration lawyers, caseworkers in settlement organizations, and staff in MP constituency offices; all of whom support people who apply to sponsor family members in different ways²⁶, which again broadened the perspectives included. To be eligible the key informant had to support people making family class applications on a regular basis as part of their work. Later in the interview stage I started to deliberately recruit settlement workers who served populations that were less represented in applicant interviews, such as people sponsoring family members from parts of the Middle East and western Asia.

Locating interview participants

I used various strategies to connect with applicant families who may be interested in participating. Initially I reached out through word of mouth, through my own networks, through organizations that support people who are submitting immigration applications and by placing adverts in neighbourhoods in Toronto that have large immigrant populations. This was later supplemented with online advertising through Facebook, and (once I learned from early participants that they existed), by posting the recruitment adverts in online immigration forums where applicants congregate virtually. These methods may have limited recruitment in several ways; I may not, for example, have reached either privileged applicants, who simply pay lawyers to complete the application process from start to

²⁶ In an example of the privilege of my own social location I found out about the involvement of MP caseworkers in family class cases—a role of which I had previously been completely unaware—when the friend of a friend who herself worked as an MP caseworker asked me what I was studying for my PhD. The proportion of MP casework that relates to immigration was later confirmed by several participants; “the majority of my day” (Arif, MP caseworker), and that within that immigration work, family class was “probably the number one type of immigration casework we do here” (Branka, MP caseworker), “I’d say 75%.” (Arif, MP caseworker). The media has also reported that immigration counts for “70-80%” of the constituency work for “most MPs in major centres” (Rana, 2016b).

finish, or marginalized applicants, who may not be connected with the networks I was using for recruitment or who may have limited levels of English or French.

At first, word of mouth was the most successful recruitment method; I discovered that nearly everyone with whom I spoke (friends, colleagues, fellow students, neighbours) knew a potential participant. In four cases, snowball sampling led to interviewees putting me in touch with further participants. Later in the process, when I was trying to target people in specific programs (e.g. parents and grandparents) or from certain parts of the world (e.g. North Africa) about which I had yet to learn a great deal, immigration forums were useful. These online discussion groups can be read by anyone (though you have to sign up to add posts or comments) and have specific threads dealing with all aspects of immigration. The most widely used forum in Canada has discussion threads organized by program and visa office through which, with permission from the moderators, I was able to successfully target recruitment.

Key informants, as professionals with a public presence, were much easier to locate than applicant families. I already had working relationships with several settlement organizations, and other settlement workers were located through word of mouth at events and conferences I attended, or by contacting organizations directly. Lawyers were recommended to me, and then contacted using snowballing or by direct calling. To reach MP caseworkers, I contacted an equal number of constituency offices for Conservative, Liberal and NDP MPs in Toronto and Ottawa.

I received support in recruitment from two umbrella organizations for immigrant-serving agencies. The Ontario Council of Agencies Serving Immigrants (OCASI) provided me with a letter of support for my research that I was able to show to potential key informant participants. The Canadian Council for Refugees allowed me to speak briefly at two of their meetings to introduce the project, and to hand out flyers. The enthusiastic support from both organizations increased the legitimacy of my research and also reinforced my belief in the need for the project.

Recruiting interview participants

For both types of participant, once someone expressed an interest I provided them with further information and a copy of the consent form (see Appendices A and B). If they were willing to participate, I then arranged a time and means/location for the interview. In general, very few *applicants* dropped out after contacting me. The exception to this was the people who had responded to posts about the project on internet forums, where everyone is anonymous; they were perhaps more cautious once they realized they would have to sign a consent form. Indeed, someone posted an extremely hostile response to a recruitment post on one forum, expressing clear distrust of research and voicing suspicion that the data could be given, or even sold, to Citizenship and Immigration Canada. I wrote a considered response replying to each of this person's arguments, to which, happily, the person responded positively, expressing gratitude for my having taken the time to acknowledge their concerns.

In contrast, several key informants who initially expressed a willingness to be interviewed later proved to be unavailable, or explicitly pulled out; a small number of MP caseworkers scheduled interviews and then later cancelled, saying that they had thought about it or talked to their supervisors and were not comfortable being interviewed after all (I was nevertheless able to interview caseworkers for MPs representing all three main parties). Lawyers and settlement workers were very willing to participate in principle, but it sometimes proved difficult to set a time given their busy schedules.

Initially, some former live-In caregivers and people who work with them volunteered to participate as they considered former caregivers to be 'sponsoring family members' to come to Canada after lengthy separations. Administratively though, while they do have many similar experiences²⁷, the caregiver is not 'sponsoring' the family member, but including them as dependents on her own application for permanent residency, which is processed under the transition program for caregivers under the economic stream of immigration. Once I became aware of this distinction, I unfortunately had

²⁷ I discuss findings that overlap in Chapter 6.

to exclude from analysis any interview content that discussed that form of family reunification²⁸ though this is a topic to which I wish to return in the future.

I disseminated applicant recruitment materials in English, French and Spanish. These are the languages in which I am proficient and I intended this to broaden the pool of potential participants. Yet, perhaps given the methods of recruitment that were ultimately successful, i.e. word of mouth through my (mostly) anglophone networks and recruitment through predominantly English-language online forums, most of the participants recruited were anglophone and all the interviews were primarily in English. Several sponsors were bilingual French-English or Spanish-English but all chose to do the interview in English, most often because their anglophone partner was also participating in the interview. One Spanish speaking participant wanted to use the interview as a chance to practice her English, though she occasionally reverted to Spanish to express herself clearly when she could not find the words in English.

Recruitment of key informants was conducted in English and French, but again all of the interviews were ultimately conducted in English, likely because the majority of recruitment was done in Ontario, and specifically in Toronto. One bilingual lawyer in Quebec participated, electing to conduct the interview in English.

I completed interviews with 34 different applicant families. This included 27 interviews with a sponsor only, three with a sponsored person only, and three with both the sponsor and the spouse they were sponsoring. One of the early interviews had to be excluded from analysis as it was with a former live-in caregiver so, as described above, it did not fall under family class. I conducted 20 interviews with 25 key informants (18 individually, two in a pair, and five in a group interview). Three of the settlement workers worked primarily with live-in caregivers and so their experiences of that program were excluded

²⁸ One participant who had been granted permanent residency through the Live-In Caregiver Program had been prevented from including her daughter as a dependent and was now in the process of putting together a family class application. The data relating to the family class application were included.

from analysis, while any experiences with family class applications were included. Basic characteristics of applicants and key informants who participated in both the interviews and surveys are summarized below and illustrate the variety of perspectives represented in the data.

Interview process

Interviews took place at a location of the participant's choice. Most interviews took place in person in the Greater Toronto Area and Ottawa, although I also conducted interviews in London (Ontario), Hamilton (Ontario), and in Montreal. According to the wishes of participants, in-person interviews were conducted in key informant's offices or boardrooms, library meeting rooms, coffee shops and food courts (at quiet times of day). Several interviews, mainly with people outside those geographic areas, were conducted over Skype. This allowed me to include participants from both the east and west coasts of Canada, as well as to conduct two interviews with couples who were living together outside Canada.

Key informant interviews took place between February and October 2014. Applicant interviews took place between February 2014 and January 2015. All interviews lasted between 30 and 90 minutes. The shorter interviews for applicants were generally those with families who had less to talk about because they had a smoother process or were still at an early stage. The shorter interviews with key informants were interviews where the interviewee had less experience, or alternatively, where they simply did not have much time. Audio of interviews was digitally recorded with the permission of the participants. Only one participant asked that his interview not be recorded and instead I took extensive notes. In another interview, with a lawyer, a digital recorder malfunction also led to the final section of the interview being recorded through written notes.

The interviews followed semi-structured interview guides (see Appendices C and D) and finished with questions about demographics. In interviews with applicants I first asked about the background of the relationship to establish the context, and then directed the majority of the interview towards

experiences of the family class application process. The final section asked for their general thoughts about strengths and weaknesses of the program and any suggestions for improvement that they may have. Interviews with key informants covered the work that they did with program applicants, recurrent strengths and weaknesses they had observed, and ways in which they believed policy design and implementation could be improved. The content of the interviews evolved slightly over the course of the interview period; as I was carrying out initial analysis concurrently, I was able to incorporate questions about emerging ideas as they arose. Emotions, for example, were clearly an important part of the experience of early interviewees so I introduced an explicit question about feelings in later interviews.

Qualitative data analysis

I transcribed interviews soon after completion and imported the transcripts into the NVivo software package. Analysis involved an iterative approach that moved back and forth between a macro focus on the data as a whole, and a micro focus on individual aspects. Interviews were read through first to get an idea of the kinds of concepts that may emerge. Then the transcripts were coded for as many aspects of the experience as could be identified; this included but was not limited to the what, where, when and how of an event or experience, the social locations of different actors involved, structures that constrained the process, and participants' opinions of the event or experience.

For example, I coded the following quote "I think that the documents they ask for are very geared towards a western middle upper class couple that have already established themselves in their 30s or 40s cause I mentioned like life insurance, mortgage, joint investment , those are things that younger people don't have" (Audrey, sponsor²⁹), for (i) 'proof of relationship' as she was talking about the supporting documentation she needed to produce to prove her relationship, (ii) 'common-law' as

²⁹ I describe in the section on ethics my method for referring to participants, including that all names are pseudonyms.

that was the type of application, (iii) 'finance' as the requirements that she was talking about were related to financial interdependence, (iv) 'difficult' as she was talking about a part of the process she found difficult, and (v) 'citizenship/nationality', (vi) 'class' and (vii) 'age' as Audrey's mention of a "western middle upper class couple [...] in their 30s or 40s" suggested she thought that this particular difficulty may be related to being from a certain place, or of a certain class or age.

Each applicant interview was also classified in NVivo according to the type of application, characteristics of the sponsor (e.g. gender, status in Canada, income) and characteristics of the sponsored person (e.g. gender, country of origin, age). Key informant interviews were classified according to characteristics such as type of professional (lawyer, settlement worker, constituency office worker) and location (e.g. Toronto, Montreal etc.). This allowed exploration of the characteristics of key informants describing different experiences.

Codes were refined and changed as coding progressed. At regular points through the process I took a step back to review the codes, and organize and reorganize them into tree structures of related codes. When all interviews had been coded once, the codes were again reviewed to ensure consistency of coding and where necessary codes were merged or divided into distinct concepts (Creswell, 2009). Ultimately the codes, reflecting the theoretical framework, were organized into four main trees; 'Individual Characteristics', 'Relationships', 'Structures' and 'Experiences'. 'Individual characteristics' included branches for demographic and personal factors; this is where 'finance', 'citizenship', 'class' and 'age' in the example above were located. 'Relationships' was divided into the 'type of relationship' (where 'common-law' was located) and 'family circumstances', such as long-distance relationships or pregnancy. 'Structures' included anything about politics or the policy that was mentioned such as requirements (e.g. 'proof of relationship') or bureaucrats, as well as anything about non-governmental support structures for applicants such as lawyers and settlement workers. Finally, 'Experiences' included anything that was said about 'daily life' (e.g. the impact on financial planning), any feelings or emotions

that were mentioned (e.g. hope or resignation) and any opinions or assessments of experiences (e.g. what was deemed to be easy or difficult); this is where 'difficult' from the example above was stored.

The use of computer software was invaluable as an organizational tool given the iterative approach to coding. It allowed organization and tracking of a much greater number of codes ('nodes' in NVivo) than I could have coped with had I been coding manually. It increased efficiency and the ease of coding passages for multiple nodes as I was able to use the tree structure to ensure I was coding consistently across different aspects. Finally, having a tool that organized and could retrieve sections that had been coded for multiple nodes also allowed me to explore the linkages between the different codes much more easily.

Nevertheless, there are pitfalls when using computer software to organize qualitative coding. A computer program by its very nature impedes the fluidity of the interpretation process by forcing segmentation and truncation of the data (Grbich, 2013). Using an electronic database also encourages an emphasis on 'high-frequency' logic that focuses on codes that appear multiple times and through its efficiency discourages reflexivity; the design of NVivo privileges logic and rationality, confinement and ordering within a set framework, which can emphasize similarities and lead to important differences being overlooked (Grbich, 2013). I attempted to mitigate these potential problems by regularly reading transcripts and reflecting offline, coding segments of text within context (rather than single phrases or sentences) and remaining flexible to changing coding structures.

Once coding had been checked, relationships between different codes were explored. Consistent with intersectionalist approaches (Manuel, 2007), analysis employed a macro critical theoretical framework that recognized the relevance of multiple intersecting power differentials both between policy makers and applicants, as well as within the pool of applicants, with the aim of developing (meso)theories relating to policy implementation (Krumer-Nevin, 2012).

In order to improve the trustworthiness and authenticity of the findings, I refrained from taking short segments of participants' words at face value and out of context; instead I took into consideration the wider context when reflecting on what participants said and I present findings using rich, thick description (Geertz, 1973). I integrated the qualitative data from the two types of sources and report divergent data throughout the analysis of findings (Creswell and Plano Clark, 2007). I also shared preliminary analyses of the qualitative data with participants who had wished to see findings and encouraged them to provide feedback (Creswell, 2009).

iii. Expansion: Quantitative surveying

The quantitative stage of data collection expanded upon the interview findings, by generating data on whether experiences identified in interviews were prevalent across a larger sample of applicants (or sub-populations thereof) and which applicants were systematically affected by particular issues (Denis, 2008). Sampling limitations discussed below meant I would not be able to generalise the results to all family class applicants; the goal was instead to collect data that could either challenge or support arguments generated from the interviews, give a greater number of applicants the chance for their voice to be heard, and generate ideas for further research (Creswell, 2009; Denis, 2008). Similar to the qualitative stage, I collected survey data from both people applying to sponsor family members, and key informants.

Target populations

The unit of analysis for the applicant family surveys was the family class application, which was represented by the sponsor. The target population was all English or French speaking people who were in the process of sponsoring, or who had recently sponsored, a family member to come to Canada, as well as people who would like to sponsor a family member but believed they could not. The survey, unlike the interviews, was only for sponsors and potential sponsors (and not sponsored family members); this was to eliminate the possibility of both sponsor and sponsored person filling in the

survey about the same case, which would result in that application being counted twice and skewed the data (Creswell and Plano Clark, 2007). The online survey also used cookies to prevent (without identifying information being revealed) the same person filling in the survey twice.

The applicant survey was provided in English and French only for two main reasons. First, it became very clear during survey development that each additional language would add significantly to the time taken and therefore, given the schedule, that it would be wise to limit it to the two official languages. Second, most sponsors are either Canadian-born, arrived through economic classes (which require a certain level of English and/or French) or arrived through other streams some time previously; it was therefore anticipated that most would have a level of English or French that would enable them to complete the survey.

The target population for the key informant survey was all professionals who provide support to people applying to sponsor family members through family class, including settlement workers, immigration lawyers and consultants, and MP constituency office caseworkers. This survey was also available in English and French; I expected all professionals to be proficient in at least one of these languages as they worked regularly with the Canadian immigration system. As the goal of the surveys was compare and contrast the results to interview findings, I asked applicant and key informants I had interviewed not to complete the survey.

Survey administration

The self-administered surveys were designed and distributed online using the Ryerson survey application, 'Opinio'. Online administration was useful given the variety of types of application; it allowed for maximum efficiency when asking about different processes that may not apply to all respondents, reducing the completion time and potentially improving completion rates (Fowler, 2009; Nardi, 2014). Self-administered electronic surveys are reported to improve the frequency and accuracy of answers to sensitive questions, such as those about an immigration application and personal

relationships (de Vaus, 2002; Fowler, 2009; Nardi, 2014). They also have the potential to increase the accuracy of reports of historical events, as participants are able to consult documents—such as copies of their application—or family members, for specific answers to specific questions (Fowler, 2009; Nardi, 2014).

There are also drawbacks to administering a survey online. First, the time and cost involved to set up a survey online can be considerable. In this project setting up the branching (filtering) in the applicant survey and translating the surveys into French added several weeks to preparation time. Online surveys also have higher rates of non-response and incomplete responses (Couper & Bosnjak, 2010; Nardi, 2014) and are limited to participants who have access to a computer; I made the assumption that as sponsors require access to a computer to download application forms they would have access to complete the survey. Due to the lengths of the surveys in this project, participants were given the option to save and return at a later date; many, however, did not, as I discuss in further detail below. Online surveys can suffer from technical difficulties; when one participant during the piloting process described how she could not proceed past a particular question the IT support department at the university concluded that the internet connection had been broken and she would simply have to restart from the beginning. It is impossible to know whether this happened during the actual dissemination, though it may have been a reason for some incomplete responses.

Survey design

The two surveys (see Appendices E and F) were designed to directly address the research questions using the conceptual categories and linkages generated by the qualitative data. Questions were based in the voices of interviewed participants in order to ground the language in the experiences of program applicants and stakeholders (Creswell, 2009). Given the theoretical approach to this research, questions in the surveys asked about the experience, but also elicited, both directly and

indirectly, opinions on the interaction between aspects of social location, structural factors and the experience.

As participants' experiences related to different types of family class case, the initial sections asked basic questions about their application. The answers to these questions determined the filtering of later questions in order to avoid asking participants questions that were irrelevant to, for example, the type of application they had submitted (e.g. people sponsoring their parents or grandparents were not asked about having a baby with the sponsored person) or the stage they were at (e.g. people still waiting for a decision were not asked about final approval). The body of the survey covered preparing the application, application processing, information and help, life during the process, factors applicants thought had contributed to their experience, recommendations for change, and demographics.

Sections consisted primarily of closed questions, but with ample opportunities for people who wished to expand qualitatively on their answers, in order to allow for the full range of responses (Nardi, 2014). Questions graduated within each section from the general to the particular; if participants provided certain responses, they were then directed to more detailed questions. For example, problems with follow up requests emerged as a theme during the interview, so in the survey an introductory question asked (i) whether the respondent had received any follow up requests; and if they responded 'yes' (ii) whether there were any problems with the follow up request; and if they responded 'yes' (iii) what type of problems.

I expected, as already mentioned, that most people who met the criteria to sponsor family members would have the literacy skills and internet access required to complete a self-administered survey (Couper & Miller, 2008; Fowler, 2009) but I was also seeking the views of people who believed themselves unable to apply, perhaps as a direct result of language barriers. I made all possible attempts to ensure the language was clear and unambiguous, including by soliciting feedback on initial drafts

from people with no experience of family class applications as well as from experienced survey researchers.

It was also important to address the potential limitations of administering a survey in two languages (Behling & Law, 2000). If the constructs and wording were not carefully thought through and clearly articulated, people answering the survey in different languages may have interpreted and answered the question differently (Behling & Law, 2000; Kuechler, 1998). In order to address issues of semantic equivalence, the translated survey was reviewed separately by two native speakers of French who were bilingual in English.

Survey development and testing

The applicant survey was first developed in English from the findings from the interviews. In order to improve both content and construct validity, a copy of the first draft was shared with experienced researchers with expertise in surveys (for feedback on the survey design), with people who have expertise in family class (for feedback on the content), and with people who had no knowledge of family class (for feedback on language). Their suggestions included, respectively, ways in which to solicit more specific responses by leaving responses to frequency questions open ended where possible, ways in which to improve the ability of the respondent to remember experiences (e.g. by providing links in the questions to the relevant online forms), and ways in which to clarify the wording. Once those suggestions were incorporated the survey was inserted into the online application. This involved not only entering the questions but also programming the system to follow the branching (filtering) rules and required many stages of repeat testing and trouble-shooting technical issues.

The survey was then pre-approved by the Research Ethics Board for piloting. The applicant survey was piloted by five applicants who had taken part in the interviews and had volunteered to help out in any way they could with the project. Excluded from providing data for the survey itself, they had agreed to pilot the survey and provide feedback on the questions and structure of the survey as well as

the amount of time it took to complete. This process was useful for content validity; they consistently identified certain questions as having wording that was confusing to applicants, which led to those questions being revised. They also suggested the need for a 'neutral' category in questions with Likert-type response options.

Once the feedback from the piloting process was incorporated into the applicant survey it was used to develop the second survey in English, for key informants. The key informant survey asked more generally about respondents' experiences supporting family class applicants. Initial background questions established the work setting of the respondent (e.g. profession, location) and the type of support provided to applicants (e.g. from the beginning, or when applicants encounter problems during the process). The rest of the survey was divided into similar sections (application preparation, application processing, communication with Citizenship and Immigration Canada) to the survey for applicants. This survey was also extensively tested, though less complicated branching meant fewer technical problems.

Once English versions of the two surveys were almost finalized they were translated into French, on paper. The process of translation led to further minor changes as it became clear that certain concepts and questions needed to be more clearly worded in English in order to ensure clear equivalency in French. A bilingual native francophone edited the translations to ensure consistency across the languages. The French translations were inserted into the online program; this required learning html (programming language) in order to ensure consistency in formatting and behaviour across English and French versions. Another technical problem with translation arose due to most French translations being much longer than their English equivalents (and therefore unable, at times, to fit in the screen space provided); this was resolved by revising both English and French versions.

Further testing revealed problems with the online translated version of the survey. For example, despite programming the relevant translations, certain links would redirect only to English. I resolved

this situation by including both English and French on those linked pages, so that whether the person had clicked on the link from the English or French version they would see the content in both languages. Finally, a second bilingual native francophone who had not yet seen the surveys tested the online versions to ensure comprehensibility and fluency. Minor linguistic changes were made based on her suggestions, and the surveys were each checked a final time before being opened for responses.

Survey sampling and recruitment

It was unfortunately impossible, given confidentiality regulations, to obtain a sampling frame of the contact details of all family class applicant sponsors from Citizenship and Immigration Canada, from which a random sample could have been drawn, and no such frame exists for people who would like to sponsor family members but believe they cannot. Similarly, there is no sampling frame for all professionals across the country who support families applying to reunite in Canada, though they do exist for segments of professionals, e.g. immigration lawyers in Ontario. Both surveys were limited therefore to self-selection and snowball (convenience) sampling (Couper & Bosnjak, 2010; Czaja & Blair, 2005).

This resulted in a much higher potential for bias and under-representation or over-representation of certain sub-samples of the population, as I discuss below, which in turn limited the generalisability of the results (Fowler, 2009; Harnois, 2013). Using a snowball sample meant, for example, that applicants with strong social networks would be more likely to have the opportunity to participate, while isolated applicants would be less likely to hear about the survey and rendered invisible. Similarly, the use of online forums to disseminate information about the survey meant that applicants who spent more time online may have been more likely to be aware of the project.

Applicant families

The survey for program applicants was distributed by word of mouth, online and through gateway organizations. Upon completion, survey respondents were also encouraged to forward details

of the survey to other people they knew who were applying to sponsor family members. As the family class program is federal and centralized, distribution was not limited to Ontario.

First I posted in the several online immigration forums that have sections on family class immigration to Canada. Similar to my experience during the interview stage, I again received a hostile response on one of the forums (a different one this time) that called for a boycott of my survey. The person writing the response said they had been compensated at much higher rates for participating in other university research and the low compensation I was giving meant that I clearly was devaluing immigrants. Drawing on my experience at the interview stage I again responded thoughtfully and in detail. This response, as well as supportive comments from other members of the forum, helped to convince the writer of the initial post that my research was worth participating in, and that person ultimately wrote a second post encouraging others to participate. Other people who responded to my posts in the forums were extremely supportive from the beginning, encouraging others to participate and providing suggestions for different ways to recruit participants.

I also created a page on Facebook for the survey, containing the advertising information that had been approved by Research Ethics Board and a link to the survey. I asked my own personal network of friends to share it and messaged various Facebook groups/pages that seemed to be for immigrant communities in Canada, asking if they could share my page with their members. Responses to my requests varied greatly. The administrators of some groups/pages expressed their gratitude that I was doing this research and were happy to put a link on their page. Other administrators seemed very wary of the project and despite extensive discussion back and forth ultimately decided not to put a link to my research (when I tried to send a final message to one such group thanking them for their time anyway, I realized they had banned me from being a member or even sending them further messages).

I also distributed physical flyers and posters to organizations that serve immigrants, or have a high number of immigrants among their clients, primarily in Ottawa but also in Toronto. One participant,

knowing that I was not in the same city, offered to print off flyers and post them in a nearby building where a lot of immigrants lived. During conversations with key informants, I encouraged them to share details of the surveys with any clients who may be interested. Ongoing univariate analysis to check I had samples of different gender, regions of origin and types of application led to targeted recruitment later in the process through community specific organizations, to attempt to ensure that populations prominent in family class were well-represented. Nevertheless, many of the same limitations already discussed in relation to interview recruitment were likely also applicable, including, for example, difficulties reaching families at either end of the class spectrum and dissemination primarily through anglophone and francophone networks.

Key informants

The survey for key informants was distributed to lawyers, consultants, MP caseworkers and immigrant services organizations. Immigration lawyers were targeted directly and indirectly depending on the availability of contact information, which differed from province to province. The Legal Society of Upper Canada has a directory of all lawyers that can be searched according to specialization. Three hundred and twelve Ontario lawyers were listed as specializing in immigration, so I extracted the information for every third lawyer, and sent direct emails to all for whom I could find an email address. For other provinces the chairs of the immigration section for each provincial section of the Canadian Bar Association did not want to forward the information to their members so I turned to online searches for individual email addresses. I subsequently received several positive emails from lawyers who had filled in the survey including an offer from one to post the information on the Canadian Bar Association immigration lawyer listserv (later, another lawyer told me they had participated out of respect for the reputation of the lawyer who had made the post). In this way, the information about the survey likely reached the email inbox of most immigration lawyers in Canada.

MP constituency office caseworkers were recruited directly. I first called constituency offices in all the major urban centres that receive larger numbers of immigrants, to let them know about the project and ask for email addresses to which to send further information. Only eight offices with which I made contact did not want to give me an email address, either because they were uncomfortable participating in surveys, or because there was nobody in the office who was experienced enough. For the rest of the MPs (and offices I had been unable to reach by phone) I sent the general recruitment information to the generic email address, with an additional line that the survey was directed at the *caseworker* responsible for immigration cases, to make it clear I did not want input from the MPs (who do not have the day to day experience with applicants).

Distribution of the survey came at an interesting time in relation to constituency offices, as it was during the 2015 election campaign. Constituency caseworkers are not allowed to work on election related issues, and were therefore all still in their offices, but some of them were unsure whether they would still be in their positions after the election and were busy wrapping up their caseload. I therefore made it clear that the survey would be open for responses until well past the election, but was contacting them now so they would know they could fill it in later even if they were no longer working in that office. This was to make sure that experienced caseworkers were recruited, and not caseworkers who had only just started their jobs; in anticipation of a potentially large turnover of MPs in that election that indeed ultimately was the case.

The timing of the survey was notable for immigrant-serving organizations for different reasons. The survey was released just as the Syrian refugee crisis had propelled another part of Canada's immigration system—refugee resettlement—into the headlines. Those headlines had resulted in an incredible upsurge both in media and public interest in refugees and I quickly became aware that organizations were extremely busy, understandably capitalizing on the general public's increased desire to support refugees. I therefore concentrated initially on recruitment of lawyers and constituency offices

caseworkers who were much less involved in the refugee crisis response (most lawyers seem to work either on family class *or* on refugee processes) and only contacted immigrant serving organizations later.

Ultimately 136 applicants and potential applicant sponsors completed the applicant survey. Of those 125 had submitted an application to sponsor a family member, while 13 survey respondents wanted to sponsor family members but were unable to (two had both submitted applications and had other family members they were unable to sponsor). Only seven applicants completed the survey in French, with the remaining 129 completing the English version. As with the interviews, this was most likely due to the overwhelmingly anglophone nature of the recruitment processes. Seventy-five respondents completed the key informant survey, 66 in English and only nine in French, despite my extensive targeting of Quebec-based professionals. Further characteristics are described below in the summary of participants.

Unfortunately, there was a very high rate of attrition in the surveys, with a completion rate of slightly over 50% for each survey. Further analysis of attrition revealed that most often this happened within the first few questions. The length of the survey was undoubtedly an issue; long questionnaires are well documented to suffer from respondent fatigue (Bryman, Teevan & Bell, 2009). In retrospect, reactions to the length were likely exacerbated, as I learned from someone who provided feedback after dropping out, by the inclusion of an indicator that showed (as far as the survey program could determine) progression through the survey. Unfortunately, this indicator did not take into account the large amount of 'skip' questions for each respondent and therefore would have indicated incorrectly that the survey would take much longer than in reality³⁰. As I had promised in the consent form to analyse only the answers of those who completed the survey, I was unfortunately unable to use data from those who had withdrawn either in the regular analysis of initial questions, nor to determine

³⁰ This revealed a potential limitation to having the survey pilot tested only by applicants who had already demonstrated a clear interest in my project and may not have paid as much attention to the indicator.

whether there were any differences in the characteristics between people who completed the survey and people who did not.

Quantitative data analysis

Quantitative analysis of the survey data was carried out in SPSS. Although the data had been collected using an online survey application, this was not fully compatible with SPSS and most responses were imported as string variables. Data were therefore first recoded into numeric variables equivalent to the original survey responses before being cleaned for errors. Next, recoding was done to compute new variables from existing ones, recode open-ended responses for certain demographic variables into numeric variables, and collapse variables to ensure cell counts that would enable bivariate analysis.

Statistical analysis of the data was guided by the concepts identified in the qualitative findings. Univariate analysis was first carried out to describe the demographic characteristics, contexts, experiences and opinions of participants. Secondly, bivariate analysis determined the existence and strength of correlation in survey data between variables that interviews had suggested may be related, such as whether there were significant differences in the experiences reported by respondents with different backgrounds.

The types of statistical tests were determined by the variables and the sample size (Creswell and Plano Clark, 2007). It was important to use appropriate statistical analysis and not to generalize data that, due to the sampling strategy, were not generalizable (Harnois, 2013; Nardi, 2014). Limitations with the samples as well as lack of variation in responses prevented bivariate analysis on several variables. For example, when analysing differences according to types of application I could not include applications to sponsor dependent children or other family members as they had not participated in sufficient numbers; I could not analyze differences between applicants who were accepted and refused

(as nearly everyone was accepted), nor differences between applicants with different levels of language skills in English or French³¹ (as nearly everyone reported a high level of literacy in those languages).

In summary, quantitative data collection provided the opportunity for a much larger number of people to participate than would otherwise have had a voice, including populations that were not as well represented in the interviews. Indeed, many participants, in the space for ‘final comments’ at the end of their survey expressed thanks for studying this topic and giving them a chance to have their say. The descriptive analysis and some of the bivariate analysis were useful for comparison to qualitative findings. Open-ended answers, included to allow participants to express themselves fully, also added to the qualitative interview findings. Nevertheless, as a quantitative tool the survey, due to the sampling issues described, was unfortunately limited, allowing me to do only basic analysis and preventing generalization to the broader population. This is an important consideration when thinking about comparison and integration of data as I describe below.

iv. Sample characteristics

A wide variety of participants provided data on their experiences for this project. Some types of application, family relationship and aspects of the process were better represented than others, allowing deeper and broader exploration. Data were weaker for other types of application, family relationship and aspects of the process—a lack of variation prevented bivariate analysis on certain variables—and in these cases I relied more heavily on the interview findings and the quantitative data from key informants.

³¹ It is impossible to know whether the high levels of literacy in the official languages demonstrated by participants are reflective of the population, or a result of methodological design that discouraged those with less advanced language skills in English or French.

Characteristics of applications

Data collected from families represented all types of application with the exception of applications to sponsor ‘other’ family members, who represent a very small number of annual admissions. Of the 158 individual applications that (applicant) participants described in the interviews and survey³², 137 (87%) were for a principal applicant only, while 21 (13%) included (a total of) 29 dependents. The total number of family members being sponsored by applicant participants in this project was 187, as shown in Table 2.

Table 2: Number of family members included in most recent application

	Principal Applicant	Dependents	Total
Interviews	33	6	39
Survey	125	23	148
Total	158	29	187

Most applicant participants³³ were describing spousal/partner applications (see Table 3, overleaf); this reflected the dominance of those applications in family class; in 2014 only 27% of admissions through family class were for parents and grandparents³⁴ and 5% were for dependent children (Citizenship and Immigration Canada, 2015a). The low numbers of survey respondents in the latter programs meant that the quantitative findings are most useful in building upon the experiences of spousal and partner sponsorship, and that I could not do quantitative analysis specific to the sponsoring of dependent children, though their data were included for analysis of non- program specific experiences such as communication with Citizenship and Immigration Canada.

³² As detailed throughout the findings, several participants also spoke about or reported on previous applications. The numbers here include only the most recent application.

³³ When I describe ‘applicant participants’ I am referring to those who participated in interviews and the survey for applicants. When I refer to ‘key informant participants’ I am referring to those who participated in interviews and the survey for key informants.

³⁴ This number is higher than usual due to the focus on decreasing the backlog, described in Chapter 1

Table 3: Characteristics of current or most recent application

Characteristic	Interview	Survey
Family class program		
N	33	125
Spouse/partner inland	6%	27%
Spouse/partner outside Canada	67%	62%
Dependent child ³⁵	6%	1%
Parent or grandparent	21%	10%
Couples: type of relationship		
N	24	112
Spouse	79%	83%
Common-law	17%	15%
Conjugal	4%	1%
Missing	0%	1%
Application status		
N	33	125
Stage 1	21%	34%
Stage 2	30%	35%
Finalized	48%	31%
Visa office region ³⁶		
N	26	78
Asia	27%	27%
Africa	23%	22%
Americas	23%	23%
Europe	27%	18%
Ottawa	0%	8%
Missing	0%	3%

³⁵ This only refers to cases where the dependent child was the principal applicant. It does not include the applications in which children were included as a dependent of an adult principal applicant.

³⁶ This only includes cases that had reached Stage 2 and excludes inland cases.

Surveyed participants had submitted their applications between 2004 and 2016, with the majority (70%) in 2014 or later. The results therefore more closely reflect the 2014-2015 versions of the policy. Survey respondents in particular were equally split between applications at Stage 1, those at Stage 2 and those where a final decision had been made. They provided, in contrast to other literature, very recent data on experiences of the earlier stages.

Thirty-three different visa offices in total had processed, or were processing applications that had reached Stage 2; this allowed for exploration of experiences according to different regions (though not by visa office as the counts were too low). The difference in timing between interviews (which finished in early 2015) and the survey (closed early 2016) meant that outside Canada applications processed in Ottawa (described in Chapter 1) are represented in survey but not interview data.

Sixteen Canadian-citizen sponsors were living outside of Canada so could provide information on fulfilling the additional 'intent to return' requirements described in Chapter 1. Eighteen participants were sponsoring family members to Quebec and could provide information on their experiences of the additional requirements for sponsorship to that province.

Characteristics of sponsors and sponsored family members

Sponsors and sponsored family members were each almost evenly split between those identifying as female and those identifying as male (see Table 4, overleaf). Of the 132 couples where gender was identified, 124 (94%) were in heterosexual relationships, six (5%) were in same-sex relationships, while in two cases (1%) the sponsored person was in the process of gender transition.

The age of sponsors ranged from 21 to 72, and of sponsored family members from five months to 83 years old. The vast majority of people being sponsored as spouses or partners were under 39; the difference in mean age of the principal applicant differed significantly ($p < .001$) between spouses and partners being sponsored inland (mean age 31.24), spouses and partners sponsored outside Canada (29.94) and parent and grandparents being sponsored (60.45).

Table 4: Gender and age of applicant sponsors and family members

Characteristic	Sponsor		Sponsored family members	
	Interview	Survey	Interview	Survey
Gender identity				
N	33	125	39	148
Female	42%	49%	59%	47%
Male	58%	48%	41%	47%
Missing	0%	3%	0%	6%
Age				
N (missing)	31 (2)	121 (4)	38 (1)	141 (3)
Range	23-63	21-72	7-70	0.5-83
Mean	34	33	38	31

Eighty (51%) of the sponsors were Canadian-born, 45 (27%) naturalized Canadians and 30 (19%) permanent residents (2% missing). This differed significantly by type of family class program ($p < .001$) as all Canadian-born participants were sponsoring spouses or partners. Sponsors' annual income at the time of application submission ranged from less than \$20,000 to over \$200,000. Given the eligibility requirements, it was not surprising that surveyed sponsors of parents and grandparents were significantly more likely to be in higher income brackets ($p = .023$) than sponsors of spouses and partners³⁷.

Sponsored family members represented at least³⁸ 56 different countries of origin, from all regions of the world. Of participants who disclosed a nationality, 49 (34%) were from visa exempt countries, and 96 (66%) required visas to visit Canada. 52 (38%) of the 136 spouses and partners being

³⁷ Participants were asked which income bracket they fell into. For inland spouse and partner applications the mode was < \$20,000 and the median \$20,001-\$40,000. For outside Canada spouse and partner applications the mode was \$20,001-\$40,000 and the median fell precisely on the border between < \$40,000 and > \$40,001. For parent and grandparent applications the mode and median were both \$60,001-\$80,000.

³⁸ Thirteen survey respondents did not state the country of origin, or provided only a region.

sponsored had temporary status in Canada as they applied. The sampling process meant that some countries were more represented than others. For example, following few initial responses from people sponsoring Caribbean family members I targeted online threads for those populations. The Jamaican sponsorship community responded enthusiastically, discussing my survey positively on their thread, which likely encouraged others to fill it out; as a result, ten respondents ultimately participated from that country.

Characteristics of potential applicants unable to sponsor

My attempts to include the voices of people who were unable to sponsor yielded limited success. This in itself could suggest the particular marginalization of certain applicants and a failure on my part to make them aware of the project, convince them to complete the survey, or provide a survey that they were able to complete. Of people who did complete the survey who were unable to sponsor, the majority (seven) wanted to sponsor parent(s) or grandparent(s), while three wanted to sponsor siblings and one each a partner, a dependent child and an 'other' family member. All were either naturalized Canadians (nine) or permanent residents (three). Their family members were primarily from countries in the Asia Pacific region (seven), and Africa and the Middle East (four), with one family from the Americas and none from Europe. Only three of the potential sponsors were female and nine were male (one did not provide gender); family members they wanted to sponsor were an almost equal mix of eight women and nine men.

Characteristics of key informants

One hundred lawyers, constituency office caseworkers, settlement workers and consultants participated in this project, as described in Table 5. Surveyed key informants had worked for between one and 25 years supporting people with their family class cases, with a mean of almost ten years, collectively representing a great deal of experience. All *interviewed* key informants were in large immigrant receiving cities. In contrast, while half of the *survey* respondents were based in Toronto, Montreal or Vancouver (or their surrounding areas) the rest were split between mid-size cities and even smaller centres. Key informants supported clients from all over the world and some served very low income clients while others served very high income families.

Table 5: Type of key informant

Type of professional	Interviews	Survey
Lawyer	6	42
Consultant	-	3
Settlement worker	7	12
Constituency office worker	12	18
Total	25	75

Over three quarters of surveyed key informants worked at least once a month on both inland and outside Canada spousal/partner applications and over half worked at least once a month on dependent child applications (see Table 6, overleaf). Parent and grandparent applications were seen less frequently due to the cyclical nature of that program, and less often by key informants serving low income clients due to the minimum income requirements. Almost a quarter of surveyed key informants worked on ‘other family member’ cases at least once a month, and almost a half, at least once a year. Most survey respondents usually helped applicants from the start of the application process.

Table 6: Frequency working on family class programs (n=75)

	Spouse/partner inland	Spouse/partner outside Canada	Dependent children	Parents and grandparents	Other family members
At least once a week	33%	44%	29%	15%	9%
At least once a month	43%	40%	25%	17%	13%
At least once a year	15%	13%	32%	40%	23%
Less than once a year	5%	1%	12%	23%	48%
Missing	4%	1%	1%	5%	6.7%
Total	100%	100%	100%	100%	100%

As mentioned above, the richness of data collected from key informants, and their experience of working with marginalized populations provided important balance to weaknesses in the applicant samples. The overall variety of participants in the project helped to increase my ability to develop conclusions based on the integration of data from the qualitative and quantitative stages, integration that I now discuss in more detail.

v. Integration of qualitative and quantitative findings

Earlier in this methodology chapter I discussed the qualitative and quantitative methods separately, because data collection the first (qualitative) stage sequentially informed the second (quantitative) stage. In contrast, once all data were collected analysis involved integrating the two types and two sources of data by comparing them to each other side by side and reflecting on what they meant as a whole (Bryman, 2007; Creswell and Plano Clark, 2007). Analysing data concurrently allowed me to reflect on whether and how much the quantitative findings reflected the experiences described in the qualitative data, and whether the findings from key informants reflected the findings from

applicants, and if not, why results were either complementary or dissonant (Creswell and Plano Clark, 2007; Perlesz & Lindsay, 2003).

In several areas the quantitative analysis did not clearly support the qualitative data, or the data from applicants differed from that provided by key informants. Dissonance in data is not unusual for research on complex phenomena (Perlesz & Lindsay, 2003) and can be for a variety of reasons. As I was unable to carry out further data collection, which can be useful in exploring any discrepancies (Creswell, 2009; Hammersley, 2008), I focussed on thinking through possible reasons. It was important, for example, to consider limitations in either the quantitative or qualitative data that may have resulted in flaws in the findings, or whether the quantitative and qualitative data were measuring different concepts (Creswell, Plano Clark & Garrett, 2008; Slonim-Nevo & Nevo, 2009).

Alternatively, a lack of consistency in data could provide further insight into the phenomenon. That is, unless logically impossible, the findings could be complementary, pointing to different perspectives on the same phenomenon (Brannen, 2005; Hammersley, 2008); or “different aspects of a single social reality” (Slonim-Nevo & Nevo, 2009, p. 12). For example, while experiences described by interview participants represented their own realities, those phenomena may not have been experienced by a large enough number of survey respondents for the results of bivariate analysis to be significant, perhaps due to the intersectional nature of experiences.

Qualitative data can therefore highlight what would be missed in a purely quantitative study (Hesse Biber, 2012). This is particularly useful in research that aims to expose minority experiences (Fielding, 2008; Slonim-Nevo & Nevo, 2009). Indeed, mixed methods validity—the ability to “draw meaningful and accurate conclusions from all of the data in the study” (Creswell and Plano Clark, 2007, p. 146)—is enhanced by clear integration of results (Collins, Onwuegbuzie & Johnson, 2012). Working through disagreements in data can ultimately provide a better (though never complete) understanding

of the phenomenon (Hammersley, 2008; Mertens, 2005). Importantly, discrepancies also suggest many areas for further research as I indicate in the following chapters.

In presentation of results, contrary to mixed methods research that often presents findings sequentially, I therefore “genuinely integrate” (Bryman, 2007, p. 8) the two methods and two sources. While the former (sequential presentation) would provide clarity in terms of what was done at each stage of the research and the findings produced by each method individually, it would weaken the ability of the reader to compare and contrast findings that are intended to be considered together (Creswell and Plano Clark, 2007). It would also diminish the focus on the experiences of the participants, which was particularly important in this project. Instead I chose to centre the perspective of applicants and present key components of the process, as I describe at the end of this chapter, in the order in which they were experienced, comparing the qualitative and quantitative results and the results from different sources.

Ethics

Ethical considerations featured at all stages and levels of this project. At the most abstract level, my choice of research problem was inherently a decision made from a position of power as an academic researcher that had the potential to marginalize certain immigrants (Sapsford, 2007). In this case, for example, I chose for reasons described above to exclude recently recognized refugees and former live-in caregivers attempting to reunite with children although I recognize that family reunification for these types of immigrant urgently needs to be studied.

At the data collection stage ethical dimensions included those related directly to the involvement of participants. Ethics approval was obtained from the Ryerson University Ethics Board at three stages of the data collection process; prior to interviewing, prior to piloting the applicant survey and prior to distributing the surveys. Applicants who were still going through the process, where the

family member had not yet been granted permanent residency, were in a particularly vulnerable position.

It was important to ensure that participants were fully informed about the nature of the project and that their participation was voluntary. This was done both in letters/emails of invitation/introduction and at the beginning of the interviews/surveys. Informed consent was sought from all participants prior to data collection (people who were interviewed by Skype were required to email a signed copy of the consent form before the interview). Participants were reminded that they could withdraw at any time. Survey participants were provided with an email address and telephone number at which they could contact me if they had any questions; they were also informed that if they decided not to complete the survey, their answers would not be used.

I also needed to ensure that potential participants understood that participation in the research would not affect their applications to sponsor family members; they may have believed that by taking part they could or should receive better treatment in relation to their application and may have developed false hope that participation may positively affect their application process. Indeed, as I was going over the consent form with one interview participant it became clear that the person who had referred her to me had given her this false hope; “I have a very, very hope when you my sister call me because she receive the email and she said maybe this is the time for you guys to bring your daughter here” (Sara, sponsor). I had to make sure that she clearly understood that I had no power to influence the decision on her application and offered her the option to withdraw. She decided to continue as she was keen to tell her story and have it reach as many people as possible.

Alternatively, participants may have felt that complaining about aspects of the process during the research could jeopardize their application (Liamputtong, 2007). These beliefs could have brought social desirability or acquiescence bias into their responses, with participants answering what they thought I wanted to hear rather than telling me about their lived experiences (Kuechler, 1998). On

several occasions participants asked for reassurance that I would not use so many details about their cases when presenting the findings that they could be identified; this consideration informed how I presented the overview of participants earlier in this chapter, and how I describe findings in following chapters.

Third, the topic of research was sensitive (Fowler, 2009; Sapsford, 2007), with interviews and surveys involving reference to family class applications; an application process during which applicants may have been questioned about any aspect of their personal lives including intimate details of conjugal relationships. Applications can be, and for some participants were, jeopardized, delayed or refused due to visa officers not believing in the genuineness of a relationship. In order to encourage openness in interviews, I did my best to be as friendly, trustworthy and understanding as I could in order that interviewees may feel comfortable sharing all relevant details, as at least some of them did, talking frankly, for example, about how they decided to disclose their sex lives to visa officers.

Certain participants were also experiencing distress due to family separation and the intensity of the application process. In order to prevent further harm, I remained vigilant for increased levels of stress, reminded participants they could stop an interview at any point, and made referrals to support services where necessary. One participant became very distressed as she told me about being separated from a family member with no end in sight. I drew upon my training as a social worker to actively listen, validate her feelings and reflect upon her strengths. I also provided her with referrals to several organizations as well as her MP constituency office, and later followed up with a referral to a lawyer. After this extremely intense interview I also recognized and acted upon my own need to debrief.

The sensitive nature of the topic meant that maintaining confidentiality was essential (Nardi, 2014). Survey responses were anonymous and information provided for the draw was stored separately. All electronic data were protected by passwords and all data were stored offline (with the exception of online survey data). When presenting the findings, I identify participants simply with a pseudonym (if

they were an interviewee) and a category of participant³⁹. I also avoid presenting individual cases in a great deal of detail in order to avoid potential identification of the participant; where I do feel it useful to quote longer segments, I change other identifying details.

Potential benefits to participants were limited but did exist. Many of them told me they appreciated having the opportunity to tell their story and have their voices heard “I'm glad to have someone to talk to who like understands” (Sophie, sponsor), especially if they were not connected to others who were going through the process. Several survey participants expressed similar sentiments in the ‘final comments’ section. Participants with whom I shared the preliminary findings told me that they felt empowered knowing that others have had similar experiences during the application process. More abstractly, participants may have benefited from knowing that they had contributed to a project that may be used to advocate for improvements to the system.

Every family that participated in an interview was offered a supermarket gift-card worth \$50 as compensation for their time. Key informants were offered a coffee shop gift card of \$15. Survey respondents were offered the chance to submit contact details (separately to the responses) for a draw for a supermarket gift-card of \$25. Compensation was designed to be not be so great an amount that participants found it difficult to refuse, in order to ensure that participation remained voluntary (Fowler, 2009), but to provide adequate recognition of the time they were contributing to the research. Participants in the interviews were asked if they wished to be provided with an electronic copy of the final dissertation once it was completed. Survey participants were told that they could email me to request to be provided with electronic copies of the findings, which several did.

³⁹ Individual applicant interview participants who are quoted are described as “sponsor” or “sponsored spouse” (all sponsored family members who were interviewed were spouses). All participants in the anonymous applicant survey who are individually quoted are described as “surveyed applicant”. Individual key informants that I interviewed who are quoted are described, as appropriate, as a “lawyer”, a “settlement worker”, or a “MP caseworker”. All key informants who participated in the survey who are individually quoted are described as “surveyed key informant.”

Ethical issues in analysis included the potential for marginalization of immigrants, of framing results in a way that would portray applicants to be responsible for any problems with the process (Sapsford, 2007); this was avoided by focusing on the systemic societal and political nature of such problems. For example, a lack of sufficient information provided in the forms could have been portrayed as the result of applicants being 'ignorant' or 'lazy' without taking into account the ease of access to information about the stringency of requirements which could favour people who are used to bureaucratic systems in the Global North.

My position as a researcher

An ethical approach also involved reflecting on how my own personal, academic and professional background inevitably had an impact on the decisions I took over the course of this project, as well as potentially on the way others reacted to me. My interest in this topic developed when I was working and volunteering with marginalized immigrants from the Global South whose sponsorship applications seemed to take a very long time, while applications by privileged friends seemed to be much easier and smoother. Further academic investigation, including my M.S.W. research, revealed the depth of data both on the potential benefits of family migration, and on the negative effects of separation, but also the relative lack of research on actual family class policy.

On a personal level, as a lone immigrant I recognized some of the impacts of separation discussed in the literature review and mentioned by participants who, like me, had arrived in Canada as young economic immigrants. I also recognized, from first-hand experience, several of the difficulties that participants experienced in areas that are not specific to family class applications, but that are also relevant to other parts of immigration, such as difficulties with information and communication. I took care to ensure that I was focusing on experiences not as a result of my own biases, but as a result of their prominence in the experiences of research participants.

Unlike many participants, I arrived in Canada with no intention of later sponsoring my family and am lucky enough to be able to afford to see them on a relatively frequent basis. It was difficult for me to imagine what it would be like to arrive in Canada with the intention of reuniting with family members as soon as possible, only for the process to be more difficult than expected. I needed to avoid projecting my experiences onto research participants and be open to their interpretations of separation from family, an openness that was helped by my previous M.S.W. research on family separation.

I also needed to recognize the potential impact of my social location on the interviews (Harnois, 2013). Participants may have perceived me to be any combination of privileged, white, British, (relatively) young, middle-class, immigrant and a graduate student researcher. Participants may have felt that they should give certain answers to, for example, someone representing a university institution, or alternatively that they may have felt more comfortable opening up to a fellow immigrant. The latter was true at least sometimes; several participants reflected in interviews that 'as an immigrant' I may be able to empathize with something they were saying about the immigration system.

My social location also influenced the potential participants with whom I was able to connect and even my awareness of the work done by MP caseworkers, as described earlier in this chapter. I recruited heavily for all types of participant through my social networks and many interviews were a result of casual conversations with colleagues at conferences, neighbours in the street, or friends of friends, who happened to be sponsoring someone. As I discuss above, the use of social networks for recruitment likely reduced my ability to access certain types of participants, such as applicants at either end of the class spectrum, those with limited English or French, those who were not active online, and those (for the interviews) who lived outside of the GTA and Ottawa areas.

Finally, the approach that I took to the project was heavily steeped in my academic and professional background as a social worker. Social work research is inherently interdisciplinary, drawing at least on psychology, sociology and political science and often uses mixed methods. Since being

trained as a critical structural social worker, I have focussed on advocating for change at the intersection of the personal and the political. This can be seen in the choice of research problem, the theories upon which I drew, and the methods chosen; I wanted to bridge the gap between disciplines in order to develop a more nuanced and well-rounded research project.

Delimitations

It is important to acknowledge delimitations; what I excluded from the study. I have already discussed the exclusion of applications for family reunification under the refugee and economic streams of immigration. These have different eligibility requirements, submission requirements and procedures for processing to family class applications, though some aspects, such as those around definition of family, are generic to all immigration policy, as I discuss in the final chapter.

A type of participant that was excluded was Citizenship and Immigration staff; the perspectives of policy makers would have been an interesting counterpoint to those of the applicants and other stakeholders. I believed, however, that it would be extremely difficult, given the scope and time limitations, to both access such participants and solicit agreement for participation. Besides, my approach was based on a privileging of the voices of applicants rather than people who implement policy. I do, however, compare data collected from applicants with the government perspective according to publicly available government documents, mostly, though not exclusively, the internal 2014 evaluation (Citizenship and Immigration Canada, 2014b).

Finally, it was important to keep in mind that this is an evolving policy area. As detailed in Chapter 1, previous Ministers of Citizenship and Immigration made a series of important changes to the program prior to, during, and since data collection. Other aspects of the program, such as wait times, were also fluid and changing over the course of the project. The research design had the flexibility to respond to change and analysis situated the findings in a historical, recent and current context. The election of a new government had little, if any, effect on the data, the last of which were collected

shortly thereafter, but substantial changes since made by the new government are considered when I discuss advocacy in Chapter 7.

Organization of findings and analysis

In this chapter I have described how the theory and context influenced the research question, research design and specific methods and recruitment of a diverse sample of participants across many different aspects of social location. In the following chapters I present and analyse participants' diverse experiences with family class policy and programs, moving back and forth between the qualitative and quantitative data and between applicants and key informants. I report qualitative examples of participants implicitly or explicitly connecting experiences to interacting aspects of social location and external factors and compare this to univariate and bivariate analysis of interactions, discussing possible reasons for discrepancies that arise. I draw connections to literature on family class where it is available, or where it is not, other literature on immigration experiences. In the summary of each chapter I draw forward and backward linkages to other parts of the experience.

The following three findings chapters progress in the roughly chronological order in which participants experienced the application process. First I describe their experiences as they prepared the application for submission. Next I look at participants' experiences of what happened after submission, as Citizenship and Immigration Canada processed the application. In the third findings chapter I elaborate on outcomes, including both specific decisions on the applications as well as impacts of the process on participants' lives.

In principle, the first findings chapter speaks chiefly to the definition of the policy problem, the second chapter to policy implementation and the third to policy outcomes. In practice, however, the overlapping nature of stages of the policy cycle could be seen throughout the stages of participants' experiences; a single policy decision, for example, could affect one family in application preparation, another during application processing and another in terms of outcomes. I therefore wait until I have

presented the experiences throughout the process before using those experiences to explicitly deconstruct the policy process from a critical policy studies angle in Chapter 6.

3. Pre-submission: Application preparation

This chapter describes what happened before participants submitted their applications. It starts by describing prior knowledge and expectations, and decisions that applicants had to make before they started to prepare an application. The bulk of the chapter then describes applicants' experiences as they worked out what to do and filled in forms and collected the supporting documentation to create the application package they would submit to Citizenship and Immigration Canada. I show how applicants, within the constraints of policy and other factors, demonstrated great effort and initiative in presenting themselves as worthy of reunification to Citizenship and Immigration Canada.

Prior awareness and expectations

Applicants' previous knowledge of, and expectations for, family sponsorship to Canada varied from very knowledgeable to a simple assumption that the opportunity existed. Common sources of knowledge, in both interviews and surveys, were applicants' own immigration experiences and the experiences of family and friends, "sponsorship is everywhere it's kind of a pretty common thing to hear about, at least if you live with a lot of immigrants or friends from other countries" (Ben, sponsor), while other applicants worked in settlement organizations or as lawyers.

Sixty-eight percent of surveyed applicants expected the process to be difficult or very difficult. Some were aware that it may take a long time "je savais que c'était une procédure longue" [I knew it would be a long process] (surveyed applicant)⁴⁰, perhaps because they, or someone they knew, had difficulties in the past; "he [a friend] told me his process [to sponsor parents] took five years, so keeping that in mind I applied, so I was not really surprised how long it takes" (Ansar, sponsor). Others, in contrast, knew very little about what the process entailed, assuming the right to bring in a spouse; "[I]

⁴⁰ In order to maintain authenticity in the voices of the participants, French quotes are presented first in the original version for readers who understand French, followed by a translation.

always had just assumed you could [sponsor]" (Matt, sponsor), or child; "we thought that because we were Canadians (...) that she had the right to come in to Canada" (Sara, sponsor).

They, and many interviewed key informants, spoke of unrealistic expectations in terms of both complexity— "I didn't know it can be that hard" (Jessica, sponsor)—and timelines— "we didn't know that it would take an eternity, we actually thought that you know just submit it and in a month I am there. We were proven so wrong" (Andrea, sponsored spouse). This was echoed by surveyed key informants; 80% of them believed that most applicants do not have realistic expectations of the length and complexity of the application process:

They expect this to be quicker, less bureaucratic, they expect being able to discuss their particulars with a real person (their agent), they don't really know why the processing time is so long and why it cannot be done in a more "humane" manner. (surveyed key informant)

Key informants pointed to the problem of basing expectations on the experiences of friends; "everybody knows somebody whose relative got here in a ridiculously fast time" (surveyed key informant), or on consultants and lawyers who give 'false hope' to increase business by focusing on the fastest processing times; "oftentimes it's overpromising. It's your business, you have to promote it, be as optimistic as possible, and unfortunately people hear what they want to hear" (Vanjelis, MP caseworker).

Expectations were important to gauge given the role they can have in subsequent levels of satisfaction, previously confirmed in psychological studies with students (Schwarz & Zhu Z, 2015), customers (Martínez-Tur, Tordera, Peiro, & Potocnik, 2011) and tourists (Michalkó, G., Irimiás, A., & Timothy, D. J. (2015). Applicants who had low expectations were perhaps, as discussed in Chapter 5, more resigned to encountering barriers; "none of this is unexpected, I knew I would be frustrated, I knew it would be a long process so it I wouldn't say I'm dissatisfied because I feel like it's kind of what I expected. But is that OK, that I expected it to be...?" (Ali, sponsor). Conversely applicants whose

expectations were disconfirmed, could be either pleasantly surprised that the experience turned out to be better in some ways than their low expectations, or disappointed if they had expected it to be easier.

Pre-planning

Once they started thinking concretely about submitting an application there could be important decisions to make, mainly for couples; as Amelia (a lawyer) pointed out “the planning can be sometimes 75% of the work. Or 75% of what would make an application acceptable or not.” Most often this involved deciding (a) whether to apply as spouses, partners or (perhaps) conjugal partners and (b) whether, if the partner was already in Canada, they should do an inside (inland) or outside Canada application; these decisions could have implications for both the application and life during the process.

Common-law, spouse or conjugal?

Several interviewed couples thought they may find it difficult to meet the one-year common-law co-habitation requirements. Visa requirements and personal circumstances could mean that living together for the 12 months required was impossible; “we were kind of faced with a decision of, either we got married, or we couldn’t stay together, that was kind of the point we were at” (Nicole, sponsor). Alternatively, a couple may not have the paperwork to prove their relationship was common-law (I discuss confusion over requirements below), so thought it would be easier to apply as spouses; “if you’re from a place like Ghana how easy is it to prove that you’re common-law (...) all the things that are counted as proof don’t make sense in that context, they don’t exist” (Patience, sponsor).

Others, intending to get married eventually, would debate whether to do this sooner rather than later. Caroline and her Canadian partner met with a lawyer just before she was to return to the USA for an extended period, to check if they could start doing anything in anticipation of an eventual sponsorship application. Caroline described her surprise when the lawyer advised them to go to City Hall and get married immediately, before she left, so that they could submit the application sooner rather than later:

[Our lawyer] said ‘you know that you never know if things are going to change or what’s going to happen so I actually recommend that you get legally married as soon as possible and then we can start the process then’, but then we were, so that day, we were kind of like in shock.

(Caroline, sponsored spouse)

Rather than have a rushed wedding Caroline and her partner decided to wait. Unfortunately, their lawyer’s concerns were justified; various political decisions on both sides of the border subsequently resulted in multiple delays to their application, “so we regret it and we regretted not doing that because it would’ve just put us that much further in the queue and then it ended up being a lot longer than we expected” (Caroline, sponsored spouse).

Participants in both interviews and surveys also talked about confusion over the conjugal partner category (which has very limited application) and an erroneous belief amongst many couples that they can use it; “it’s not clear from the webpage. So younger people are like well maybe we fit as conjugal. Maybe we can do conjugal. They waste a lot of time and energy thinking they might fit under a category that clearly doesn’t apply” (Aleksander, lawyer). This lack of understanding could result in substantial delays as by the time the application was returned some supporting documentation could have timed out and would need to be redone before resubmitting under another category.

[Inland or outside Canada application?](#)

Couples already living together in Canada had to decide between an inland or outside Canada application. This could be difficult when a spouse or partner had already started building a career in Canada. Inland processing times were growing, leading to delays accessing work permits, so the partner risked substantial disruption to their career, implications of which are discussed in Chapter 5. When Ben wanted to sponsor Carla—who was already in Canada on a temporary work permit—they decided, based on the publicized processing times, to take the inland route. But soon after they submitted the application the processing time grew substantially. Carla’s temporary work permit was getting closer

and closer to expiring, so they made the difficult decision to cancel the inland application and start again with an outside Canada application, which was by then posting quicker times than the inland process:

I was going to do it inland right so we looked it was like six months for Stage 1, six months for the other one, it was super fast, it was faster than the [outside Canada application through her home country] ones and I would be able to get a work permit after six months, it would take a year, it was perfect, so perfect the idea of it (....) From the moment we applied 'til like one month later the processing times for the Stage 1 approval went from like six months to 11. So while before I was going to be like only two months without working which was fine, now it's a year, now it's like I'm not going to be able to work from like August to March and I can't leave the country. It's ridiculous, like how are they gonna make you stay in the country and not work it's ridiculous I don't get it. (Carla, sponsored spouse)

Due to the lengthy wait for inland applications at the time of interviews, several key informants spoke of how they would almost always advise couples like Carla and Ben to do an outside Canada application rather than an inland application; "outside the country [application]. If someone is legally in Canada, or outside of Canada, that's the route we'd normally advise" (Amelia, lawyer).

Regardless of which decision they needed to make, many participants described how difficult it was to make educated guesses about what to do, based on the limited and sometimes inconsistent information that was available. Some participants talked about how Citizenship and Immigration Canada information for potential applicants did not make it clear that a couple living together inside Canada had the option to use the outside Canada process. In the opposite scenario, Rajendra was advised by the Citizenship and Immigration Canada call centre to do an inland application to sponsor his partner, even though she lived outside Canada; "the agent, he told me that I have, because I'm in Canada so I have to apply for the process staying in Canada (...) and a month later they sent all the forms back." It was only when he sought the advice of a lawyer that he understood his mistake.

Proving admissibility: Preparing the application

Once they knew the type of application they were going to submit, applicants were responsible for preparing their application package. Participants understood the need for eligibility requirements and checks thereof, whether that be proof a relationship was genuine; “I understand their point of view the visa officers that they can’t tell, they don’t know us right” (Daniela, sponsored spouse), or financial requirements to sponsor parents; “I think the income requirement is quite justifiable if you think of you know of a family of four the minimum income they are putting there is quite reasonable, I have no issue with that” (Benazir, sponsor).

Yet many were surprised at the amount of work that was required to prepare an application; “we just downloaded the application and just read through it, were in shock at the detail that it asked but erm just started filling it out and slowly over time accumulating the documentation. It took a while you know” (Zoe, sponsor). Several interviewees likened the process to a work or study project, talking with pride about the time and care they had dedicated to making sure everything was correct:

Of course I’ve done a lot of research myself like I’ve done a lot of reading on CIC’s website and had a look at the application long even before we were entertaining the idea of me applying. So by the time I wanted to apply we really had a good understanding of the process. (Cecilia, sponsored spouse)

Understanding what to do

Most people found the public information provided by Citizenship and Immigration Canada relatively easy to navigate, as long as they had a good grasp of English or French; “it’s not easy but I would say if you have a good grasp of the language you should be able to read through clearly a 70-page manual” (Milo, MP caseworker). Yet linguistic ability (in English or French) and a high level of education did not fully eliminate nervousness:

I was always unsure like kind of like if I was filling out the right form or what I feel like the whole process in general I just felt like I'm educated, I have a master's degree, my husband is a doctor like we speak English and we have the resources to pay for it and we feel super vulnerable, like we could be messing this up at any second so how much more do the people who have no education, don't speak the language, don't have access to the resources, how much more vulnerable are they to any mistake that they may make. (Caroline, sponsored spouse)

Other applicants described how the website had given them an oversimplified impression of what the application would entail. Once they were actually putting together the application they found the website too general to answer questions that they may have about their specific situation:

As you're starting and you're just getting like overview information it's great, it actually is and it makes it look like it's totally, that's why we decided to do it like ourselves because it makes it look like it's totally doable (....) But as you go on, because the website is pretty general and pretty broad, all of a sudden, your specific issue or your specific case is not covered in the FAQs or like your thing and that's the problem. (Zoe, sponsor)

A lack of experience with Canadian bureaucracy, with the type of language and vocabulary used, could lead to difficulties; “when we first started out we didn't even know what/who the ‘principal applicant’ was” (surveyed applicant). Indeed, Citizenship and Immigration Canada’s own internal evaluation of the Family Reunification Program found that “sponsors and principal applicants generally have a good understanding of application procedures and requirements,” but identified language as a potential barrier, in that “some clients may face continuing difficulty with the complexity and language level of application and information packages” (Citizenship and Immigration Canada, 2014b, p. xi). The Minister for Citizenship and Immigration at the time of writing—John McCallum—recently identified that he wants to improve the “level of service on the website” (cited in Standing Committee on Citizenship and Immigration, 2016a)

Sponsors with personal experience of immigrating to Canada described learning from mistakes they had made during their own process; “[what] I realized from my application was that you have to be very careful, take your time no rush and then read the manuals and all the guides and then fill in all that step by step and then sign all the places” (Ivan, sponsor). Professional experience was also advantageous; “I am in a legal field and can easily manoeuvre through policies and have a good understanding of them” (surveyed applicant). Others thought their background as a researcher helped them to navigate the website:

My professional work I'm kind of a researcher so I research things online like I'm I think on a scale of 0 to 10 if 10 is an expert online researcher in taking information I would call myself like an 8 like I'm really good at it and still for myself it was really confusing like there's a lot of point and clicks and things you know for someone er it could be hard they would need help and you know it's just like you have to go here and there and there it's not in one place. (Ajai, sponsor)

Quantitative findings with surveyed applicants also suggested that a majority of applicants (82% and 70% respectively) did not have difficulties finding and understanding instructions, though a minority (18% and 30% respectively) found them difficult or very difficult to find and understand. Key informants were more likely to consider instructions to be difficult than applicants (as detailed in Figure 3), perhaps (as discussed in Chapter 3) due to the nature of the clients with whom they work.

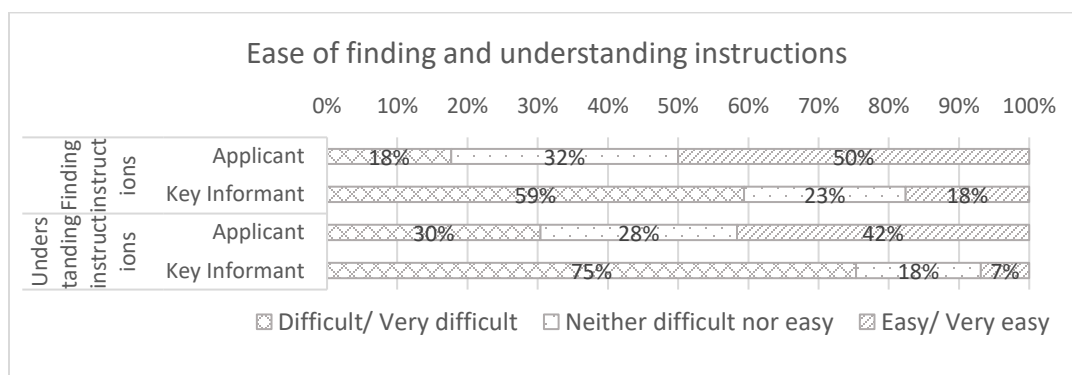


Figure 3: Ease of finding and understanding instructions (Percentage of respondents: Applicant and key informant surveys)

Ease of understanding and finding instructions was important to study because, as I discuss in the next chapters, misunderstandings could lead to errors that caused delays and problems in application processing, or to families not even submitting an application. One sponsor described the consequences for her family of the way information was presented to applicants who have previously overstayed a visa; Rudo's partner, after they had a child together, had remained in Canada so that he could provide childcare while Rudo continued to study and work. When they looked at the website to find out how to regularize his status it gave them the impression that he would face significant reprisals for having overstayed, specifically that he would likely not be allowed, at least immediately, back into Canada:

A lot of the information says if you have violated the act, so if you have overstayed, erm the minister may... so there's a lot of discretion by the minister which you know is not going to be in your favour a lot of times so I think in a lot of ways the website was really useful but in a way that contributed to the fear of actually seeking the proper way out. Looking back, it sounds silly you know. (Rudo, sponsor)

Similar to families with an undocumented parent in the USA described by Cruz (2010), Rudo and her partner delayed putting in an application for several years, during which time he continued to remain in Canada without status. Though eventually successful in regularizing his status, the years of stress and uncertainty took a toll on the family members and the relationships between them.

Form filling

Most interviewed applicants found forms generally straightforward, though nearly all reported specific difficulties as discussed in detail below. Surveyed applicants (as shown in Figure 4, overleaf) were almost evenly divided between applicants who found it easy, difficult, or neither difficult nor easy, to both understand and answer questions, reflecting the findings of the internal evaluation of the Family Reunification Program in which a third of people thought the application forms were too complex.

(Citizenship and Immigration Canada, 2014b). Bivariate analysis showed that participants in a higher income bracket were significantly more likely to report that they found it easy or very easy to understand ($p = .015$) and answer ($p = .017$) the questions. Again, more key informants, again, responded that applicants found forms difficult or very difficult.

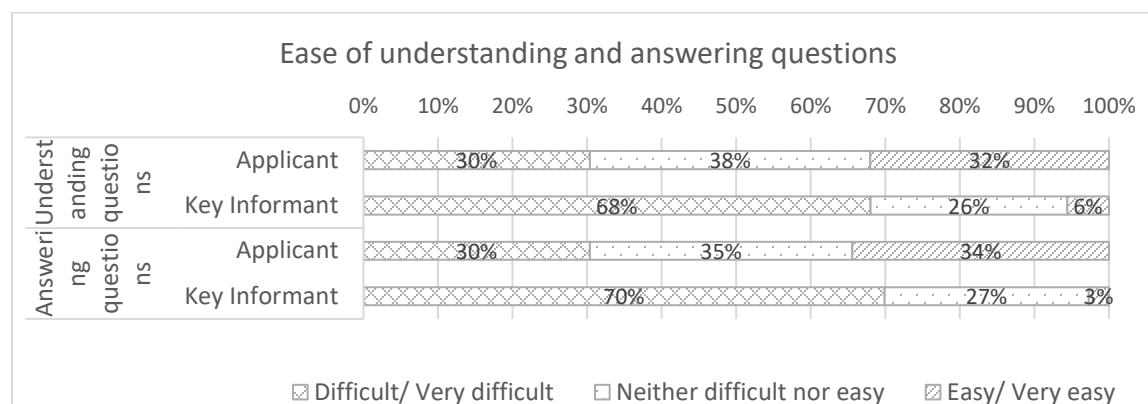


Figure 4: Ease of understanding and answering questions (Percentage of respondents: Applicant and key informant surveys)

The document checklist was welcomed as “pretty good but it could just be drilled down a little bit more” (Bruce, sponsor). There was confusion, for example, over which forms and documents needed to be submitted; the form detailing additional dependents was a frequent source of confusion for applicants without dependents and was specifically mentioned as one of the main reasons for incomplete applications in the internal evaluation (Citizenship and Immigration Canada, 2014b). Similarly, many participants were confused about which questions they were required to answer within certain forms:

It wasn't always clear which sections of the applications were relevant to me specifically, like sometimes it would say you know, it would have questions you didn't have to fill it out if it wasn't applicable to your situation but it wasn't always clear what it was that was applicable or not, so again that's where we acted with caution and just filled everything out anyways and I don't know if I actually needed to fill it out or if it was right or what. (Zoe, sponsor)

Applicants most often identified this problem in generic forms covering different types of family class applications. It was difficult, for example, for a single form to capture the wide range of relationship backgrounds of married couples, common-law, and conjugal partners, who may or may not be physically separated at the time of application:

Many of the questions were absurd and irrelevant for a couple in the common-law situation.

‘How many times have you traveled to visit your partner?’, ‘How do you keep in touch with your partner when you are apart?’, etc. I have never traveled to visit my partner because we are a real common-law couple and we live together! We are never apart! If we lived in different countries, we would not be common-law... (surveyed applicant)

Other couples worried about how they should answer questions about gifts, engagements and weddings; “in my case it’s like arranged marriage, so where the question is like ‘who proposed first?’ For me there is no proposal, so OK I didn’t propose. I just said OK I proposed and er on the day I met her” (Rajiv, sponsor). Couples who had been together a long time did not always remember exact dates at the beginning of their relationship that they were asked to provide:

This is the stupidest thing, they asked for dates that we had met each other's family members so all of them, like I had met all of his family and he had met all of my family so, but it's hard to remember the actual day, you know like when did I meet his grandmother for the first time? Erm I don’t know we kind of estimated because it's not, that's I thought that was very stupid, a little bit ridiculous. (Zoe, sponsor)

Other applicants found it challenging to provide the level of detail required, a finding that is also mentioned in the internal evaluation of the Family Reunification Program (Citizenship and Immigration Canada, 2014b). Background details for the sponsored person month by month for the last ten years could be difficult to remember if, for example, they had travelled a lot and had not kept a detailed record of information; “those are really confusing to hammer out month to month especially when

you're younger and you're a student you know what I mean like because you're moving homes a lot" (Bruce, sponsor). Chiara, a lawyer, suggested that the amount of space provided in the form for background information could give applicants a false impression of how much detail was required; "they [applicants] don't understand that you can't put gaps. And they [Citizenship and Immigration Canada] only give you four lines. They only give you four lines to cover ten years".

Details on non-accompanying family members could also be difficult to establish, for example, for sponsored elderly parents and grandparents:

You have to pretty much call your second first cousin to ask them to look at the grave to know where the brother of my dad who had eight brothers and out of them pretty much all of them are dead and when did they die because they ask you all of this so everything about the siblings, about the parents so for someone who's now in their you know 79 years old, that's way back history. (Masha, sponsor)

Some applicants and key informants strongly criticized the content and wording of questions, arguing that forms were difficult even for highly educated applicants used to Canadian bureaucracy:

Je suis né au Québec et je fais mes études de doctorat. J'ai été abasourdie par le manque de clarté et la complexité des formulaires de demande. À plusieurs moments, je ne savais pas comment répondre à certaines questions. Je me suis imaginée la difficulté pour quelqu'un d'une autre culture et d'un niveau d'éducation moins élevé... On a l'impression que c'est fait expressément pour que les gens commettent des erreurs. (surveyed applicant)

[I was born in Quebec and I'm completing my PhD. I was stunned by the lack of clarity and the complexity in the application forms. At many points I did not know how to respond to certain questions. I can imagine the difficulty for someone from a different culture and with a lower level of education... You get the impression that it's done expressly so that people will make mistakes]

This idea that the design of the forms could directly lead to mistakes, was echoed by a key informant:

I had somebody who works solely on doing, their job is to help people design forms, and they were a client of mine and they said from reading the forms that they've never seen a form that's designed more clearly to trap people as opposed to help them answer the questions.

(Aleksander, lawyer)

When survey respondents who found forms difficult or very difficult were asked to identify the forms they found difficult, the most commonly chosen, as a percentage of the number of respondents for whom they were relevant, reflected the patterns in qualitative data. These included the spouse/partner questionnaires for both outside Canada and inland applicants (each found difficult by 24% of those to whom they were relevant) and the financial evaluation for people sponsoring parents (found difficult by 25%).

Finally, many participants spoke about how Citizenship and Immigration Canada could update the forms online with no major changes to questions and little notice, an experience also described to the Standing Committee (Standing Committee on Citizenship and Immigration, 2016c). As a result, several participants had unwittingly submitted a version of a form that was only recently out of date, or that had become out of date shortly after they had mailed the application. This led to applications being returned and delays as they compiled a revised application package. This was a problem predominantly, though not exclusively, for 2014 parent and grandparent applicants; several families had prepared applications to send at the end of December ready for delivery to Citizenship and Immigration Canada as soon as possible, without realizing that Citizenship and Immigration Canada had made updates very late in December. Their applications were returned and before they could resubmit with the new form, the quota was filled and they had to wait another year:

It was one of the worst nightmares, I mean I couldn't have thought of that it would get returned because of such kind of an error. We could have thought of oh maybe because we are not consulting any kind of immigration consultant we might have missed anything we might have missed some kind of information, but we went through the application guide line by line to make sure we did everything correct and so there was nothing wrong in the filling of the application it was just that single form. (Benazir, sponsor)

Applicants suggested that Citizenship and Immigration Canada could make a note online as forms were being changed or once they were finalized, so that everyone could work confidently with them; "if they are updating something they need to mention or post somewhere that in a month there will be a new form" (Rajiv, applicant).

Supporting documentation

Experiences with preparation of supporting documentation were similar to those with forms; certain applicants found it easier than other applicants, and certain types of document were easier to provide than others. Obtaining documentation could involve significant cost, effort and resourcefulness, as well as reliance on social networks and external organizations. Inability to obtain documentation, as described in the next chapter, could lead to, at the very least, delays and, at worst, refusal.

Proving eligibility to sponsor, providing identity documents and meeting Quebec requirements were relatively uncomplicated (notwithstanding refusals discussed in Chapter 5); 63%, 72% and 75% of surveyed applicants respectively described these requirements as easy or very easy. Certain applicants did experience difficulties, for example getting a replacement birth certificate from a country of origin with limited infrastructure; "that was a little bit of a nightmare," (Patience, sponsor), or if they had been living abroad and not filing Canadian tax returns "because I had been in Spain for two years and not making an income in Canada, I hadn't actually filed my taxes in Canada" (Zoe, sponsor). Difficulties getting marriage and identity documents from for sponsorship applications from conflict zones has also

been documented in the media (Keung, 2016i). Translations could be easy for people with connections; “well I work in the non-profit right, so I have access to those resources so it was somewhat easy” (Sonja, sponsor), but their cost, “an arm and a leg” (Bruce, sponsor), was a common theme, chiefly for unusual languages or when applicants lived outside major urban centres and had less access to approved translation services.

More difficulties were identified, in both interviews and surveys, with proof of the genuineness of all types of relationship, proving intent to return, and police certificates and medical exams⁴¹, as discussed below. Similar to other aspects of preparation, though patterns were the similar in terms of which types of document were easy or difficult to provide, key informants were more likely than applicant participants to think that gathering supporting documentation was difficult or very difficult for applicants.

Difficulties gathering proof: Genuineness of spousal/partner relationship

Participants in both interviews and survey responses were uncertain about what and how much documentation to provide to prove their spousal or partner relationship; “we were forever questioning if we had enough and if it was strong enough” (surveyed applicant). Even expectations around marriage certificates could be unclear depending on the country in which a couple had married and their status in that country at the time; “they are not able to get also from the marriage, naturalized marriage certificate from the country they were, and they are bringing us marriage certificate from mosque, from temple, that are not accepted” (Vaina, settlement worker).

Participants felt they were “shooting in the dark” (Ben, sponsor) in guessing how much additional documentation to provide, given the lack of clear instructions:

⁴¹ Fewer survey respondents reported medical certificates to be difficult to get, but this was a common theme in interviews.

That one main statement that's black at the bottom that says like submit pretty much any information that shows that your relationship is genuine and enduring I think, or genuine and lasting. I really didn't know like what that meant, like what does that mean genuine and lasting, so that was very, very grey. (Bruce, sponsor)

As a consequence, the amount of proof submitted by applicants varied enormously. At one end of the spectrum were applicants who were confident they would be believed:

Three sentences fit in the box, about 60 pictures, erm and like I think one or one or two greeting cards that we had sent each other and that was it (....) I was maybe it's like in the back of my mind like don't you dare tell me this, like I'm, I'm like a you know [fake]. (Matt, sponsor)

At the other end were applicants who simply sent in as much as they could:

We sent in 200 pages just because we were afraid to show too little and our application being seen as not convincing. Later, when we ordered CAIPS notes⁴² it said "excessive proof is shredded" before sending it to visa office. We went through all that work for it to just be shredded. We wouldn't have bothered if we known so much is not needed. (surveyed applicant)

Lawyers generally advocated for more rather than less; "I think the thing to do is basically overwhelm them with evidence of the genuineness of the relationship, like why even make it a [quoting an imaginary visa officer] 'should I interview them, should I not?' Get as much as you can" (Priyanca, lawyer). They thought the latter approach, characterized above by Matt, could lead to problems; "you know what, the people who are real, they are the ones who get caught the most, because they think oh I'm real, then why do I need to prepare anything, why do I need to" (Amelia, lawyer).

Couples found it easier to provide evidence of their relationship if they lived together or had been able to visit each other regularly; circumstances not available to all, as I discuss in Chapter 6. Other

⁴² These are notes on a case file that can be requested through an Access to Information request, as I describe in more detail in Chapter 4.

applicants were concerned they were unable to gather enough evidence; they may have saved little proof of the relationship over the years, “because I never thought I would go down this road for sponsorship, my partner and I weren't taking many pictures not saving evidence” (surveyed applicant). Others could not prove that they had communicated regularly through low-cost methods, “so they are not having any kind of proof to show that they are communicating almost every day, so they are texting, they are messaging, all those things we cannot keep provide information or proof on paper” (Vaina, settlement worker); this difficulty has also been documented for families applying to reunite in Denmark (Jørgensen, 2012).

Various circumstances such as age or low income could mean that couples did not have the documentation to prove financial co-dependence suggested by Citizenship and Immigration Canada:

I think that the documents they ask for are very geared towards a western middle upper class couple that have already established themselves in their 30s or 40s 'cause I mentioned like life insurance, mortgage, joint investment, those are things that younger people don't have and people that are middle class or lower also don't have. (Audrey, sponsor)

Indeed, another sponsor pointed out that his bank had refused to add his partner's name to the mortgage precisely because of her status in Canada as an international student; “the lawyer said that we could not put her name on the deed for the reason that she was still international student” (Ivan, sponsor). These individual experiences described by interviewed participants prompted bivariate analysis of survey data, but differences in perceived difficulty proving a spousal or partner relationship were not found to be significant according to length of the relationship, income, age or whether the couple was together or separated; as I discuss in further detail in Chapters 6 and 7.

Requirements for proving biological parent-child relationships (whether for sponsorship or children or parents) were generally clearer, as long as birth certificates were available, and notwithstanding requests for DNA tests (discussed in detail in Chapter 4). Barriers here were related to other types of documentation. Sponsors who wanted to sponsor a dependent child who had separated from the other parent, understood the need to have the permission of the non-accompanying parent. But this could cause substantial problems if they no longer had contact details for the non-accompanying parent, or if that parent wished to create problems:

That's always an issue with a single parent getting permission or a court order that says she can take the kids out of the country from the father, from the other parent like they want proof, a court order or proof that you have full custody or the other parent doesn't care. And if you can't find the other parent, that can be a problem. (Priyanca, lawyer)

One interview participant, Ana, was a former live-in caregiver who had encountered this barrier when trying to include her children as dependents on her own permanent residency application. Unable to locate her daughter's estranged father for permission, she was forced to remove her daughter from the application. She later discovered that the reason she had not been able to locate him was because he had died. At the time of the interview she was making plans to travel to get his death certificate from the Philippines for the family class application:

I have no choice I couldn't find my, I couldn't find my husband. So what happened to my younger kid, you know I left, I left my younger kid at three months until now I wasn't able to go home to see her. (Ana, sponsor)

Those trying to sponsor 'other' family members needed to prove not only the relationship between the sponsor and the sponsored person, but also the family member's eligibility; that they had

⁴³ Difficulties with adoption criteria are discussed in Chapter 5 as they automatically led to refusals.

no other family member to take care of them or that the sponsor had no other family members that could be sponsored. One lawyer described putting together an application for an orphaned nephew:

We submitted death certificates and birth certificates and everybody lining up to show the nephew-uncle relationship, and who has died and whatever and they've come back to us now asking for everything under the moon to try and establish the relationship. So they haven't come out and said why they don't believe the documents that were submitted but it's, so looking for photos of the boy with his mom, photos of the mom with his uncle, and photos of, boy with the uncle, you know. I even called the DNA testing process yesterday to see like if what are the chances that an uncle and a nephew would show up in a DNA match if we got them to, anyway, so you're needing to be creative. (Shannon, lawyer)

Thus while the possibility of sponsoring other family members existed in exceptional circumstances, it was not easy to meet the requirements for proof.

Difficulties gathering proof: Proving intent to return

Proof of intent to return, though only relevant to a small proportion of applicants, was the type of documentation that was found difficult to *understand* and *provide* by the highest proportion of survey respondents to whom it was relevant (60% and 50% respectively). Interviewed couples living outside of Canada pointed out their difficulty obtaining a job or apartment before they knew how long processing would take and therefore when they would be returning to Canada. Unless they had the resources to secure an apartment before knowing the date of return, they were worried the sponsor would have to move back to Canada early, which defeated the purpose of living abroad to be with their spouse or partner:

They were asking for either a job offer in Canada, a rental agreement, a mortgage or being accepted in an education program (...) those are the examples that they are giving that would show them er proof of his intent to move there. It's a bit difficult for us because he can't commit

to a job offer in Canada right now, erm we're here and er we don't wanna be separated. I mean this whole thing is about family reunification, for him to get a job offer in Canada at this point even before, at this point, before even sending the application that would mean that he would at some point have to leave me here to go to Canada, and I would be left here alone, we would be separated, not knowing for how long, because we never know how long this application's going to take. (Daniela, sponsored spouse)

Difficulties gathering proof: Medical exams and police certificates

Experiences of medical exams varied according to social location. Visiting a designated doctor for the medical exam was easier for sponsored family members living in a country where there was a choice of designated doctors or where logistics of travel were easier. Conversely, it was more difficult for sponsored family members in countries with no designated doctor (who therefore had to travel to a nearby country), or where access was difficult; applicants from Africa and the Middle East and, above all, Central or South America (including the Caribbean) were significantly more likely ($p = .028$) to report that it was difficult to understand medical requirements than applicants from other parts of the world. One interview participant, Cecilia, described travelling into an active conflict zone to visit a designated doctor:

CIC Canada claims to update it [the list] regularly, but in the case of [country in conflict] it was evident it was not updated for quite a while and I think especially when it comes to conflict zones the CIC should look into keeping these things updated. (Cecilia, sponsored spouse)

Participants also spoke about large differences in the price of a medical exam between different countries; "one [designated doctor in the previous country of residence] is nonexistent and the other charges upwards of \$500. When my wife unofficially moved to Canada as a temp resident she had the whole thing done here for under \$200" (surveyed applicant); but although a greater proportion of

sponsors on a higher income found it easier to understand and meet medical requirements, the differences were not statistically significant.

Bureaucratic infrastructure also affected the ease of getting a police certificate:

Getting the police clearance was also a little bit of a nightmare (...) in Ghana there's kind of an unnecessary process they don't keep records of anything. I mean there's no identifier really, so I mean we went to the police station, and of course like people want money they want this, that, it was like no I'm not doing this, you know you'll do it in the amount of time it takes, so it was a little bit of an issue there, but I mean eventually he got it. (Patience, sponsor).

Getting a police certificate also became more difficult when an applicant no longer lived in a country, especially if residence had been for only a short period many years previously; "the visa my wife had been there on was not one the Chinese police will issue 'certificates of no criminal record'" (surveyed applicant). Police certificates also became much more complicated the more countries, or US states, the applicant had lived in: "The paperwork was really gruesome. I had lived in so many different countries the main obstacle for me was all the police certificates" (Cecilia, sponsored spouse).

For both medical exams and police certificates for the sponsored person, timing was once again an overlapping theme as each were only valid for 12 months. Some families did them before submitting the application to try to reduce possible delays later in the process; "before the marriage I got medical and her police clearance done so that I knew that after, right after the marriage I can just apply" (Rajendra, sponsor). Others wanted to wait, to avoid the certificates timing out and having to do (and pay for) them a second time; "we thought we would just wait it out, so we did wait on those. Because the police check is only good for a year, and the medical is only good for a year too" (Nicole, sponsor)

As "criminal record checks could take all sorts of time, I mean you can get that back, turnaround can be quick or some can take a long time" (Priyanca, lawyer), applicants were required to carry out a careful balancing act based on estimated processing times to make sure all certificates were valid at the

time of submission⁴⁴. Applicants whose police certificates had timed out and were asked to resubmit new ones were confused when these were for countries to which they had not returned in the meantime⁴⁵:

When we called to ask do we really need to get the [name of country] one again because it's the same police record because he hasn't gone back, like it's, it's about the same dates, it's impossible for that record to change, erm and they just didn't have an answer for me, they had no idea, so again we acted with caution and we got the documents again. (Zoe, sponsor)

Medical exams were automatically disrupted when a sponsored family member became pregnant, as:

They don't make it very clear to you that if you if you're planning on this process, you don't want to have your partner getting pregnant before they have the medical done, because all of a sudden, they can't get the medical done until they completed the pregnancy so all of a sudden the whole application is put on hold for nine months right. (Aleksander, lawyer)

This resulted in extended separation at a time when couples understandably wanted to be together and was especially difficult for couples who were not even able to visit each other. When older women wanted to have children with their partner, possible separation during pregnancy and after birth could add considerable pressure to family-planning decisions:

We wanted to wait but we didn't because I'm older as well, I'm 10 years, I'm nine years older than my husband, I'm getting going to be 41 in January, so I didn't want to wait because who

⁴⁴ For most participants, police certificates had to have been issued no more than three months prior to the application being submitted. This has since increased to six months.

⁴⁵ In a clear improvement the website now clarifies "the police certificate must be issued after the last time you lived in that country" (Immigration, Refugees and Citizenship Canada, 2016d) which seems to allow applicants not to have to provide repeat certificates from countries to which they have not been since the original was issued.

knows I could wait another three years, they could change the processing times on the website to 47 months. (Jessica, sponsor)

Where structural factors provided barriers, depth of social networks could assist in accessing supporting documentation. Some countries for example, required a request for a police certificate to be submitted in person. Zoe (a sponsor) described how this could require significant resourcefulness and reliance on the kindness of strangers; “we didn't really know that many people in the Netherlands so we somehow got, a friend of mine's sister happened to be in the [name of country] so we sent a letter to her giving her permission to go sign and get his background check from the [name of country] government”.

Preparation logistics

Those sponsoring spouses or partners, dependent children, or ‘other’ family members could submit their applications at any time of year. In contrast, people applying to sponsor Parents and Grandparents through the post-2014 program had to ensure the application was received by Citizenship and Immigration Canada as close as possible to the start of first working day in January each year in order to maximize their chance of being accepted within the quota. Applicants and key informants alike described the pressure to time the preparation of forms and supporting documents so that the application would be up to date and valid at exactly the right time:

We were very much into when the applications were coming in and filling in the application on time. On the 31st December on New Year’s Eve⁴⁶ we were all busy filling in the application, because there was such a rush and a race to you know get the application in on time in order to be within the 5,000 cap. (Benazir, sponsor, talking about her 2014 application attempt)

⁴⁶ This is the date that Citizenship and Immigration Canada announced that forms and instructions were available online in advance of the January 2nd, 2014 reopening of the program (Citizenship and Immigration Canada, 2013d).

As a result, while participants in all streams talked about how useful it was for the sponsor and sponsored person to be physically together during application preparation, this was most important for parent or grandparent applications. Given the short timeframe between the final versions of the forms being released online and the re-opening of the quota, being able to sit together to prepare the application—especially when language was a barrier—was a clear advantage.

In contrast, applicants who were separated from their family members during the application process spoke about the difficulties of completing an application across countries. As documents were sent back and forth, one missing document or signature could jeopardize the whole process:

Sometimes you know all the forms have to come back with the original signature so you can end up with a bit of a, instead of a smooth thing where everything comes back in one DHL package it's like, oops you missed this one, or missed this one, that sort of thing. So it's kind of coordinating it as it all arrives, people are working on it it's all going to arrive with the least amount of to-ing and fro-ing but like all cases are different. (Priyanca, lawyer)

Nevertheless, sponsors separated from their family members could be extremely resourceful in finding ways to compile applications in a very short period of time. This was illustrated by the story Shannon (a lawyer) told about a client who was attempting to submit a 2014 application to sponsor her mother:

So we were getting ready and preparing for January 2nd, and we were playing around with the old forms, because the new forms weren't posted until New Year's Eve, perfect, perfect timing for us right they're going to dump on us for sure, right. So mum [who the client wants to sponsor] doesn't have access to a fax, she doesn't have access to email, there's nobody there who can help her. So what are we going to do, right?

[Shannon to client] 'If I can have forms back signed by January 2nd there's a good chance I can make this cut, but if we don't I don't know what's going to happen,'

[Client] 'No problem, give me the forms.'

[Shannon] 'What are you gonna do?'

[Client] 'I'm going to Pearson.'

[Shannon] 'You're going to get on a plane?'

[Client] 'No, but I'm going to find someone who's going down to Brazil, I'm going to get these forms to her, I'm going to take them to the airport, I'm going to get someone to meet them at the airport, they're going to take them to mom to sign, and put them back on the plane with the next person coming up to Canada.'

January 2nd she was here with the signed forms. It worked. Remarkable, I was like OK that's one way of doing it! Yeah.

This story also provides an example of how simple lack of access to technology could also prove to be a barrier to applicants living in countries, or regions within countries, with less developed technological infrastructure:

For us we had to do a lot of photocopying and scanning and printing and those things are hard enough in Nairobi, I know it took me two days to find a scanner, whereas maybe if you're living in Burundi, if you're living in a rural area, anywhere, you kind of like you'd be in trouble it would be really hard to get those things done. (Sophie, sponsor)

Macro structures in both the country of citizenship and country of residence thereby compounded the ability to meet application requirements. They intersected with access to resources in order to print and scan, pay for couriers to transport documents especially in countries with limited postal systems, or travel to get to appointments when there was no local panel physician or DNA testing; an issue that has also arisen in the recent study by the Standing Committee (Standing Committee on Citizenship and Immigration, 2016a). Bivariate analysis of survey data supported a relationship between the sponsored person's region of origin and the experience; applicants sponsoring

family members from Europe or the USA were significantly less likely than people sponsoring family members from other parts of the world ($p = .004$) to report that external issues in the country where the family member was living had an impact on the experience, a topic to which I return in the following chapters.

External support with preparation

Most participants in both the interviews and surveys, in addition to information provided by Citizenship and Immigration Canada, drew on support from one or more external sources during preparation,⁴⁷ most often from online forums or friends (67% and 38% of surveyed applicants respectively)⁴⁸ but also from lawyers and consultants (11% and 13% of surveyed applicants respectively). MP constituency offices and organizations were consulted more often *after* the application had been submitted; respectively, only 2% and 4% of surveyed applicants used them during the preparation stage.

Online forums were most often used to find answers to specific questions because Citizenship and Immigration Canada information “was a little bit confusing and then I actually I did a little bit of research on some forums” (Daniela, sponsored spouse) or because the forum provided extra detail not on the Citizenship and Immigration Canada website; “the website never mentioned anything about providing letters of support but I believe that that’s something maybe the website should suggest, because it would be a valuable way for them to decide if your relationship is legitimate.” (Nicole, sponsor). A small number of interviewed applicants relied heavily upon online forums as a primary source of information including Jessica (sponsor), “that forum is, like that’s how I know everything about immigration,” and Rajiv (sponsor), who described how “[the] forum is my bible”.

⁴⁷ I return to reflections on sources of support *after* submission in the next chapter.

⁴⁸ Given that recruitment for the survey relied heavily on word of mouth and online advertising, the use of friends and forums for support is not at all surprising and not to be taken as representative of all applicants.

Similar advice was solicited from friends, colleagues and other acquaintances on what documentation to provide and what to expect; “[they] gave me tips on what I need, what they gonna ask for as the process is going, what he needs to provide, so I had that great help” (Sonja, sponsor). Friends were most helpful if they had sponsored the same type of family member from the same country in similar and recent circumstances; one group of Canadian-US friends had all been at school together, leading to several cross-border marriages and those who sponsored first provided advice to their friends who applied later. Another group of friends had all immigrated together from India to Canada and subsequently helped each other with parent sponsorships.

Participants also talked about their reliance on family and friends for various kinds of logistical help as they prepared their applications, including the collection of documents in other countries described above and the provision of supporting letters to prove the genuineness of the relationship or to guarantee support and housing to a couple moving to Canada from abroad. Though greatly appreciated by applicants, reliance on others caused anxiety; “it was very stressful because you're not just counting on yourself we had to ask his parents to do things for us, I asked friends and family to write us letters, which they were all happy to do, but you're asking people for favours and it's not benefiting them in any way and you don't know if they really want to”. (Audrey, sponsor).

Interviewed applicants who had used lawyers or consultants throughout the process generally believed this would reduce the risks of mistakes, particularly if there was something unusual about the application, such as sponsoring a transgender partner through a process based on the gender binary. Others only met with a lawyer briefly, either to ask (a carefully prepared list of) questions, or so that the lawyer could check through the application before submission. Those who did not use lawyers, often said that they could not afford it, while Ali (a sponsor) described how pleased she was that a lawyer, after giving some initial advice told her and her husband they should be able to proceed alone, “which was really nice of her, so we just paid her for the consultation”.

Submitting the application

Submitting the application to Citizenship and Immigration Canada was simple for most interviewed applicants but for a small number of participants it was more difficult. One couple, for example, were told by a Canadian embassy to submit their application to Paris, only to have it returned unopened three months later as they should have submitted it to the office in Mississauga; “they're [the embassy] the ones who said yeah, yeah, yeah, just send the whole thing to Paris, and they gave us the address and everything” (Zoe, sponsor). The delay meant forms and documentation had expired and needed to be redone.

Submission was most difficult for participants who had sponsored parents post-2014. They talked in depth about decisions over how to submit the package to maximize chances of meeting the quota. This intensified from 2015 when families who had missed the 2014 quota realized they needed to be quicker; in 2015 the quota reportedly filled up by the second business day and in 2016, 14,000 applications were received by the third business day. Benazir, whose 2014 application had been returned for an out of date form waited until 1st of January in 2015 to ensure there were no late updates that year; at the time of the interview she was worried that the increased demand may have meant her family had again missed the quota,

We did it on 2nd January and when we went to the courier the courier was telling us there was such a rush on 31st December for this application and people you know submitted it at that time to us and asking us to you know deliver it on the 2nd January at 9am, so we had a lot of rush on 31st, we said uh-oh, we missed the race again so because we did it on 2nd January in the morning, so we did the same day delivery, so it reached on the evening of 2nd January. (Benazir, sponsor)

The early January rush effectively meant that applicants were at the mercy of the courier companies. A huge amount of second-guessing went into decisions over which company and which service to use, as illustrated by Zao Ping (sponsor) explaining his thought process:

So I sent it the first, like the morning of January 2nd and again I went to FedEx actually this time I saw the line up, in front of me there are three other people doing the same thing (...) and just from what I overheard they all picked like the most expensive one which they could get the application in erm the first like I think it's before 10am. But then for myself I actually picked the option like getting it in before noon because I was thinking like two hours shouldn't really make much difference that's one thing, and then the other thing I was thinking, that if FedEx has that many applications in their hands right it doesn't make sense for them to send two separate drivers, one comes at 10:00, one comes at noon, that they might all get bundled up and delivered at the same time. So I was thinking like well there's a price difference right like cause if I want to get my application in by 10am I have to pay like 50 bucks but if by noon we need to pay 25 so it's like half price so I was thinking well might as well save and then... But this I was right. Because on Monday the 5th so at noon I'm just like checking the status. On the FedEx site so you can check if your package got delivered. So it was around noon and then I checked and I saw there was a delivery exception. So I thought what the hell does that mean because I'm pretty sure the address is correct and if I put the wrong address the other people in front of me they should have put the same thing which is impossible right. So I erm I was going to give FedEx a call and find out, but before I did that I went to the forum and I just checked if someone else might see the same thing and surprisingly there are other people in the same boat they also saw the same, delivery exception, and they already called FedEx and what FedEx told them is that well there's a huge line up in front of the immigration office and yeah and like the immigration

office just decided to send the driver back and come back at a later time. How does it make sense if you want to be fair then the driver is already there and you send them back?

Even though Zao Ping was proud that he had saved money by correctly guessing that there would be no advantage in paying for the earlier delivery time, he was nevertheless upset for applicants who had not received the service for which they had paid. One lawyer summed up participants' potentially fruitless efforts neatly:

Yeah so you had to get it out, get it completed filled sent to them [the parents] by email, signed have them courier it back and then you courier it out. So it was a panic so people were spending thousands of dollars on a lottery. It's horrible. (Aleksander, lawyer)

In January 2016 media awareness of this situation grew, with multiple reports of applicants being at the mercy of couriers, who reportedly charged up to \$400 for delivery of an application, suggesting "that it's possible to buy a way to the front of the parent and grandparent sponsorship program" (Levitz, 2016; see also Keung, 2016b; Spurr & Keung 2016). This all contradicted a recent claim by Mr. Robert Orr, the assistant deputy minister of operations for Immigration, Refugees and Citizenship Canada, that using couriers has "worked for the last couple of years," although he has acknowledged they were trying to find a way that may be fairer (quoted in Standing Committee on Citizenship and Immigration, 2016a, p. 14)⁴⁹.

Finally, while most applicants eventually got an acknowledgement of receipt (sometimes only at the same time as the decision on the first stage), there was often concern that an application may be lost before being opened by Citizenship and Immigration Canada: "What clients don't, some clients don't realise is that they should be sending their applications by registered you know mail so they at least have their own proof that their application was received" (Lou, lawyer). Ben and Carla, for example, knew through the courier that their (subsequently cancelled) application had been delivered, but they

⁴⁹ Very recent changes are detailed in Chapter 7.

had never received an acknowledgement of receipt; “it arrived the next day. To this day they don’t have us in the system. Like every time I called, they haven’t received my application. They haven’t opened [it].” (Carla, sponsored spouse).

Summary

This chapter has described the pre-submission stage of the experiences, from pre-existing knowledge of family class to submission of applications. The preparation stage is the part of the process when the applicants had the greatest amount of power, in that—within the constraints of the criteria and requirements—they were responsible for putting together an application package that they best thought would be approved by a visa officer. Applicants were aware of this, as could be seen in the amount of thought, work and money invested in the experience before Citizenship and Immigration Canada even received an application, aspects of the experience that have received little exposure in literature until now.

Participants described a wide range of experiences and for a variety of reasons. While some applicants were previously only vaguely aware of, or simply assumed, the ability to sponsor, others already had a clear idea of what could be involved. Expectations, most often based on personal or professional contact with other applicants, were similarly varied; while some accepted it could be difficult, a minority, at least, had unrealistic expectations as to the ease of the process. Depending on the type of family member being sponsored, and the relationship circumstances, several key decisions had to be made prior to application preparation as I described at the start of this chapter. These decisions affected the requirements and had implications, as will be explored in the next two chapters, for the way in which the process was experienced.

The Citizenship and Immigration Canada website gave families a good general idea of what they needed to do, though problems arose in understanding certain aspects of the application. The form filling process was for the most part straightforward though again with particular areas of difficulty. Ease

of providing supporting documentation varied greatly, with mixed responses in relation to proving the relationship, medical exams and police certificates. Proving intent to return was a source of confusion for many applicants for whom it was relevant. The ability to successfully complete the forms and gather together the documentation clearly influenced, as I discuss in Chapter 4, the way in which applications were processed once received by Citizenship and Immigration Canada and as I describe in Chapter 5, decisions made on the file and impacts on the lives and relationships of applicants.

Qualitative data suggested the role of intersecting aspects of social location in application preparation. Interview data suggested, for example, that well-established professionals whose parents come from a country that can efficiently process medical exams and police certificates, who are fluent in English or French and who have the resources to visit Canada in the lead up to application submission could relatively easily prepare an application for submission on January 2nd. Conversely, when parents could not be in Canada, had limited English or French to fill in forms, barriers to accessing supported documentation, and limited means of communication with the sponsor, and the family had limited resources to overcome such difficulties, it could be much more difficult to submit a complete and correct application on time. Bivariate analysis provided some support qualitative findings in relation to the role of income and country of origin but for other factors, differences were not statistically significant, reasons for which are discussed in Chapters 6 and 7.

This is the first study to include experiences of applicants as they prepare their applications to sponsor family members for submission. Nor has research on other immigration streams or in other countries covered the application preparation stage in great depth. There was therefore very little academic literature against which to compare findings, though the 2014 internal evaluation of the Family Reunification Program and advocacy reports allowed for some comparison. In later chapters I refer back to these findings as I discuss intersectionality and locations of power throughout the experience in the context of broader critical policy studies literature.

Experiences at this stage reflected the policy definition and policy implementation stages of the policy process, as applicants tried to prove that they matched the Citizenship and Immigration Canada definition of a family that should be reunited. Citizenship and Immigration Canada's definitions of (a) the characteristics that make sponsors, sponsored family members and certain relationships eligible and (b) the evidence applicants need to submit to prove this eligibility, had a clear impact on the ease with which families were able to prepare an application package. Conversely, Citizenship and Immigration Canada's decision to designate certain sponsors, sponsored family members and relationships ineligible made it difficult, if not impossible, for others to apply. As definitions of (in)eligibility were a factor that appeared throughout the process, I discuss them in Chapter 6. In the meantime, I turn to what happened once applications reached Citizenship and Immigration Canada for processing.

4. After submission: Application processing

Once an applicant had submitted their application, it was the responsibility of Citizenship and Immigration Canada to process it. This chapter delves into common experiences during application processing. I explore how the nature of experiences could be related to both structural factors such as the location of processing as well as the social location of applicants. These experiences, combined with those described in Chapter 3 directly influenced the outcomes described in the next chapter.

The chapter again proceeds in a roughly chronological order from the perspective of applicants, though overlapping issues are discussed together. First, I provide an overview of how participants perceived each of the two processing stages (delineated in Chapter 1) as a whole, into which I incorporate the processing times; a key theme in participants' experiences. I then focus on what happened when Citizenship and Immigration Canada either returned an application unopened or sent a follow up request. Next I look at another key theme in participants' experiences; how easy it was for applicants to contact Citizenship and Immigration Canada or to get information during the process, before describing their experiences of other sources of support. Finally, I discuss how this all influenced applicants' understandings of the process.

Stages and processing times

Stage 1: Sponsor approval or approval in principle

Following the Acknowledgement of Receipt (AOR) of the application, the next communication families usually received was a Stage 1 decision: the approval to sponsor or approval in principle. For spouses, partners and dependent children outside Canada, Stage 1 was generally described as "pretty straightforward" (Priyanca, lawyer), "pretty simple" (Amelia, lawyer) and rated by almost three quarters of surveyed key informants to be "generally straightforward." Several applicants who had submitted outside Canada applications were impressed with receiving sponsor approval faster than they had

anticipated, based on the times posted publicly by Citizenship and Immigration Canada⁵⁰; “I would’ve waited the 55 days [the expected time]. Mine took less than two weeks, no just over two weeks, mine took” (Jessica, sponsor).

Timelines differed substantially depending on the type of program and date of submission however; almost two thirds of key informants encountered Stage 1 delays or problems in clients’ applications to sponsor parents and grandparent cases, or other family members. For spouses and partners applying inland, Stage 1 processing times had grown considerably over the period studied, creating a huge amount of uncertainty:

From January to like March there was like no activity at all, like nothing was happening and normally it’s supposed to be like 30 days or less and it’s 60 days, 90 days, 120 days like without, so we’re like what’s this crazy backlog just starting out like what’s going on and no information, no communication, no reason. (Ben, sponsor)

One surveyed key informant described approval in principle (Stage 1) for inland spousal/partner sponsorship as having deteriorated into “a black hole into which things disappear for many months without even registering in the system at all, which generates more than the average amount of uncertainty.” Another interviewee pointed out how this undermined the very reason—to provide quick processing for people already in Canada—for which the government had originally introduced the inland program:

So you do an inland application, somebody is here, it’s taking them 18 months to process. There is no reason why any application cannot be processed in six months and they made a commitment to the six-month processing years ago, and they tried to stick with it, and they abandoned it, and you know it’s horrible. (Aleksander, lawyer)

⁵⁰ At the time of participants’ experiences Citizenship and Immigration Canada posted the time on the website in which 80% of that type of family class application were processed at each stage, broken down for those outside Canada by visa office. I describe below how this could be confusing.

Participants who had applied to sponsor parents or grandparents prior to the 2011 suspension of the program were caught in the notorious backlog that had been the justification for the suspension. Despite considerable efforts to clear the backlog with higher levels of admission for this program from 2012-2014, the processing times for families who were still waiting were described by one surveyed key informant as “tout simplement scandaleux!” [quite simply scandalous!]. The backlog in parent and grandparent processing also affected those who had applied since the program had reopened in 2014; they needed to wait for the pre-2011 backlog to be cleared before their applications would be processed. Knowing that the numbers processed would be determined by annual immigration levels (described in Chapter 1) they had resigned themselves to a long wait, despite government promises to the contrary.

These patterns in Stage 1 processing times were reflected in the responses of the 83 survey respondents who had already received a decision on sponsor approval or approval in principle. Stage 1 decisions had taken from 1 to 58 months; differences in processing time according to which type of application they had submitted, as described in Table 7, were significant ($p < .001$). Specifically, spouse and partner outside Canada applications were processed much faster than inland applications, which in turn were much faster than parent and grandparent applications. Further, within inland applications, reflecting the increasing backlog, there was a significant increase ($p = .002$) in the mean processing time at Stage 1 based on year of submission, from six months for applications submitted in 2012 to 16 months for those submitted in 2014.

Table 7: Stage 1 processing times (in months)

Case type	n	Minimum	Maximum	Mean	Standard Deviation
Spouse or partner inland	8	6	22	15.00	6.02
Spouse or partner outside Canada	69	1	24	3.26	3.56
Parent or grandparent	5	3	58	35.60	28.48

Stage 2: Approval for permanent residency

Assuming that the sponsor was approved in Stage 1, applicants next had to wait for the decision on Stage 2: the application for permanent residency. If the decision was positive they would (if they had not already done so) be required to pay the Right of Permanent Residency fee and submit their passport into which Citizenship and Immigration Canada would insert the visa for them to 'land' in Canada. In contrast to Stage 1, more applicants and key informants reported delays or problems at this stage, mostly in cases where visa offices outside Canada were more heavily involved.

For spouses and partners applying outside Canada whose permanent residency applications are transferred to the relevant visa office, one surveyed key informant described "the gong show usually start[ing] at the visa posts, who are at least predictable in their wild variation in processing standards and level of basic competence and familiarity with the law and policy". These patterns were reflected in quantitative survey responses; while key informants were evenly divided in whether they thought that Stage 2 was generally straightforward or there were delays or problems for *inland* spousal/partner sponsorships, 63% reported delays or problems for spouses and partners applying *outside Canada*, 73% for parents and grandparents, and 74% for other family members.

In contrast to Stage 1, at Stage 2 the processing times were better for inland applications and longer for the other types of application. One of the most talked about differences in timelines was that between the different visa offices at which applications were processed; "which visa post you send it to...you can't...the processing time will vary dramatically" (Amelia, lawyer). As discussed in the literature review, differences between visa offices have been previously highlighted by, amongst others, advocacy organizations (e.g. Canadian Council for Refugees, 2009) and the Standing Committee (Standing

Committee on Citizenship and Immigration, 2012); differences that have emerged between visa offices within the same region as much as between the different regions (Satzewich, 2015) ⁵¹.

Differences in processing times were one of the greatest causes of concern for applicants; “they keep increasing processing times, but at the same time they also lower times for some regions and I don’t think that’s fair” (Andrea, sponsored spouse). They wished that, at the very least, processing times would be more equal between offices; “I think it should be easier streamlined, I don’t think the waiting time should be as long, I think each country should have the same amount of wait time” (Jessica, sponsor). This was echoed by key informants; “I think there should be more resources placed in these offices, so that if there is a lot of demand they don’t just say oh well we have a high demand, it’s going to be a high processing, they try to have a fair outcome in between all those” (Lou, lawyer).

For the 37 of 39 surveyed applicants who reported how long it had taken to receive a decision on permanent residency, it took between one and 34 months. Timelines again differed significantly according to program ($p = .005$) with parent and grandparent sponsorships taking the longest followed by outside Canada spousal/partner, while inland spousal/partner were quickest (see Table 8).

Table 8: Stage 2 processing times (in months)

Case type	n	Minimum	Maximum	Mean	Standard Deviation
Spouse or partner inland	7	1	12	4.14	4.18
Spouse or partner outside Canada	27	1	22	6.74	4.38
Parent or grandparent	3	5	34	17.33	14.98

Combining survey responses for the two parts of the process for families who had completed it, the total time taken had ranged from two to 71 months, as detailed in Table 9 (overleaf). Means were again significantly different ($p < .001$) between the programs for different types of family member, with

⁵¹ There was no statistically significant difference in processing times between regions for survey respondents, which was not surprising given the documented variation within individual regions (Satzewich, 2015). Unfortunately, there were not enough responses to carry out analysis of survey data at the level of visa office.

spouse and partner inland processes taking on average seven months longer than spouse and partner outside Canada cases. For the three participants who had completed the parent and grandparent process (all other parent and grandparent applicants were still awaiting a final decision) the processes were all much longer.

Table 9: Overall processing times (in months)

Case type	n	Minimum	Maximum	Mean	Standard Deviation
Spouse or partner inland	7	11	23	18.86	4.30
Spouse or partner outside Canada	27	2	27	11.37	6.85
Parent or grandparent	3	40	71	56.33	15.57

Processing times, as identified in Chapter 1, are a theme that have been highlighted regularly by both advocacy organizations and within Citizenship and Immigration Canada and I summarize the most recent advocacy and promises to reduce delays in Chapter 7. Participants in this project spoke about many ways in which processing times influenced their experiences at all stages of the process as I describe in Chapter 5. Differences in processing times could result from both structural factors discussed in Chapter 6, and problems with individual applications (that may, in turn, be related to structural factors), to which I now turn.

Citizenship and Immigration Canada-applicant communication: Returned applications and follow up requests

Citizenship and Immigration Canada could need to communicate with an applicant at various points in the process; information could be missing from an application or deemed to be missing, medical or police certificates may not have been included or may have expired, or a visa officer could have concerns about eligibility of an applicant⁵². Depending on the situation, Citizenship and Immigration Canada either returned the application package unopened, or asked the applicants by letter or email to provide more information. Given the overlapping nature of many of the reasons for returned applications and follow up requests I discuss them here together.

Seven of the 33 interviewed families' applications had originally been 'returned unopened'—that is, the application package was sent back without a file being opened to process the application⁵³—most often due to a signature or form that was missing or out of date. Conversely, most key informants rarely saw applications returned unopened; for 53% of surveyed key informants this happened with less than one third of the applications they worked on, and 26% never saw returns. Lawyers attributed this directly to their own involvement; “our applications don’t get returned because that’s what we get paid for. We don’t have that problem” (Aleksander, lawyer). Key informants that did report seeing more applications returned were significantly more likely ($p = .039$) to be settlement workers or MP caseworkers—who often helped people only once there were problems. For the returned applications that they did see, 48 of 72 surveyed key informants cited the application being incomplete as a common reason, 18 that the parent and grandparent quota had already been met, and 16 that applicants had submitted a package for the wrong program.

⁵² Reasons for automatic ineligibility are discussed in the next chapter as they led to Citizenship and Immigration Canada requiring the sponsor to remove a dependent entirely from the application, or refusing an application outright.

⁵³ I discuss the implications of how this approach affects posted processing times in Chapter 7.

In contrast to returned applications, all interviewees spoke about follow up requests. The reasons for returns and follow up requests—excluding standard requests for payment of the Right of Permanent Residency Fee (RPRF) or submission of a passport—generally reflected the parts of the application that participants had found difficult to complete (described in the previous chapter), and the survey revealed similar patterns. Interviewees most commonly described missing forms or information, or medical exams and police certificates that needed to be done or repeated. Surveyed applicants most commonly reported requests for other documents (36%), followed by repeat medical exams (23%) and police certificates (21%). 78% of key informants reported that repeat medical exams were requested in at least a third of the cases they worked on, while 64% saw missing documentation, and 62% missing information, requested in at least a third of cases.

On a smaller scale, but very important to applicants who experienced it, some participants also questioned a perceived tendency of certain offices to request passports well in advance of issuing the visa. Likewise, only a small number of participants were asked to go to an interview, but for applicants of whom it was requested, it was a crucial part of the process.

Missing forms or information

Interviewed sponsors and key informants were extremely frustrated—with themselves and Citizenship and Immigration Canada—when applications were returned for a missing signature or forms. A returned application could lead to considerable delay and extra cost, especially if family members were separated; “it was sent back because we missed a signature (...) so of course I had to send it down to [her husband in another country], by DHL, he had to send it back, for \$200 for one piece of paper” (Jessica, sponsor).

Often a form was missing because an applicant had thought it was not relevant to their application. This was the case for multiple applicants who did not realize they needed to include a form for additional family members even if they were arriving alone:

It was returned because I left out one form, just one, it was a one pager which was the one with the additional dependents, but we don't have them, we don't have them. I saw the form but if it's going to be blank so I don't need to submit it and he said no you have to print out the form and sign it blank and submit it. (...) They returned the entire package in October and so I sent it back and then we had to do it in Ghana, so I had to send it back to him and then wait for him to send, which is why we ended up submitting again mid-November, it took that long to sign that form and send it back. One form. I was quite annoyed. (Patience, sponsor)

Citizenship and Immigration Canada treatment of missing information was not always consistent. Two interviewed applicants, for example, had made exactly the same mistake of leaving gaps in the background information (a common mistake discussed in the previous chapter)—to which Citizenship and Immigration Canada responded inconsistently. On the one hand, Rajendra's application package to sponsor his wife was returned by Citizenship and Immigration Canada unopened:

I missed I think a couple of months in between or something like that er so they could have just called or you know they could have just emailed OK where is this for what she has been can you just submit OK we'll send him an email about it, but nothing of that sort just send the whole paper back it was like er really stupid.

On the other hand, an email is precisely how Citizenship and Immigration Canada responded to a similar gap in background information in Bruce's application to sponsor his husband:

Bruce: there was a screw up with the dates like with the gaps, so there was that problem, so I think I got that in the morning and by the end of the day I had it fixed.

Beth: So they didn't send the whole package back then?

Bruce: No they didn't they just asked for clarification on that point

Beth: And that was in a letter or an email?

Bruce: That was in an email.

Chiara, a lawyer, spoke of her frustration with such inconsistencies:

[The visa officers] have the discretion to do what they want, and that's the thing, they can send you back the whole application, or they can just ask you for the piece of information. A little bit of consistency would be nice, especially considering people are throwing their lives at you and the wait periods are so damn long, like why throw somebody to the bottom of the pile for something so stupid, that could be sorted with an email. Done.

The most common reasons identified by surveyed key informants for applications to be deemed incomplete were that information was missing from a form (chosen by 59% of key informants), that a form or document was out of date (chosen by 45%), or that other documentation was missing (chosen by 34%). Indeed, the internal evaluation of the Family Reunification Program (Citizenship and Immigration Canada, 2014b) identified the main reasons for incomplete applications to be missing forms, specifically that for additional family information, and lack of proof of relationship⁵⁴.

Finally, a recurring theme was confusion because Citizenship and Immigration Canada had requested documents and information that had already been provided or that was unnecessary⁵⁵. Indeed, five of the six surveyed key informants who elaborated on an 'other' reason for returns and refusals explained that Citizenship and Immigration Canada had returned applications in error as they believed something was missing that had, in fact, been provided. Nicole provided one example from her experience as an sponsor:

They also asked for his bio pages of his passport and I have no idea why as we had already submitted that, so he basically took varied kind of angles of that so he did like one was the full

⁵⁴ Reasons for relationships to be doubted, along with being a frequent reason for follow up requests were also a main cause for refusals and are thus discussed in the next chapter.

⁵⁵ In large-scale example of this in January 2016, 9000 applicants and former applicants were reported to have received, due to 'human error', an email request to pay the Right of Permanent Residence Fee. This confused those who had already landed and created false hope for those whose applications had not yet been approved (Keung, 2016c).

page and one was just the picture and you know whatever they wanted. But apparently they do misplace documents sometimes and they just don't notice.

Key informants spoke about this as not unusual; "an applicant will all-to-often submit requested information then receive an email that their application is rejected or in jeopardy because the information is missing, despite Citizenship and Immigration Canada having the information in their files. THIS HAPPENS ALL THE TIME!" (surveyed key informant). Similar errors have also been reported in the media (Keung, 2015c)⁵⁶.

An internal review by Citizenship and Immigration Canada obtained by the media further revealed errors in form letters and treatment of missing documents during the processing of other types of permanent residency applications; this was blamed on the high number of casual staff (Keung, 2015a). That review was quoted as acknowledging multiple consequences of such errors:

[An error] delays the processing, causes more waiting times for clients and increases the work for staff. It also increases the amount of whitemail received at (Vegreville) when clients reply to unnecessary requests or seek clarification. The number of same request letters sent over time also creates unfairness for clients whose applications got refused after one request (quoted in Keung, 2015a).

A department official reported to the Standing Committee that applicants who have been disadvantaged as a result of lost information can request reconsideration of their case (Standing Committee on Citizenship and Immigration, 2016a), though participants in my research seemed to be unaware of such an option.

⁵⁶ Neither is this unique to Canadian family class; it has also been documented in the US immigration system (Lakhani, 2013).

Repeat medical exams and police certificates

Reflecting concerns during application preparation discussed in the previous chapter, several applicants and almost all key informants talked about applicants having to redo medical exams because the processing time meant the initial exam had expired; “the medicals are only good for a year. I mean that’s just a disaster, the whole medical, you end up with a sort of rolling sort of rolling series of roadblocks if your file comes unhinged for some reason” (Aleksander, lawyer). This could be a worrisome prospect for people sponsoring parents and grandparents, who feared the development of age-related health problems while they waited for the application to be processed:

The waiting process is painful too because I have already waited for a year and I know it’s another three to four years to come and also when because my parents my mom is turning 70 this year, and my dad is already 70 and when it goes to like 74 another four years, they are going to be in their mid 70s, I don’t know how they will fare the medical and all those issues.

(Navaratnam, sponsor)

Both applicants and key informants also reported requests for repeat police certificates or medical exams because the originals—which the authorities processing the request should have sent directly to Citizenship and Immigration Canada—had gone missing. This could happen repeatedly; “the FBI claims just keep getting lost over and over again and then you can just imagine the level of frustration that somebody is at when they are being asked for the third time” (Vanjelis, MP caseworker). Applicants had to make considerable and repeated efforts to ensure that the documents did eventually arrive and their application was not left in limbo.

Early passport requests

A repeatedly mentioned geographically-based difference in processing was the tendency of some offices to request passports well in advance of finalization. Not only did this mean that sponsored applicants could not travel to visit their spouse, or indeed anywhere, it could also have major effects on

applicants' preparations to settle in Canada. Ajai's wife, for example, wanted to apply to colleges in Canada early so that she would be able to start her studies as soon as possible after arrival. She needed to take an official language test for college applications so arranged to do this while her permanent residency application was being processed. When she realized she was required to present her passport at the language test—which Citizenship and Immigration Canada had requested early—she asked them to return it to her temporarily for the test in June:

Then in September one day she gets an envelope with her passport so she's really excited because that somehow means that she has got the visa. She opens the envelope there's no cover letter, there's no documentation and there's a passport with no visa. So basically they returned in September. Someone looked at the system that she needed the passport without even reading the email that, 'I only want it in June for a week'. (Ajai, sponsor)

As the passport was not returned to her until months after the test date she lost her chance to take the test. Ajai was skeptical that she would have been treated this way—or indeed that the passport would have been requested so far in advance—if she had a different nationality; “if some Canadian is getting married, is sponsoring someone in the US, I highly doubt an American is going to give [up] the passport for nine months”.

Interviews

Only two of the 18 interviewed families and five of the 39 survey respondents whose applications had been finalized had to attend an interview; this reflects a general reduction in the number of interviews requested by visa officers (Satzewich, 2015). Key informants thought that certain offices (in South Asia for example) requested interviews more often than others (London and Ottawa were most often mentioned as having low numbers of interviews). They also thought that interviews

were requested more often for outside Canada applications, with very few required for inland spousal applications⁵⁷.

Many key informants emphasized the importance of avoiding an interview if at all possible, to reduce additional logistics and costs of, for example, travelling to an embassy in a different country⁵⁸ (as documented by Evans, 2008, in relation to US visa applications) and the extra delays and stress that would be involved. Applicants tried to guess when was best to submit their application to minimise interview costs, as described by Nicole, who had applied to sponsor her husband while they lived in a third country:

We were worried that what was going to happen was that he was going to get called to Ghana for an interview and we really didn't want to have to pay for his flight to Ghana to be interviewed. So we tried, and so much of this is guesswork (...) so you've no idea how long it's going to take, so at this point we're trying to guess how long we think it's going to take so that if he does have to attend an interview he'll be in Ghana by then.

Vaina (a settlement worker) described how one client's spouse who was applying from outside Canada had found out on a Friday that they needed to be in a neighbouring country—for which they required a visa that was impossible to get at such short notice—for an interview the following Monday. Chiara (a lawyer) spoke about her failed attempts to have an interview for one of her clients moved to Canada from a conflict zone, as the principal applicant was already in Canada:

We had requested three separate times to transfer the interview to Canada because his wife [the sponsor] was expecting the birth of his child and also his house got bombed and he, it was rubble, and I'm like he can fly back and have nowhere to stay or you can just do the interview in

⁵⁷ The disproportionate effect that this had based on who could apply from within Canada is discussed in Chapter 6.

⁵⁸ This could be because they were living outside their country of origin, or it could be because the application was processed by a visa office in a different country.

Canada in the presence of the sponsor, they're having a baby right now. No, refused (...) he missed his interview and that is a legitimate reason to refuse an application.

Demonstrating the role that class could play in overcoming such barriers, one survey respondent spoke about how lucky she or he was to be able to fly out to join their spouse for the interview, for which they had been given three days' notice.

Key informants who had experience with multiple interviews spoke about visa offices' different approaches. Amelia (a lawyer) described how in Hong Kong "they just do it over the phone for a few minutes, they ask a couple of questions, right they don't take the time to actually figure that out, that's a huge issue I have", which was the experience reported by Guofeng (a sponsor) whose wife attended a brief interview at that office with "short questions" followed by a "quick decision". Amelia contrasted this to other offices where "you're gonna get an hours interview".

Different wait times for interviews were also a cause for concern, as this could add a lengthy delay to the application process:

Islamabad tends to have a lot of interviews and that because there are so many to schedule there's a huge delay with that, that's one of the reasons I would guess that the processing times are so high (...) Yeah I think at one point I was told the queue time for an interview was at least a year that if you've been in line for an interview don't expect to hear anything for at least a year.

(Milo, MP caseworker)

Finally, the content of the interviews was also, of course, crucial. Key informants spoke about how power dynamics within the interview space, possibly exacerbated by language difficulties, would almost inevitably lead to increased stress on the part of the applicant, something that has also been documented in literature (Johnston, 2008; Satzewich, 2015); moreover, stress can cause behaviour in interviews that may come across as 'suspicious' (Johnston, 2008). This could increase applicants' difficulty answering questions, for example, when spouses or partners were asked for details of the

sponsor's work or life in Canada, as has also been reported to the Standing Committee (Standing Committee on Citizenship and Immigration, 2016b). Amelia (a lawyer) questioned how well any couple in Canada would be able to answer interview questions under these circumstances:

Just because it's [the relationship is] real, it doesn't mean you know how to answer an interview question you need to think about it. Why do you love this person? Most, especially men, would not be able to articulate themselves unless they think about it for a while, unless they are prepared for that, right. What this person, what did you eat last night? A lot of people would forget. I tell them you must remember what you ate last night, but do you remember if I tell you? I can't even remember off the top of my head right and they're nervous and you know so a lot of that so.

Difficulties with communication and follow up requests

Regardless of the type of follow up request, both qualitative and quantitative data suggested difficulties communicating with visa offices and processing centres; this was the second most commonly identified aspect of processing (after processing times) to have an impact on applicants' experiences⁵⁹. When survey respondents were asked about the helpfulness of different parts of the Citizenship and Immigration Canada infrastructure, only 9% of applicants and 14% of key informants responded that Citizenship and Immigration Canada processing centres *in* Canada were helpful or very helpful; and only slightly more (12% of applicants and 15% of key informants) gave the same response for visa offices *outside* Canada (see Figure 5, overleaf).

⁵⁹ Forty-eight percent of surveyed applicants thought that communication with CIC in Canada influenced their experience, and 34% said the same for communication with CIC outside Canada. This compared with 83% who thought that processing times had an impact on their experience, while only 32% identified visa officer decisions.

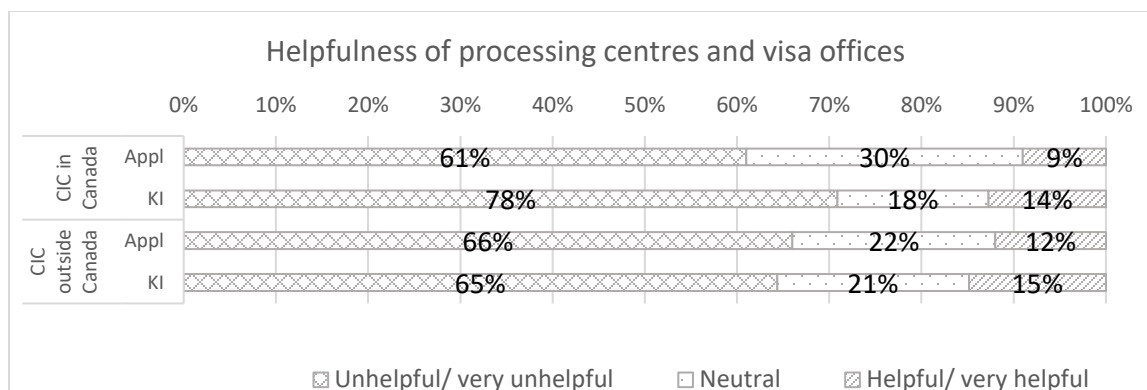


Figure 5: Helpfulness of visa offices and processing centres (Percentage of respondents: Applicant and key Informant surveys)

In certain cases, Citizenship and Immigration Canada communication errors had decidedly negative consequences for participants. A small number of applicant participants, for example, reported that Citizenship and Immigration Canada had sent a follow up request to the wrong address or email address. Ajai described how his application to sponsor his wife had been delayed for almost a year after first, his wife had not received a follow up request letter, and second, Citizenship and Immigration Canada had sent an email follow up to the initial letter to the wrong email address. He and his wife only became aware of the existence of a follow up request when Citizenship and Immigration Canada eventually forwarded the misdirected email (without explanation) to the correct email address. Ajai was very frustrated at the delay this had caused and angry at the lack of ownership of the mistake by Citizenship and Immigration Canada:

in June [an email] went to the wrong address, and that email in June was this one which says we have contacted you in October, we have sent you a letter to you in October saying you did not meet the medical requirements so you need to get additional tests and you have to respond within 30 days otherwise you may also lose your visa. So first of all she never got any letter in October. Because it says letter, what does it mean? Did it come to her home address? Email? She didn't get anything. They never contacted her at all. In June they sent it to the wrong email address. And then finally in August they sent the word called resending (...) So all this was a

huge error by the Canadians CIC and their mistake if they would have sent to the right place in October then she would have done it in October and sent it by them in January. So when they started processing in June she would have got her visa in July erm but because of their screw up. And no apologies and you know causing a lot of stress for someone, already the process is long.

Multiple key informants pointed out that sending mail or email to the wrong address— a clear breach of confidentiality—was not unusual; “j’ai eu également plusieurs citoyens qui recevaient une lettre de demandes de documents dont la lettre était adressé à une autre personne. Vive la confidentialité...” [I’ve also had several citizens who have received a letter requesting documents, where the letter was addressed to another person. Long live confidentiality...] (surveyed key informant).

Applicants and key informants also talked about Citizenship and Immigration Canada sending communication that should have gone to a designated representative elsewhere; “they had sent a letter to me to my PO box in Nairobi which I don’t check that frequently, they were supposed to communicate with the lawyer, so it was like the High Commission people were just screwing up” (Sophie, sponsor). Communicating directly with sponsored applicants rather than designated representatives could be particularly problematic where language was a barrier; “this can lead to all sorts of problems, especially where the client does not speak English well or at all and doesn’t understand what they are being asked” (surveyed key informant).

Some participants thought the growing amount of correspondence that was not reaching the intended recipient was partly a result of increasing reliance on email:

You know there’s a new problem that’s come up – if you put your email on an application form now automatically they’re going to send it to your email so you won’t even get mail correspondence anymore. So previously people would have been getting mail correspondence and then suddenly it stops and then what I’m finding is a lot of emails going to junk, a lot of people aren’t getting their emails or they’ve written it down or it’s been entered incorrectly

which is a major problem, so I think they should continue to correspond by, in writing, by letter mail. (Milo, MP caseworker)

Several key informants argued that applicants were often to blame if they did not keep their addresses updated with Citizenship and Immigration Canada or check junk email folders:

Applicants usually change their contact information and do not report it to CIC. Some of the email service providers directly put emails coming from government websites/email addresses into the spam/junk folders, so applicants should regularly check their junk folders as well.

(surveyed key informant)

Yet even applicants who did try to update contact details with Citizenship and Immigration Canada experienced problems; “simply getting somebody’s change of address right would be amazing. If I’m asking for just the bare minimum I would ask for that” (Vanjelis, MP caseworker).

The short turnaround times for follow up requests, within the context of hugely varying timelines, inevitably meant that applicants did not know when to expect correspondence that may be going to an infrequently used address. Applicants needed to constantly monitor all possible junk email folders as well as current—and perhaps even previous—postal addresses, as not seeing a follow up request on time could jeopardize the whole process:

We got the email in the box way earlier than when we saw it. What happened was that it went to junk mail, so I mean I wasn’t really expecting it so I wasn’t really checking. Then one day I was like oh let me see what’s going on here and I was like oh, OK I click on the email and it was two days before the deadline which is what pissed me off, two days before the deadline, I said what, poor guy had to drop whatever he was doing for immigration like otherwise he would lose it you know. (Patience, sponsor)

Indeed, in 2015 an applicant was reported to have been awarded \$3,000 when his application had been cancelled because he had not provided information requested by Citizenship and Immigration

Canada; a request that he claimed he had never received and that Citizenship and Immigration Canada could not prove they had sent (Keung 2015e). The judge ruled that, though the responsibility was with the applicant to keep contact information up to date, where mistakes were made by Citizenship and Immigration Canada, an applicant should not be penalized (Keung 2015e). This also led to clearer internal guidelines on email communication that include acting on 'undeliverable' messages (Keung, 2016a) though this would not help where email was delivered, but to the wrong person.

Quantitative data also described problems with follow up requests. 81% of key informants had worked with applicants who had not received follow up requests and 72% had specifically seen requests sent to the wrong address/email address. Sixty-eight percent said it could be difficult to produce the information or documentation that Citizenship and Immigration Canada was requesting, and 67% that follow up requests could be unclear. Sixty-four percent had worked with applicants for whom the deadline for responding to follow up request was too short, though several gave credit to Citizenship and Immigration Canada for granting extensions to such deadlines. That no applicant participants spoke about possible extensions suggested that applicants without representatives may be unaware of this possibility. Finally, almost half (49%) of key informants reported that applicants had received follow up requests that were not relevant or appropriate.

[Applicant initiated communication: Information and transparency](#)

Applicants also described other occasions when, not related to a follow up request, they wanted to contact Citizenship and Immigration Canada about their case. If they had no contact details for the visa office—and most of them did not—they had three main options. If they had specific questions they could contact the call centre in Canada. For status updates after an application had been submitted they

could log into a secure online tool called eCAS (e-Client Application Status). Lastly, they could file an *Access to Information* (ATIP) request for their case processing notes⁶⁰.

Similar to their opinions of communication with application processing offices, a minority of survey respondents found the call centre and eCAS helpful, but the majority either felt neutral or thought that the sources were unhelpful. The only exception—much more positively rated than all other sources of support or information—was Access to Information requests. Key informants were slightly more positive in their ratings of means of communication and support; perhaps due to their extensive experience navigating the different channels of communication. I also discuss briefly how several participants lamented the recent closure of Citizenship and Immigration Canada counter services.

Call Centre

A very common theme was frustration with the call centre in Canada. Only 9% of surveyed applicants and 15% of key informants found it helpful or very helpful (see Figure 6, overleaf). One of the biggest complaints, mentioned repeatedly, was how difficult it was to reach an agent; “if you wanna, if you need something from them, better call them like one minute before 8 o’clock, or maybe two minutes before 8 o’clock. Otherwise after that you will be frustrated.” (Ana, sponsor). Given its limited opening hours this caused a problem for people who worked during the day:

I get a lot of people saying the call centre, they don't get through that often or they have to wait 40 minutes to get through to someone. So that's why sometimes they're like I don't want to bother you (name) but I've tried for the past three days and I really don't have 40 minutes on my hands like I have work and they only take calls from 8.30 to 4.30 I believe. So it's kind of hard for people to pull time to sit there you know when you're at work you can't call. (Pinyin, MP caseworker).

⁶⁰ These are the notes that Citizenship and Immigration Canada visa officers had entered into GCMS (Global Case Management System) or its predecessors, CAIPS (Computer Assisted Immigration Processing System) and Field Operations Support System (FOSS); the databases in which officers record application processing.

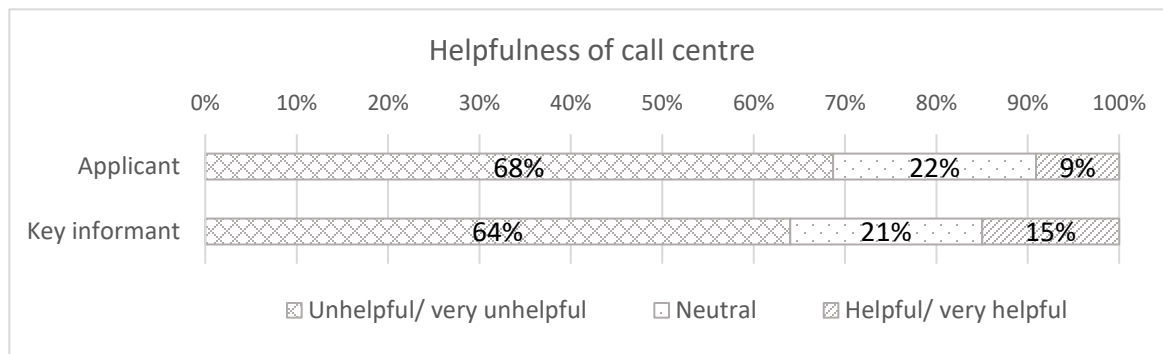


Figure 6: Helpfulness of call centre (Percentage of respondents: Applicant and key informant surveys)

The interactive voice response menu system used by the call centre (“for *a*, press 1; for *b* press 2” etc.) was a barrier to people with limited English:

When clients the try to call the CIC people, it's really hard to get through and you have to know, you can't press 0 right away you have to keep selecting choices and only once it starts giving information can you press 0 and they don't even tell you, you can press 0 at that point, you just have to know that at that point you're allowed to and it'll actually go through. (Lou, lawyer)

Once able to speak to a call centre agent, participants could be happy with the support provided in response to basic questions; “he was very helpful, he sent me emails with all the links of all the things I could do” (Carla, sponsored spouse). Chiara (a lawyer) talked about how pleased she was, after agents were unable to answer her questions, to have received call backs from managers within 24 hours; “I think that’s impressive, I think that’s really great”, though no applicant reported receiving such a service.

Other participants were less positive in their descriptions of call centre support when they had specific questions that the website—which they had already checked—did not answer:

The woman on the phone was reading exactly the paragraph that was online and I said ‘thank you that’s helpful except that’s what I’m reading online and I’m still confused after that,’ and then it was sort of like, ‘well that’s all I know what to say,’ and that was like probably not on her, she, she really doesn’t know, but it was really frustrating, this is supposed to be the ‘for

additional help call...’, but really I’m going to read you what’s online so maybe more support like actual one-on-one like someone you can talk to and say like here’s my situation. (Ali, sponsor)

Participants spoke of the call centre providing inconsistent advice:

Horrible, so you call four times, you get four completely different answers. They don't record the answers they are giving you, so there's no way to trace back I was told on this day to do this, there's no record of that. (Navaratnam, sponsor).

They described how advice had directly contributed to problems, such as that already described when Rajendra was told to submit an inland application when his wife was outside Canada. Lastly, Bruce, sponsoring a same-sex spouse, commented on the heterosexist language; “every single time they assumed that I was married to a woman. Never ever, ever, ever was it a man, or even worded in like a, a gender neutral tone, like your spouse or partner.”

This all left applicants feeling very wary of advice from the call centre:

When you call it’s really a gamble if you can find the right person, or if you find someone that’s just gonna like tell you something and then you don’t know if he actually is doing his job right and you really have to take him on his word so... (Jacques, sponsor)

Frustrations that the call centre only gives out general information and is not helpful for case-specific questions and that the options can be confusing even for native English speakers have also been reported in the media (Keung, 2016e). Yet applicants could be resourceful in developing strategies to account for potential inconsistencies. Bruce described his efforts to ensure he was getting correct information:

I’d always call in threes, like if it was a really serious question, like I’d call once and if they didn’t sound really confident I’d call a second time and then even a third usually, to check I was getting consistent information, cause sometimes you just don’t you really don’t get the right answer. (Bruce, sponsor)

Of course such a strategy was time consuming and not available to all applicants.

eCAS

Overall, most participants welcomed the idea of an online portal as “good in the sense that now you get basic information” (Ivan, sponsor). It had the advantage of accessibility and some applicants used it frequently; “actually I’ve been a little OCD with that, I log in every day” (Daniela, sponsored spouse). Yet interviewees identified certain limitations to the website and only a quarter of surveyed respondents saw eCAS—in its form at the time—as helpful or very helpful (see Figure 7).

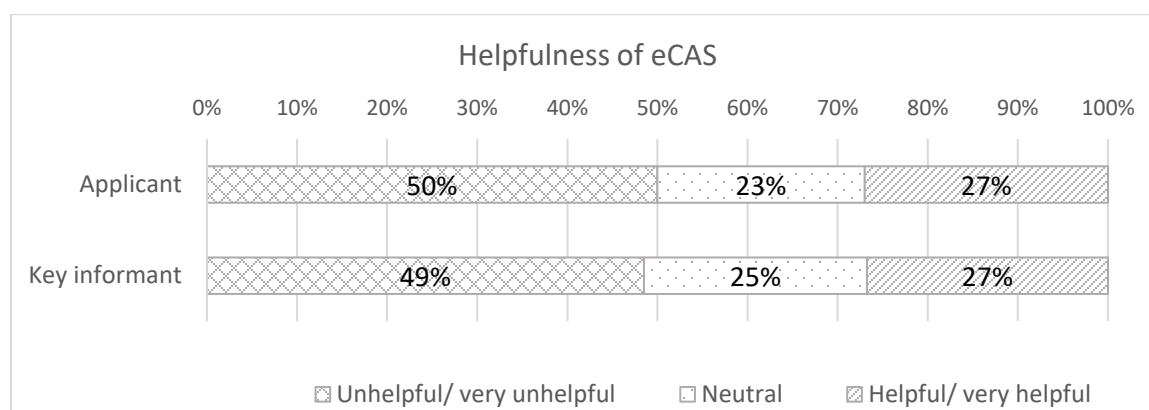


Figure 7: Helpfulness of eCAS (Applicant and key informant surveys)

eCAS was commonly described as a false pretense at transparency; applicants were unhappy that, in reality, very little information was provided; “the status changes only a couple of times. It’s not useful at all. The only updates are at the beginning and the end – status ‘received’, and ‘rejected/approved’. How is this useful?” (Caroline, sponsored spouse) and with delays in updating the information. Others described it as “totally bullshit” (Ajai, sponsor), and “kind of a joke.” (surveyed applicant). Participants suggested eCAS could serve its intended purpose much more effectively if it were to provide more detailed information; “I would highly suggest them updating eCAS to say exactly what stage they are in (eligibility review, medical review, security review) etc. It makes it less worrisome. ‘In process’ means a lot of things.” (surveyed applicant).

Citing the confidentiality breaches when Citizenship and Immigration Canada had sent post and emails to wrong addresses, participants asked why, with its secure log in system, this communication could not be posted instead on eCAS either directly or as attachments; “they should update things on the website instead of these random emails or letters something to the wrong people they should attach a document on the website, it's already secured” (Ajai, sponsor). Others suggested that Citizenship and Immigration Canada could at least post a notice in eCAS when they sent communication, so that applicants would be aware if correspondence did go missing⁶¹.

Access to Information requests

Access to Information requests, unlike all other means of communication, were appreciated by most participants who had used them; “you can make out what was the problem, what was the mistake in the application” (Mahmaz, settlement worker). Survey participants considered them to be by far the most useful source of information; over half of applicants (58%) and key informants (57%) rated them as helpful or very helpful (see Figure 8). Some sponsors even prepared the paperwork (which required the sponsored person’s signature) for multiple requests in advance, so they could submit requests on a regular basis.

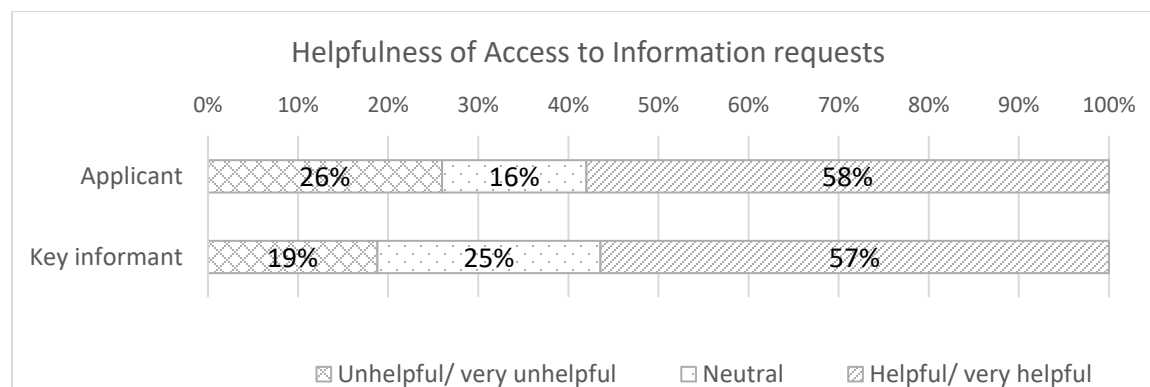


Figure 8: Helpfulness of Access to Information requests (Applicant and key informant surveys)

⁶¹ I discuss recent changes in Chapter 7.

Access to information requests were not, however, without limitations; “case notes were helpful as they gave details that the visa office would not, but the coding they use in the notes can be confusing to understand” (surveyed applicant). Moreover, awareness of this option was not universal. One participant also questioned the efficiency of redirecting Citizenship and Immigration Canada resources towards responding to ATIP requests, and away from actual case processing.

Communication channels for designated representatives

Key informants were more positive about their own communication with Citizenship and Immigration Canada; they cited separate channels to which they have exclusive access, and their ability to contact visa offices directly. This privileged access effectively resulted in a two-tier communication system for applicants who had access to professional support and applicants who did not:

The fact that counsel have email and fax number access to decision-makers and managers is a serious access-to-justice issue. If CIC commits an error or behaves unreasonably, I have several administrative lines of recourse in addition to the formal procedures of appeals to the IRB or Federal Court, and those administrative lines are often far more effective than the formal means. Unrepresented persons can only complain through the Case-Specific-Enquiry form or by emailing question@ci.gc.ca (or - God help them - calling the Call Centre), which suffer from being lost in the noise or being ignored or mishandled by the agents. (surveyed key informant)

Indeed, one surveyed key informant admitted that creating confusion amongst applicants who may eventually therefore pay a professional for help “is probably good for lawyers and consultants!” (surveyed key informant).

Nonetheless, other key informants suggested that communication between Citizenship and Immigration Canada and lawyers was not as easy as it used to be; “CIC has restricted communication with counsel; previously easier communication with Program Managers was excellent to resolve straightforward problems/errors and avoid unnecessary refusals or delays.” (surveyed key informant).

MP caseworkers also reported that their ability to communicate with Citizenship and Immigration Canada had diminished; “slower and less responsive over the last 3-4 years, especially since the huge number of CIC offices abroad have closed” (surveyed key informant)⁶².

Recently closed counter service

Finally, several applicants and key informants bemoaned the closure of Citizenship and Immigration Canada’s counter services in various Canadian cities (Citizenship and Immigration Canada, 2012e), while others, unaware it had ever existed, cited the need for such a service:

If they would have an office where we could go and bring our case and talk with them to explain the case I think that would help more to people who is like me, trying to bring their family close yeah that I think would help. (Sara, sponsor)

This closure was a particular concern for MP constituency offices; caseworkers spoke about how they and settlement organizations—the latter despite reduced funding⁶³—had essentially taken over much of the role previously played by counter services:

It's just this, this, this helpful resource that just went boom and didn't, wasn't replaced by anything except if a non-profit takes it over, takes over that little, little niche they used to have people dedicated to just answering questions. Sometimes I sound like I work in Citizenship and Immigration Canada and that I'm just, there's a switchboard at the call centre. I'm more than happy to answer these questions, but that means I'm not dealing with problems, files, problem cases, I, we end up being Citizenship and Immigration. (Vanjelis, MP caseworker).

⁶² In a continuation of this pattern since data collection, as of December 2015 MP offices were no longer able to contact individual visa offices at all (Rana, 2016a).

⁶³ Several settlement workers also explained the difficulty striking a balance between not providing legal advice, but trying, on the understanding that they were not lawyers, to help clients who otherwise would have very little support, through, for example, workshops, information sheets and reviewing applicants’ files.

The downloading of service to constituency offices was also recently recognized by an MP speaking to the Standing Committee; “it's absolutely bizarre that a Member of Parliament's office is the front-line immigration staff” (Charlie Angus MP quoted in Standing Committee on Citizenship and Immigration, 2016f, p. 14).

(Lack of) transparency

Combined, these experiences fed perceptions of inaccessibility and a lack of openness on the part of Citizenship and Immigration Canada. Applicants found it very difficult to have meaningful contact with Citizenship and Immigration Canada, particularly once an outside Canada application was with an overseas visa office:

The Canadian Embassy in Paris doesn't have contact information, they don't have a phone number, they don't have anything we somehow got it through the Canadian Embassy in Spain who gave us the contact or whatever for the one in Paris erm because online there's a very general email that they don't really respond to and they don't give you a phone number, there's no way to call them. (Zoe, sponsor)

Key informants and, to a lesser extent, applicants, partly sympathized with difficulties Citizenship and Immigration Canada may have communicating effectively with a huge caseload; “Citizenship and Immigration Canada just doesn't have the capacity to be in constant communication with people so to some extent it's understandable” (surveyed key informant). They pointed out however that bad communication and customer service were counter-productive and could increase the overall amount of work:

There is currently no more dismal or pathetic aspect of the immigration system than its attempts at client service. They continue to add rungs to the bottom of the ladder. There is little evidence that they are even trying to create effective accessibility - it really looks more like an attempt to merely create the appearance of access, like a false front in a movie set. This had

long been the case for visa posts, which have been traditional overseas outposts of unaccountable bureaucratic excess (and recently had the additional boost of the completely-unaccountable Visa Application Centres), but until the last 5 years or so, one could at least count on having reasonable access to in-Canada officers. No longer. The Call Centre is a disaster and in some cases an actual liability to CIC itself, when agents mis- or mal-advise clients which in turn creates more work for CIC to clear up (where the applicant is able to actually bring a CIC mistake for review, which is almost impossible without counsel). (surveyed key informant)

Satzewich (2015), speaking about communication from the visa officer perspective, talks about how a move by Citizenship and Immigration Canada to “inoculate their employees from direct contact with applicants” (p. 215) and reduce contact to only clients of whom a visa officer is suspicious, had contributed to a “general air of distrust” (p. 220) in interviews that he observed. In this research, applicants who were *not* interviewed could also perceive themselves to be objects of suspicion.

Dieudonné (sponsor) attributed this to:

A siege mentality, they just think that people are either out to get them or people are either out to kind of take advantage of the system to the extent that they don’t realize that there are some people who are actually out to use it in a legitimate way and that are paying for it and that those people need to be communicated with in a proper way.

Other participants talked about communication barriers; “everything is shrouded in secrecy as if it's not your case files you’re inquiring about” (surveyed applicant), “it felt like talking to a wall” (surveyed applicant). Multiple participants described Citizenship and Immigration Canada as a “black hole” and one key informant survey participant described trying to communicate with Citizenship and Immigration Canada as “like pulling teeth without a sedative”.

The anonymity of the visa officers processing their applications—applications that would determine the future of their lives and relationships—upset participants. This was exemplified in

impersonal correspondence, to which they could not respond, signed “x visa office” rather than by a person:

Just the fact that you receive a 'do not respond' to this email can be frustrating. You send the contents of your life to these people, and then have to communicate with an automated message. It's so impersonal. I didn't expect cordial greetings, but talking to a robot is not as assuring as talking to a human--especially if there is a problem. (surveyed applicant)

Key informants with considerable experience of government bureaucracy judged Citizenship and Immigration Canada to be uniquely impenetrable; “je suis moi-même un ancien fonctionnaire. Je n'ai jamais vu un ministère aussi nébuleux dans ses explications.” [I am myself a former bureaucrat. I have never seen a government department as nebulous in its explanations] (surveyed key informant). They added that “there is no meaningful way of contacting Citizenship and Immigration Canada when (not if) Citizenship and Immigration Canada makes mistakes that need urgent attention” (surveyed key informant). Even when an applicant or key informant could contact Citizenship and Immigration Canada to point out mistakes, “if they [have] made a mistake on a file they don't they don't want to engage with that *at all*.” (Branka, MP caseworker)

Several participants spoke about the relatively recent policy to not answer questions on an application before the published processing time for 80% of cases had passed, regardless of circumstances. Chiara (a lawyer) argued this could be detrimental to both the applicants and people processing the application:

[That is] causing anger probably on both sides, because you've got applicants with attorney going what the fuck is wrong with you, and then you have like [Citizenship and Immigration Canada] on the other side saying like I'm not doing it [providing an update], and they get really snarky, they were not snarky before, they are probably hearing so much swear words from the public about this quality of service that they are getting defensive as well, so it's a lot easier

when somebody can say [puts on polite voice] ‘oh let me look that up for you, and oh here’s what I have in the system’. You know you have no animosity that way on both sides.

Finally, participants suggested it would be useful if Citizenship and Immigration Canada could improve internal communication about cases—for example between Citizenship and Immigration Canada inside and outside Canada:

The call centre people don't know what you're talking about because they are not in touch with the office in Paris and that like lack of erm cohesiveness lack of understanding between the different moving parts makes you as an individual feel lost. (Zoe, sponsor)

Lack of communication between a call centre and other parts of the same processing bureaucracy is not unique to Citizenship and Immigration Canada; it has also been noted in research on women applying for Employment Insurance, with similar subsequent levels of frustration when parts of the same bureaucracy did not speak to each other (Nichols, 2014). Internal communication between different visa processing offices was also identified in the internal evaluation of the Family Reunification Program as an area in which there were “some issues,” in particular over where to direct communication (Citizenship and Immigration Canada, 2014b, p. 31).

External support during processing

Many applicants also accessed external support during processing; the most commonly cited sources for surveyed applicants were again online forums (65%) followed to a much lesser extent by friends (16%) and MP constituency offices (13%). Only 6% had received help from a lawyer after submission, 4% from a consultant and 2% from an organization. Access to different types of professional support again depended on various factors. Applicants on a low income could have difficulties accessing reputable lawyers and consultants and turn instead to cheaper, less conscientious professionals who may over promise on what was possible or provide inadequate services. Access to MP constituency

offices depended on awareness of constituency work. Settlement organizations primarily supported new permanent residents.

Reflecting on the helpfulness of types of external support, key informants gave more positive reviews of *formal* support than applicants who had used those sources, while the opposite was true for *informal* sources. For example, several applicants suggested that Citizenship and Immigration Canada should make it clearer to applicants that lawyers are not required; “they should almost put a disclaimer saying for the most part you shouldn’t need a lawyer, it’s just a form. If you understand English, just read the question and answer it you know” (Matt, sponsor). Lawyers, though, had the opposite opinion:

Here the attitude is very much, ‘you don’t need a lawyer, we don’t even recommend that you use a lawyer almost and we discourage you from using a lawyer’, and that unfortunately I think leads to a lot of cases where people make applications and they make mistakes which ends up costing them perhaps their relationship being apart for you know a year or longer or having a family member not attached to the application that should have been and it’s unfortunate I don’t know why where the animosity comes from people having legal representation I think that’s a problem. (Aleksander, lawyer)

Most constituency workers, who generally entered the experience after an application had been submitted, reported that the majority of their clients were looking for an update on their case and may want the MP to speed up processing; “people come, they think that an MP has the magic stick that they can just jump people in front of the queue yeah which we can’t” (Pinyin, MP caseworker). At the time there were “308 Members of Parliament [and] everyone's doing it differently there's no standard,” (Milo, MP caseworker), so the service provided depended on the office. Dieudonné (a sponsor) was pleased that his MP constituency office helped him to work out why his case was not progressing; “that was the only person that I could use to exert some pressure on the process”. Others were not happy that the MP caseworker “refused to even inquire about our application until the processing time was

completed” (surveyed applicant). The MP caseworker policy to not follow up on cases until the advertised processing time had passed (consistent with that of Citizenship and Immigration Canada for direct requests) upset applicants with stressful circumstances; “after my application was filed when bombs were going off in my husband’s city I contacted my MP, I never really got a reply but to tell me I was within the stated timeline blah, blah.” (surveyed applicant).

Organizations, primarily available to people in urban centres, were praised by other types of key informant for helping applicants with language or financial barriers, for doing “amazing work under difficult circumstances. They have, their resources are limited, so limited and you know they’re sort of providing the purest form of help to these folks which I think is amazing” (Arif, MP caseworker). Settlement organizations, however, only receive funding to support recent permanent residents and are technically not funded to help Canadian citizens, whether born or naturalized, potentially excluding a large proportion of sponsors, though several emphasized that they do not turn away any type of client.

Given the difficulties accessing formal support, it was not surprising that many applicants relied on informal support. Key informants cautioned against relying on informal advice that could be based in quite different experiences; “as a nation of immigrants too many people think the system crystallized when they immigrated and then give terrible advice to people in the process” (surveyed key informant). This led to; “a great deal of misinformation out there”, especially on timelines. As one interviewee expanded:

A lot of folks come in they say ‘well my friend had an application that went through in six months, why is my application taking 36 months?’ I get that a lot and you know it’s hard to explain to somebody that each case is unique and different, some cases can take longer than others, but the majority of cases, are, they go that length of time 36 months and they just don’t understand why a friend, a friend’s case or a relative’s case... And you know you take it with a grain of salt because sometimes they’re exaggerating erm sometimes they have friends or

relatives that 'oh it only took six months, it only took' but they don't remember that it actually took, it actually took longer, so that becomes a bit of a pressure point as well. (Arif, MP caseworker)

Use of online forums again varied enormously. Many applicants closely monitored the online spreadsheets that detail the progress of forum members' applications, to estimate the progression of their own application. Some based the majority of their expectations and behaviour on what they read; multiple applicants, for example, said they had not applied for visitors visas for their spouses, a topic to which I return in Chapter 6, because of what they had read on the forum about rejection rates. Others were more skeptical of information on the forums, reading them with a critical eye; "I never used them as my primary source because a lot of the times it would be like other people venting and giving off the cuff advice" (Bruce, sponsor). Those who had found the forums only after submitting their applications talked about how posts could cause second-guessing:

All of a sudden I'm like 'holy did we under think this?' right you know and then I thought, so you, I think anybody that finds that website, it's, it's like a double edged sword, it can be really helpful, but some people should really just ignore what they read there. (Matt, sponsor)

Regardless of the quality of information, the forums did provide an important space for people going through the process to virtually congregate, share experiences and encourage each other:

One time I put in the forum, I ask in the forum, 'have you every guys felt that it's been like you guys have been fighting a lot during the application?' and then their really encouraging words, 'it's very you know, no one told you that this would be easy. The processing would be harder and it's you will feel it's longer but you know you really have to hold on if you love your person, you will feel that if good guys have gone through it it's all worth it' and like with that encouragement it really help me a lot. (April, sponsor)

This helped to minimize feelings of isolation for applicants who did not know anyone personally who was going through the same experience “and so you’re never really alone. So you’re not alone and that’s I think the one thing that really helped us, we’re not alone in that process” (Rudo, sponsor), and reduced vulnerability to mental health problems; “without the use of the forum I found I would have been a mess emotionally and intellectually” (surveyed applicant).

What this meant for applicant understanding

Experiences of communication and support inevitably had an impact on applicants’ ability to understand what was happening as their application was processed. Contrary to the relative ease of understanding the instructions while putting together an application (described in the previous chapter), it was generally much more difficult for applicants to understand what was happening once their application had been submitted (see Figure 9); only 6% of surveyed applicants said it was easy or very easy.

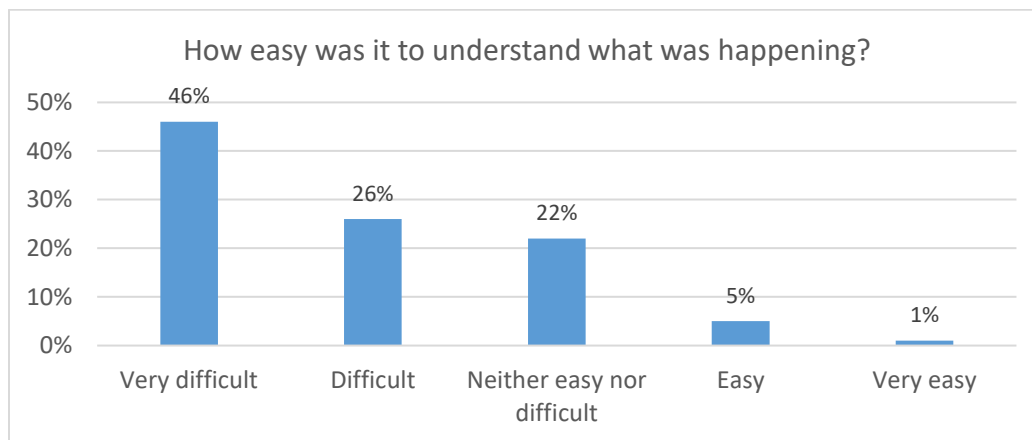


Figure 9: Ease of understanding what was happening during the process (Applicant survey. $n = 125$)

Citizenship and Immigration Canada itself found in the 2014 internal evaluation of the Family Reunification Program that applicants would like more information during the process and key informants in that study raised concerns over the “availability, clarity, accuracy, or timeliness” of, and language used for, information provided to clients (Citizenship and Immigration Canada, 2014b). In that

evaluation though, only a third of people did not feel well informed while waiting for a decision and less than 15% reported the application process overall was not clear (Citizenship and Immigration Canada, 2014b), results that diverge substantially from the opinions of participants in this research, possible reasons for which are discussed in Chapter 7. The multiple consequences of uncertainty for applicants are discussed in the next chapter.

Summary

Applicants' experiences of application processing were, again, varied. Processing times varied significantly across programs and offices causing great concern to applicants. In general, inland applicants found Stage 2 much easier than Stage 1, while for outside Canada spousal/partner applicants it was the opposite. Parent and grandparent applicants experienced difficulties and delays at both stages.

Individual experiences at the processing stage could directly reflect those at the preparation stage described in the previous chapter. If an applicant had not submitted a complete application they would receive a follow up request or, worse, their application would be returned unopened. Different visa officers could approach the same question or problem in different ways, each of which had potential consequences for application processing (or lack thereof), which was thus a great source of frustration. Being able to easily provide documentation that would be recognised by the visa officer and to employ a good lawyer or consultant who could ensure completeness of the application package was therefore highly advantageous.

Yet even when an application was complete, smooth processing was not guaranteed as follow up requests could be for documentation that had already been submitted; a problem that has already been identified internally. Key informants, based on their experiences, identified other patterns in follow up requests that were specific to certain visa offices, examples of which were also described by individual applicant families, including early passport requests, interview requests, and requests for DNA

tests. Experiences of communication differed depending on the type of communication; most notably whether it was initiated by Citizenship and Immigration Canada or the applicant. When Citizenship and Immigration Canada asked an applicant for information or follow up action the applicant needed to respond in a relatively short period of time, essentially requiring her to be available on standby throughout the process; this was easier for some participants than others. The ability to meet follow up requests such as repeat tests or attending an interview, for example, depended on the social location of the applicant and how easily they could travel and pay for a test. The consequences of not being able to do so, particularly for those who were unaware that they could request a possible extension, were potentially cancellation of the application.

Conversely, when an applicant wanted to initiate communication with Citizenship and Immigration Canada it was much more difficult. Multiple means of communication were available in theory, but all were limited in practice. Ease of accessing and navigating each of the potential sources of information could depend on a variety of factors including awareness of a particular source, time and energy, language ability in English or French, resources and geographic location. Intersectionality in access to communication, and the way in which power manifested itself in ability to communicate are two ideas to which I return in later chapters.

When it came to application processing, applicants wanted fairness; consistency in both treatment and times. They questioned differences in terms of the way in which different visa offices processed applications, which as described had implications for their ability to prepare to move to Canada, as well as different interview patterns. But most of all, they wanted fairness in processing times. I return to the ongoing ways in which intersecting aspects of identity influenced their experiences throughout the whole process in Chapter 6.

Application processing is influenced by multiple stages of the policy cycle. Applications are scrutinized for their conformance to the policy definition of deserving applicants and genuine

relationships (and definitions of which types of proof are more acceptable than others). The organization of this scrutiny, though, is determined by policy implementation decisions on immigration levels, the management of visa offices and communications structures—ideas to which I return in more detail in Chapter 6. In Chapter 3 I described pre-submission experiences of putting together an application. In this chapter, I have described the experiences of applicants as their applications were processed. In Chapter 5 I turn to outcomes.

5. Outcomes: Application decisions and everyday life

In this final chapter describing applicants' lived experiences I focus on outcomes. Narrowly defined, 'outcomes' refer to whether the family was ultimately approved and able to reunite. Broadly defined, however, 'outcomes' of going through the process, for health, finance and work, changing relationships and attitudes towards Canada, were also integral to applicants' experiences. Considered with the experiences described in previous chapters, these outcomes expose the strengths and weaknesses of policy and the interpretations of success discussed in the final two chapters.

I start the chapter by describing the final chronological stage of the application and (hopefully) immigration process—whether or not a family was granted permission to reunite in Canada and, if they were, arrival in Canada. I examine first what happened in (the majority of) cases that received positive decisions. Next I discuss the experiences of families unable to reunite, either because an application was refused or because a family was convinced they would be refused and therefore had not submitted an application: the reasons given for either scenario overlapped substantially and from the perspective of families the outcome—continued separation—was identical. Finally, I explore broader outcomes for families, both during and immediately following processing, of living the application experience⁶⁴.

The decision on the application

The majority of families who apply to reunite in Canada through family class are ultimately approved; for example, in the 12 months to June 2015, the approval rate was 87% for spouses, partners and children, and 85% for parents and grandparents (Citizenship and Immigration Canada, 2015d). Approval rates for participants in this project were similar; the overwhelming majority of participants

⁶⁴As described earlier, this dissertation focusses on the immediate experience of the application process; literature on longer term consequences of separation and reunification is described in the literature review in Chapter 1.

who had received a decision—83% of interviewed applicants and 92% of those surveyed⁶⁵—had been accepted the first time they applied.

Reunification: acceptance and landing

Most interviewees visibly brightened when they described finding out their application was approved. Commonly expressed emotions included excitement; “it was the best feeling ever it was like wow” (Sonja, sponsor) and relief; “at the end just relief like oh thank God” (Bruce, sponsor). The process was not quite over; once they had the visa for permanent residency in their passport, the sponsored family member had one year to activate it by ‘landing’ in Canada⁶⁶. The vast majority of participants described the landing experience positively, whether it was a “fairly straightforward” (Dieudonné, sponsor) arrival at an airport, the ‘flagpole’⁶⁷ procedure being “fine” (Caroline, sponsored spouse), or by attending a “very pleasant” (Ivan, sponsor) appointment at a local Citizenship and Immigration Canada office.

Several key informants, however, described exceptions to this successful final step, as illustrated by one sponsor’s story. Masha’s application to sponsor her parents had been approved eight years after she had originally submitted it, but as her parents were making preparations to move to Canada her father had a stroke. Unable to travel to Canada due to his health, their visas for permanent residency expired. As he was no longer able to pass the medical exam for a new application—a worry discussed in the previous chapter—the family remained separated:

⁶⁵ Two of the 41 surveyed applicants who had completed the process did not say whether or not they had been approved.

⁶⁶ ‘Landing’ is the process whereby the family member goes with their visa to the border or a Citizenship and Immigration Canada office for examination by a CBSA agent. They do not become a permanent resident until this process is completed.

⁶⁷ Those already in Canada can cross a land border with the United States and then immediately return to allow them to go through the ‘landing’ procedure at the Canadian immigration post.

So that's the tragedy of the whole process that it took so long that by the time we finally got to it, excuse my expression, that shit happened (....) That was a disaster. Like, I've become a bit prepared for that but it's horrible, it's yeah what can I say. I didn't fall into the depression for the grace of God but it was very...very upsetting yeah (....) All I can say is I'm not having words for it. (Masha, sponsor)

Key informants, as well as telling stories like Masha's, also talked about a situation with similar consequences for dependents, in which a principal applicant had died. Death of the principal applicant usually led to cancellation of an application, regardless of whether or not it included dependents. Those dependents, assuming they would qualify, had to submit a new application as a principal applicant.

Given the processing times, this was of particular concern to people sponsoring elderly parents:

It's, it's terrible and there's no, you know. What are you going to do, guess which one of your parents, your 80-year-old parents is going to die first, most likely to die first? It's a roll of the dice, you know this kind of thing. (Zach, MP caseworker)

Situations like these showed that even after acceptance an application could fall apart. They demonstrated the way in which processing times could interact with the designation of a principal applicant and dependents to create difficulties for family members who were older, or had health concerns⁶⁸. In 2012 an amendment was introduced that allowed spouses or partners to replace a deceased principal applicant (Citizenship and Immigration Canada 2012b) but knowledge of the new provision amongst participants and even within Citizenship and Immigration Canada seemed limited. In 2015, three years after the provision was introduced, Keung reported a case of a sponsor being told that following the death of his father, his mother would have to start again with a new application, a decision that was reversed following media inquiries (Keung, 2015d).

⁶⁸ The death of the sponsor could equally cause problems; the case of a sponsored husband whose wife had died almost two years after they had submitted their inland application, who was initially refused before the Minister intervened to grant him permanent residency, was highlighted in the media in 2015 (Keung, 2015g).

Continued separation: Refusals and inability to apply

A minority of applicants, and an unknown number of other separated families, are not able to reunite because a family member is removed from an application or the application is refused outright, or because they cannot, or believe they cannot, apply to family class⁶⁹. Few applicants who were interviewed or surveyed had experienced removal of a dependent or a refusal, but most key informants over their career had seen a small number (less than 33% of their cases) of examples; settlement workers and MP caseworkers were significantly more likely to see refusals ($p = .005$), again likely because their involvement often started when applicants experienced problems. Interviewed key informants also spoke extensively about people who wanted to reunite with family members but had not submitted an application, because they thought, correctly or incorrectly, that they would not be approved; almost half (44%) of surveyed key informants came into contact with such families at least once a month, and two thirds (66.7%) at least once a year⁷⁰.

Although they represent a minority of applications, it is important to look at refusals and inability to apply for several reasons. First, it can help to expose reasons for which families continue to be separated due to misunderstandings or lack of paperwork, rather than legally-defined inadmissibility. Second, it can identify any areas where processing may treat applicants in different social locations or circumstances unequally. Third, it can identify types of refusals and inadmissibility that have substantial unintended consequences. Families who do not apply or who have been refused remain separated from family members indefinitely, facing all the possible implications of separation that have been documented in previous research (as described in Chapter 1).

⁶⁹ Those whose applications are returned because their application did not make the parent and grandparent quota also continue to be separated, though they are able to try again the next year.

⁷⁰ As described in the methods chapter, my attempts to recruit separated families who were unable to apply for the survey had limited success, with only 13 such participants. The findings here on inability to apply are therefore primarily based in the experiences of key informants.

The most common reasons for *refusals* identified by key informants were the relationship not being considered genuine, family members being inadmissible and the Canadian citizen or permanent resident being ineligible to sponsor. The most common reasons identified for *not applying* were (often mistaken) sponsor ineligibility and wanting to sponsor family members who did not qualify for family class. Among the 13 respondents who were unable to apply who did respond to the survey, the reasons given were ineligibility to sponsor (3), not making the parent and grandparent quota (3) and wanting to sponsor a family member who was not included in family class (3)⁷¹.

Sponsor ineligibility

Financial barriers were the most common theme in sponsor ineligibility; common reasons for sponsor refusal identified by surveyed key informants included not meeting minimum income requirements (cited as a common reason by 53% of surveyed key informants), default on an undertaking, loan or payment (37%), and being on social assistance by (27%). Low income was most clearly a barrier to sponsoring parents and grandparents, but high income earners could also find themselves ineligible if they had experienced a recent career break:⁷²

Somebody has to have made 30% over LICO, low income cut off, for three years, so people that went on mat leave, were sick, had a short period of unemployment, all of a sudden their applications were, shockingly weren't qualifying. So somebody I thought for sure would qualify, 'oh no I was on mat leave, we didn't have much income' you're like 'oh you don't qualify.'

(Aleksander, lawyer)

Income was not only a barrier to sponsorship of parents and grandparents. Those on social assistance were ineligible to sponsor partners or spouses, but other potential applicants, not on social assistance, had not applied because they erroneously believed there was a minimum income

⁷¹ The remainder did not specify a reason.

⁷² As described in Chapter 1, applicants must provide the three previous tax returns to prove that they have remained above the minimum income cut off—LICO plus 30%—to sponsor parents or grandparents.

requirement that they did not meet; “I’ve run into clients sometimes, particularly unsophisticated clients who’ve waited years before filling a sponsorship application to bring their spouse because they didn’t think they were making enough money. It’s horrible.” (Aleksander, lawyer). Indeed, nine out of the 75 key informants surveyed identified mistaken belief in a minimum income requirements to sponsor spouses and children as a common reason for potential sponsors to think themselves ineligible.

This confusion was also demonstrated by applicants; “I was actually worried about that because the whole time we’ve been together I haven’t had very much money ‘cause I went from being undergrad basically to volunteering in Ghana for seven months and I wasn’t making anything there” (Nicole, sponsor). A surveyed key informant argued that “CIC forms and checklists happily perpetuate this error.” Applicants could be similarly worried about definitions of social assistance and ODSP and how this may affect eligibility:

I typically get different advice when you call. What I found is the first time is that that doesn’t include like Employment Insurance or even like long term disability except that it only includes like straight up financial aid, so like going to the provincial government and them cutting me a cheque right. So I see that it’s worded it’s like I was really worried at first because what if I do lose a job, because EI is a type of social assistance. So that was really confusing and made me kind of nervous, and then generally like if financial support was required like you know how much money in terms of income do I need to be approved as a spouse. So none of that was really clear. (Bruce, sponsor)

Vaina (a settlement worker) described how applicants who had received social assistance in the past may encounter problems if provincial authorities did not remove their names from the system quickly:

We need to make sure their name is removed from the system. If even they are not receiving and their name is in the system, and they are getting in contact and their name is showing in the system, that is the issue for them and the application will be refused.

Default on a previous sponsorship agreement was especially problematic if the sponsor, having lost contact with their ex-partner, only found out about the debt when the new sponsorship application was refused. Multiple key informants described clients being presented with large bills, even in cases of abuse:

She remarried but she cannot bring her husband, this is appalling, because she is in default and that was an abuse case, he was abusive he was at fault, they knew he was abusive and also like and social assistance they don't, they don't even sometimes check, like with the spouse, what happened. (Mahmaz, settlement worker)

Applicant sponsors could also be refused based on their physical or legal status in Canada, sometimes in error: Sophie, a Canadian citizen sponsor living with her partner in another country, was initially refused when the visa office told her she was ineligible to sponsor because she was not in Canada. With the help of a lawyer she was able to have the case reopened, though the visa office continued to question her intent to return:

So they were like 'if you want to return then why don't you just go back to Canada and sponsor closer to that date?' which didn't make any sense because we were in a partnership, we're not able to just and the whole point of doing it from outside of Canada is so that we're together during the two years that we waiting, I mean it's quite long right you just ask us to prove our relationship and then you just ask us to be apart so what the F is that yes so I was not very impressed. (Sophie)

In another case, Guofeng understood from the case notes that his application to sponsor his wife had been refused because Citizenship and Immigration Canada was suspicious that he had only

recently returned to Canada after an extended stay back in his home country. He questioned why Citizenship and Immigration Canada would consider his submission to sponsor his wife 'too soon' after returning to Canada when he could see nothing in the rules that said that once he was resident again in Canada he needed to wait before applying.

Family member ineligibility

Family member ineligibility often reflected the more complicated parts of application preparation and processing discussed in the two previous chapters. Eighty-nine percent of surveyed key informants identified failure to prove a spousal/partner relationship as a common reason for refusals of permanent residency, 50% failure to prove a biological dependent child-parent relationship and 27% a non-biological child not being formally adopted. Indeed, Citizenship and Immigration Canada itself has said that the main reason for refusals is doubts about the genuineness of the relationship (Citizenship and Immigration Canada, 2014b). Only 39% of surveyed key informants chose criminality-based inadmissibility as a common reason and 28% medical inadmissibility.

The consequences of family member ineligibility depended on the status of the family member in the application. When the principal applicant was found ineligible, similar to the cases of principal applicant illness or death, the entire application would be cancelled regardless of any dependents. If the ineligible family member was a dependent on the application the family had to choose between cancelling the entire application or removing that particular family member and leaving them behind when the rest of the family immigrated to Canada.

Doubting the relationship: Spouses and partners

According to key informants, reasons for doubt over the genuineness of spousal/partner relationships fell into three broad categories. First, many spoke about individual characteristics. A difference in ages, for example, was considered to invite suspicion, though only "if the woman is older and the man is younger - cases whereby the men are older and the women are younger seem all to get

approved from what we have seen at this office” (surveyed key informant); this has been documented in the media (Keung, 2016f) and research on the UK (Wray, 2012), while Satzewich (2015) found that age differences in both directions could cause concern. Personal history, including “previous failed immigration applications of the sponsored spouse” (surveyed key informant) or previous marriages could also lead to refusals; even though documentation about the latter was difficult to provide from countries that do not recognize divorce.

Second, characteristics of the relationship could cause concern, for example when “they don’t know each other very well, haven’t spent much time together” (Priyanka, lawyer). Relationships that “began online, or after a brief visit to the country” (surveyed key informant) were more likely to be scrutinized closely. As Zach (an MP caseworker) pointed out, this could disadvantage applicants from certain backgrounds; “a class of people they have a legitimate relationship but where they’re not able to travel as much,” a topic to which I return in Chapter 6. Another common theme was the visa officer believing “the relationship is not genuine because it does not conform to cultural and religious practices” (surveyed key informant), for example in relation to marriage practices. This was confirmed by visa officers quoted in Satzewich (2015, p. 153), though he qualified their quotes by emphasizing that deviation from cultural norms does not *automatically* lead to refusal.

The third theme in factors that provoked suspicion and could result in refusal was insufficient, inconsistent or fraudulent evidence. As Amelia (a lawyer) pointed out “the whole system is not what ultimately decides whether or not the relationship is genuine it’s just really the documentation”. Applicants may have provided “insufficient evidence” of communication, visits and financial interdependence, perhaps due to the difficulties described in Chapter 3. Other applicants could be inconsistent in application forms or interviews, as discussed in Chapters 3 and 4 respectively.

Finally, a small number of surveyed key informants talked about cases of fraud, including applicants “lying in the application”, providing documentation that was not “authentic” and cases where

it was “clearly evident” that they had married for the purposes of immigration, though as already described, immigration was understandably a key influence in the decisions of several participants over not *if* but *when* to marry. As the Metro Toronto Chinese and Southeast Asian legal clinic (2016) has asserted “when there is a marriage or common-law partnership in which two spouses live in different countries and/or have immigration status from different countries, immigration issues would by necessity form a very large consideration in whether or not the relationship is worth having.” (p. 11)

Definition of a dependent child

Barriers to proving biological parent-child relationships were different. Difficulties doing a DNA test included the cost; “it’s bloody expensive” (Dieudonné, sponsor), and the logistics of getting to an approved testing facility that could be in a different country. These barriers had been exposed previously by the Canadian Council for Refugees (2011a) who argued overreliance on DNA tests can considerably—due to delays both before the test is requested and after the test is done and processed—exacerbate separation, and that they are disproportionately requested of families in the Global South (see also Joly et al, 2016). Indeed, Joly et al (2016) report that only the guides for applicants from African countries acknowledge—without informing potential applicants of details—the use of DNA tests. Key informants also described instances where applicants had been shocked to find out as a result of DNA tests that they were not biologically related to a child, a scenario that has also been highlighted in advocacy work (Canadian Council for Refugees, 2004b) and academic research (Joly, et al, 2016).

Though adoption cases, according to key informants, were usually dealt with smoothly and quickly, a small subset of applicants encountered considerable complications, as illustrated by Sara’s story. Sara and her husband, unable to have children biologically, had officially adopted a daughter in their country of origin. The adoption was processed through the courts in that country with full participation and permission of the biological mother. As naturalized Canadian citizens Sara and her

husband had assumed it would be easy to bring their daughter to Canada; their counsel had not advised them of the Canadian adoption authorities' moratorium on adoptions from that country. When they applied to bring their daughter to Canada and were refused, provincial adoption authorities in Canada advised them that they would simply have to "wait until the policy changes."

As a result, eight years after the adoption the child was still in their country of origin living with Sara's increasingly frail mother-in-law while she and her husband desperately searched for a way to bring her to Canada. They were unable to return to live in that country due to fear of persecution and the forced separation was having a terrible effect on all concerned. Sara became very emotional as she tried to describe how it felt; "it's really horrible, it's a very difficult feeling, words cannot express what I'm feeling." Key informants in interviews and the survey spoke about similar scenarios:

The most common type of file I deal with that involves problems in the second stage is when a parent tries to sponsor an adopted family member, where the adoption was done as a private, domestic adoption. Many countries, such as China, will allow citizens of their country (who are not habitually resident in their country) to adopt family members through a domestic adoption without following the Hague Convention. Then, when the parent tries to sponsor the child, CIC says the adoption is not valid because it didn't follow the Hague Convention." (surveyed key informant)

Other children who were excluded were those who are not at all covered by the definition of a dependent child. Dieudonné had to remove his young sister from his application to sponsor his mother; his mother had raised her as a daughter but the DNA test showed she did not fit the immigration definition; she was neither biologically related nor formally adopted. Since arriving in Canada his mother had not coped well with separation from her daughter and had decided to return to her; "for my mother it's really, her life here ended up being, she's not happy, eventually she wants to go home" (Dieudonné).

For all types of parent-child relationship, the lowering of the age of a 'dependent child' was extremely concerning:

It's so heartbreaking, it's so heartbreaking to see people who can't bring their children here because they are no longer dependents. Even though they are adult children it's, there's still that bond there, there's that family bond, it just to me it's wrong, that that's so arbitrary and now I think they've er even lowered it now to 18 or something like that from the 22 it's so arbitrary that just because someone's an adult child doesn't mean they don't love their parent anymore. (Branka, MP caseworker)

Zao Ping had missed the 2014 quota to sponsor his parents—an application that would include his younger sister as a dependent. He was anxious that his 2015 application make the quota as this was the last year that his sister would be young enough to qualify as a dependent child. He worried that if he missed the 2015 quota his sister would have limited options to immigrate independently; “I also have like concern cause like the rules actually being tightened these days so it's like first she graduates she might not be as easy as like what I did to get the status” (Zao Ping). Key informants reiterated the potential harm that advocates had cited (described in Chapter 1) when the definition of dependent child was changed:

In some of the countries you cannot change, you cannot leave your daughter of 21 years old alone and come here. It has emotional impact on both sides, it might affect the mental health of the immigrants who are here in Canada who can't bring their children, and also on their settlement process and their contribution in the community. We are talking about their contribution in the community. (Mahmaz, settlement worker)

This argument has also since been repeated in submissions to the Standing Committee (Standing Committee on Citizenship and Immigration, 2016b; 2016c).

117(9)(d) inadmissibility

In clause 117(9)(d) refusals—well-known amongst people who work in family class—the genuineness of the relationship is not in doubt, but the family members are rendered inadmissible to be sponsored because they were not examined on the sponsor’s own application for permanent residency⁷³. Key informants talked about various ways in which they had seen immigrants who had arrived through a variety of streams subsequently discover this clause was a barrier to family reunification in Canada.

Applicants, for example, may not have declared a common-law partner in their own application because they did not understand the definition of common-law under Canadian law:

A lot of people don't understand what common-law is because you're just living with a person for one year, and so that means that if you don't declare that person, you can no longer sponsor them. Common-law is one of things that, because people, people kind of understand marriage, they understand that you're married. People understand that if I'm married and I'm applying for my own permanent residence, you have to declare that relationship. If you don't declare that relationship you will be banned forever from sponsoring that person, and that's one of the main things. (Amelia, lawyer)

Or they may—based on rumours or bad advice—have failed to declare that they had married or had a child while their application was being processed:

What I have seen in my community sometimes a person gets the immigration, a single person so but because it takes about three to four years to get immigration so before he got the immigration he got married and people say ‘don't tell it now your immigration will be you will be

⁷³ As I explained in Chapter 1, in all applications for permanent residency, regardless of the immigration stream, most spouses/partners and dependent children must undergo medical and security checks, whether or not they will be accompanying the applicant to Canada. Clause 117(9)(d) states that if they are not, they are inadmissible for permanent residency.

delayed or jeopardized' [sounds of agreement from other interviewees present]. So that person comes and don't declare it for the country then they eventually they come to us, 'OK I got married my wife is there I want to sponsor her.' 'Did you declare?' We saw their papers; it is not declared. That's a big problem because immigration then don't believe that and they say that because if they don't declare at the port of entry so [they] will not consider your wife as your family member or your husband as a family member. So that's a big challenge you know.

(Rupert, settlement worker)

Alternatively, when an immigrant's child was not examined due to a difficult relationship with the child's other parent, they may not have understood that this would bar them from later sponsoring the child,

The children they are not examined at that point here now they are, they can't come later, he can't sponsor them later and the people just say 'OK but they are not coming now so why should they be examined?' The mother will do like you know he has problem with the mother, she doesn't want them, she doesn't allow them to come here, she doesn't want you know.

These are really, we see these problems. (Basha, settlement worker)

Key informants questioned the lack of flexibility over cases where fraud was clearly not intended, as rendering children inadmissible could contravene Canada's commitment to act in the best interests of the child⁷⁴:

Given generally that is happening not in cases where people were trying to hide the medical condition, it was just not understanding the impact of not putting the child down or understanding that they had to they should be well if we're going to require an agency of those parents to include the child, they should then be they should in most cases still be accepted

⁷⁴ The *International Convention on the Rights of the Child* (1989), to which Canada is signatory, states that "in all actions concerning children, whether undertaken by public or private social institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration."

unless they can see there was a, an intent to try and hide some medical condition or something.

(Lou, lawyer)

The examples of 117(9)(d) described by key informants reflected those previously presented by advocacy organizations (Canadian Council for Refugees, 2007, 2016; Liew, 2016; Stone, 2015), as well as those that have been highlighted on a regular basis in the media (e.g. Brean, 2016; Canadian Broadcasting Corporation, 2014; Keung 2016h; Sagan, 2015). Organizations also argue that the implementation of 117(9)(d) can penalize innocent children, contravening Canada's international obligations to act in the best interests of the child, and that it is not needed as fraud is already covered by other provisions in *IRPA* (Canadian Council for Refugees, 2007, 2016; Liew, 2016). Indeed, the Toronto Star has reported that, according to an internal review in 2014, 117(9)(d) had been used over a single six-month period to exclude 237 family members, including 103 children (Keung, 2016h).

Family members excluded from family class

Other types of family member are almost entirely excluded from family class. Sibling ineligibility was difficult especially for families when one sibling would be left behind, often due to the age of dependent child criteria, as Zao Ping and Mahmaz described above. Key informants also talked about how the desire to sponsor extended family members reflected broader definitions of 'family' found in many societies:

It's problematic because the rest of the world looks at family as this what they call the extended family, not the nuclear family right, and societies have existed with a kind of, a lot of immigrants' families are like that. So there's two opposing things [that] narrowly exclude a lot of people. (Ashraf, settlement worker)

This suggested a wish by some to return to the pre-2001 inclusion of a category for extended family members described in Chapter 1, to allow for sponsorship of adult siblings, as is the case in the USA⁷⁵

⁷⁵ This is only available to US citizens – permanent residents must wait until they have citizenship.

(Enchautegui & Menjívar 2015). Applicants' argued that siblings would be 'ideal' immigrants; "he's six years younger than me, he's well educated, he speaks four different languages and he could come and he could contribute to the Canadian system and to tax and to everything and he has his whole life ahead of him" (Daniela, sponsored spouse, talking about her brother). Advocates have reasoned that sponsoring siblings, as well as helping to reunite families and improve settlement outcomes, would benefit the economy by welcoming immigrants of a working age who have a ready support system (Canadian Council for Refugees, 2012b; Standing Committee on Citizenship and Immigration, 2016e).

Appealing a refusal

The majority of refused applicants have the right to appeal⁷⁶, but key informants would usually think carefully before submitting an appeal rather than starting a new application (and hoping it was reviewed by a different visa officer); "there's a bit of a debate in terms of whether an appeal is worthwhile to do or not versus going ahead with a new one" (Lou, lawyer). They pointed out the cost of "the appeals process (a) is money, (b) is time and (c) is frustration, right?" (Amelia, lawyer). Nevertheless, 60% of surveyed key informants supported clients at least once a year with appeals, and 23% once a month, and all six interviewed lawyers spoke about appeals⁷⁷. The majority of key informants were successful in most (at least two-thirds) of the appeals on which they worked.

Key informants appreciated the opportunity in the appeals process to present new information and address Citizenship and Immigration Canada processing mistakes, though opinions differed on the quality of board members. Some described them as "trained" and "impartial," while others called for "better qualified board members" or "less bias from hearings officers" (all surveyed key informants). The

⁷⁶ For those who were ineligible to even apply, humanitarian claims were often mentioned as an option by key informants and Sonja, who I was interviewing about sponsoring her partner, had previously sponsored a grandmother through this route. Difficulties in processing and very low success rate with humanitarian claims, however, meant that access to reunification through this option was limited.

⁷⁷ Lawyers and consultants were significantly more likely to have experience with appeals ($p < .05$). Interviewed settlement workers and MP caseworkers reported that they referred clients to a lawyer once a case reached the appeal stage.

most frustrating aspect of appeals, however, was the time taken, which according to Keung (2016f) was a result of a reduced number of adjudicators⁷⁸. Appeals processing times could cause considerable harm to family members; “she went back and saw him four times. And you know she almost had a breakdown (...) it’s really brutal” (Priyanca, lawyer) as well as the relationships between them:

People who’ve been separated for that amount of time, it’s really, it’s really unfair you know and you know a lot of time, people move on right, it’s been so many years, they’ve been separated. So it’s kind of unfortunate. (Amelia, lawyer)

Indeed, Citizenship and Immigration Canada has reported a higher rate of relationship breakdown for couples who have gone through the appeal process (Citizenship and Immigration Canada, 2014b). They interpreted this as reflecting a higher rate of fraud in those relationships, but the opposite could also be argued—that due to lengthened separation the appeal process caused irreparable damage to those relationships.

The application experience and everyday life

The other type of outcome that participants identified was ways in which the process had influenced everyday lives. As I describe in detail below, interviewees talked at length about impacts on their health, finances, work and education as well as changing attitudes towards Canada and ability of the sponsored person to settle. In both surveys, negative experiences were generally reported much more often than positive ones, especially in relation to the finances and mental health of the *sponsor* and the mental health, finances and work of the *sponsored person*. For both applicants and key informants, the highest number of positive effects (though still for a minority) were seen in ability to settle and attitude towards Canada.

⁷⁸ The Immigration and Refugee Board (IRB) pledged in 2016 to increase the number of decision makers and reduce the backlog and therefore processing times over the coming year (Keung, 2016f).

These aspects of the experience added important nuance to simple approval rates and processing times, and demonstrated the importance of not using narrow definitions of ‘success’ when looking at policy from the perspective of people to whom it is targeted. These outcomes also, as I discuss in Chapter 6, demonstrated ways in which the application experience was a result not only of family class policy but that other policy areas also played a role. The findings presented in this chapter suggest various ways in which negative impacts of the experience could be mitigated, as I discuss in Chapter 7.

Mental, emotional and physical health

Timing and information were key to mental health outcomes. Interviewed applicants were generally confident that Canada would eventually approve their applications; “I felt quite calm, I felt quite confident and I also find, found it, I knew he was gonna come” (Sonja, sponsor). They tried to have patience and accept a potentially lengthy process; “the big issue is to wait your turn, I think is the case” (Anwar, sponsor), whilst nevertheless hoping that theirs may be an unusually quick application; “there’s some hope OK, some lucky guys they open the file earlier.” (Rajiv, sponsor). Applicants aware of potential ‘red flags’ in their application resigned themselves to a more difficult process; David, for example, was sponsoring a failed asylum seeker; “I’m sure we have a complicated one, it’s gonna take longer.”

Uncertainty in processing, of not knowing the status of the application, made many applicants “anxious, very anxious” (Carla, sponsored spouse). Anxiety intensified as time passed; “I think after a year and maybe three months she started kind of you know worrying about it and saying what will happen?” (Ivan, sponsor), and if they could see no end to the process; “it just feels like oh man when is this ever going to end?” (Caroline, sponsored spouse). MP caseworkers cited nervousness over long processing times as a main reason for visits by constituents; “they are very anxious to be reunited with their loved ones so the wait times are just, there's not enough resources put into reducing those”

(Branka, MP caseworker) and described how a lack of clear public information on processing times exacerbated uncertainty⁷⁹; a problem identified in a report by the Office of the Auditor General (2010) that described information on processing times as inconsistent and “confusing” (p. 9).

For some, anxiety could spiral into fear that the worst would happen—that they would be refused:

Bruce: nervousness, a lot of nervousness like once it was submitted, a little bit of anxiety feeling like Oh My God there’s more I should have said but I’m not able to say it so I’m holding in all this crap (...)

Peter: ‘Cause everything was pending and then I felt not worthy or something and I wouldn’t get it, I was nervous.

Feelings of powerlessness contributed to stress; “now you’re actually in the process and you don’t really know what they will say what they won’t say, I think it’s just waiting you really don’t have a, you have absolutely no control but to wait” (Rudo, sponsor). They found it difficult to accept that such an important decision about their life was in the hands of an anonymous visa officer hidden behind the façade of government bureaucracy; “the not knowing was killing us. How can you plan your life, your future when it is being determined by someone else’s perspective of what it should or shouldn’t be?” (applicant survey respondent). Similar stress resulting from uncertainty and powerlessness in immigration applications has also been documented by Robertson (2011) in students transitioning to permanent residency in Australia, while Enchautegui & Menjívar (2015) describe how “forced, uncertain, indefinite, and unpredictable” (p. 54) family separation in the context of US immigration can have “severely adverse effects” (p. 54) on family members.

⁷⁹ The published processing times, as the time within which 80% of cases were finalized, was neither a mean processing time, nor did it reflect how long the other 20% of cases will take. Further, though processing times were published by visa office, when an application was transferred to another visa office there was no clear information on what this would mean for the processing time.

The moving target of changing processing times increased levels of frustration for applicants such as Andrea:

They keep extending the processing times, they actually realize that we, we can't do anything about it, they are like playing God with us, so we can't do anything about it, even if they keep extending the processing time I can't contact them before that because they say it's the processing time. That's very frustrating. (Andrea, sponsored spouse)

Knowing neither what would happen nor how long it would take, led to a prominent theme of "our lives are on hold" (Daniela, sponsored spouse). Applicants outside Canada, waiting to find out if and when they would be uprooting their current lives, had difficulties planning:

It also I think has an undue impact on people's abilities to do whatever it is in their daily lives or in that kind of you know one or two or five year period in terms of them being able to plan their lives and even make economic decisions not let alone their personal, what might be called personal decisions, so you know how long, do I apply for another semester of school here, do I get a job, you know do I keep my job even all those kinds of things for both couples the long wait and the uncertainty it creates a problem just like it would for a business, right, uncertainty is kind of the bogeyman of business, I guess so. (Zach, MP caseworker)

As Robertson (2011) quoted one student transitioning to permanent residency in Australia; "'I'm here, but I can't commit to something here'" (111).

When the sponsored person was a refused refugee claimant stakes were even higher; the longer the process took the more likely they would be deported prior to first stage approval. If the sponsored person was living in a situation of instability outside Canada there was also considerable concern; "Egypt was going crazy then (the revolution) I didn't know what would happen or if I would even see my husband in person again" (applicant survey respondent); this situation was also highlighted to the Standing Committee (Standing Committee on Citizenship and Immigration, 2016b). Sara, who, as

discussed earlier in this section, was unable to bring her adopted child to Canada from her home country, a country in which teenagers were very much at risk, spoke at length about the fear this caused:

It's a bad situation I don't see where I can go, what I can do and she is, when she was eight years old she was being bad, she told me she feel lonely she needed her mother. She is with my mother in law but she is old. She has been doing a lot for her, that's the only person who she lives with and she's almost blind, she my mother in law is. And then it's hard for her to live with somebody who's old and what she can tell, how she can guide her in the life. You know teenagers, it's that stage of the life, it's very hard going from the childhood to an adult, it's not easy. (Sara, sponsor)

Survey results showed a similar pattern; almost three quarters of applicants reported that the experience had a negative impact on the mental health of both the sponsor (73%) and sponsored person (74%) and 86% of key informants had seen a negative impact on the mental health of clients. Less than 4% of applicants had seen a positive impact on the mental health of the sponsor or sponsored person.

Moreover, the experience could also trigger physical health problems, both in the sponsor; “last year I had a complete nervous breakdown which in turn triggered type 2 diabetes which I will now live with for the rest of my life” (applicant survey respondent), and the sponsored person; “my mom - who was the sponsored person developed Chronic Fatigue Syndrome and hypertension during the process, partially brought on by the stress of the process” (surveyed applicant). Fewer survey respondents had seen an impact on physical health than on mental health—though still approximately one half of surveyed applicants and slightly more key informants—again the vast majority negative. The media has exposed how for inland applicants lack of access to healthcare can both exacerbate, and fail to mitigate the impacts of, the stress of increased processing times and inability to work (Keung, 2015b).

Changing relationships

Connected to mental health difficulties, several interviewed participants described an impact on the relationship between the sponsor and the sponsored person. Participants talked about stress leading to “some really bad fights” (Jessica) and “crying on the phone there's a lot of strain, it's a big strain on your relationship, to be honest, it's not fun” (Zoe, sponsor). This was often influenced by whether or not the family members could be together during the process, a situation that I discuss in detail in the next chapter. Nicole (a sponsor) was well aware of her and her husband's privileged position; “I guess for us we've been fortunate in the sense that we've been able to be together for a large portion of the processing because we were able to live in a third country.” She explained how much this meant:

If we would've been apart through the whole thing. I don't know if that would've even been an option actually I don't think we could've done that. It's too much uncertainty and you'd have all those days missing each other and on top of that worrying about where your application is at, where we had, we were together. (Nicole, sponsor)

Nicole was one of a small number of participants who talked about how navigating the difficulties of the process had actually brought her and her husband closer as a couple:

I think it makes you stronger in the end because you have to. One thing I said to him as we were doing the paperwork actually was this is kind of like a diary of our life basically like it felt like all these stories that we were telling all this information we were filling out; it was a way for us to re-account all the elements of our relationship to date. So in a way it was almost kind of character building I think to go through it all together and fill all these things out and obviously you have lots of discussions about the future and how things are going to work and lots of contingency plans depending on when it may get approved or when it may not, so I think it's mostly had a positive effect.

When families were not in a position to live together ability to visit was crucial, as has been documented for separated couples elsewhere (Newendorp, 2011). Families recognized the benefits when they were able to visit frequently; “I think a lot of people aren’t able to, to visit that often, so, so you know that I think helped, helped immensely but I mean being able to visit like that” (Matt, sponsor). Conversely, applicants less able to be with their family member, particularly when this was a spouse/partner or children, found life much more difficult. One participant talked about how difficult it was to leave their family after a visit when they had no idea when they would next see each other:

The tears on my wife's and daughter's eyes makes me want to stay there until we all come together but I cannot do so as I am financial[ly] responsible to them. It is a caught between a rock and a hard place scenario. (surveyed applicant)

Jessica (a sponsor) described how her husband’s lack of access to a visa combined with her low income and work situation had effectively rendered her a single mother; “it’s hard, it’s really hard, I go through days where I just sit there and cry and cry and cry because my husband’s not here.” Newendorp (2011) has similarly documented how enforced separation renders mainland Chinese women “structural single mothers” (p. 40) as they wait to be approved to reunite with their partners in Hong Kong.

The longer the separation, the more difficulties could be caused for a relationship, that may ultimately lead to breakdown:

When you have like 32 months, it's spousal sponsorship is like crazy it's insane, by the time they approve the application they might as well just get a divorce, it's been three years, I don't know you any more, you don't know me anymore I've moved on, you've moved on, so what's the point? (Pinyin, MP caseworker)

Breakdowns due to extended separation have been referenced in international research (Newendorp, 2011), by advocacy organizations (Metro Toronto Chinese and Southeast Asian legal clinic, 2016) and by the media (Belluz & Alini, 2011).

Recognizing this possibility, several participants considered navigation of the application process itself to be a test of genuineness:

It's a lot to handle and if we weren't such a good team and genuinely love each other I really do think that my marriage would have gone up in flames. But my wife is a trooper and the only reason why I am still sane. (surveyed applicant)

They spoke about how if they were able to survive the family class application process, they could survive anything; "I believe it strengthen our relationship - there isn't much that can happen that will be more difficult to handle than immigration" (surveyed applicant), an idea that was reiterated by key informants:

I sometimes wish I could say 'Genuine relationship? Look idiot, they've stayed together during the three years it takes you guys to process their case. What better evidence could you have? A fake marriage would have crumbled long ago!' But, I can't. (surveyed key informant)

The process did not only affect the relationship between the sponsor and sponsored person. Separation could be very difficult for children when one parent was in the process of sponsoring the other. Jessica (a sponsor) talked about how little in-person contact her husband had with his young daughter:

Jessica: It's kind of hard to go down [to visit], so I ended up going down for her first birthday, but yeah it's...

Beth: So then how many times has she got to see him?

Jessica: She, we were down there for two months, because when she was two months old and then for her birthday. That's it.

Beth: Yeah, so and for her birthday you just went for a short visit?

Jessica: Nine days. Yeah so yeap

Rudo, another sponsor and structural single mother, talked about the changing relationship between her children and their father, who had been their primary caregiver before returning to his country to complete the application process:

These are the people for whom it matters the most but they don't, it doesn't make sense that your dad is gone forever, it feels like forever, and the uncertainty. One thing they knew that we never really shielded from them was the uncertainty of, you know, how we hope he's coming back but you know maybe he won't and it felt like forever. Looking back now he's been back longer than he ever was away but it felt like that was forever it felt like that was for so long.

Finally, participants also spoke about relationships with extended family members and friends. They appreciated the support that they had received as they were applying; "I became closer to friends and family as I relied on them for their support and encouragement" (surveyed applicant) but could also feel constant pressure to justify the lack of progress:

Everyone asks all of the time everywhere we go and I know that's just caring and wanting to know but then it's like we always have to justify, we always have to legitimize, 'oh we're waiting, nothing's changed.' 'Well can't you do anything about it?' 'No we can't do anything about it.' It's just, that's always the topic of conversation. (Ali, sponsor)

Strong pressure could be exerted by extended families of both the sponsored person who was waiting to immigrate; "they're under pressure from the family overseas, you know what's going on with the case, why isn't it processing, what's wrong?" (Arif, MP caseworker), as well as from family in Canada anxious to meet a new family member ; "c'est un processus très stressant qui pèse lourd sur la relation avec le parrainé, mais également avec la famille qui trouve très difficile le fait que le conjoint ne puisse venir les rencontrer avant d'avoir la résidence permanente." [It's a very stressful process that weighs heavily on the relationship with the sponsored person, but equally on the family who find it very difficult

that the spouse cannot come to meet them before getting permanent residency] (surveyed key informant)

These patterns were reflected in the surveys; slightly more than half of surveyed sponsors reported an impact on their relationship with the sponsored person, 14% positive and 43% negative, while 18% of key informants had seen positive impacts on the relationships between applicants, and 78% negative impacts. Fewer survey participants (46% of applicants and 70% of key informants) reported an impact on relationships with others; again more participants reported a negative (38% of applicants and 60% of key informants) than a positive impact (8% of applicants and 12% of key informants).

Finance, employment, education and housing

Consequences for finances, employment, education and housing could all interconnect and exacerbate each other. Financially, as described in the previous chapters, not all applicants found it easy to meet the costs of putting together and submitting an application and certain situations substantially increased the financial burden. Caroline spoke about how lucky she and her husband were that they could afford the \$10,000 for her to give birth in Canada while she was waiting for the application to be processed. For others, the situation of uncertainty increased the difficulty of budgeting for costs either in Canada or in the other country:

I'm renting a place here I mean how long am I going to be renting on my own and paying all the bills by myself. Like how long is it going to be before [my husband] can come here and also work while I'm in school and it just makes it difficult I guess to budget for your life. (Nicole, sponsor)

It's all uncertainty. She lives there. She owns her own house there. We were thinking about renovating it but we thought OK she's immigrating here she can just you know sell it and come here and buy a house here rather than keeping it there. Should we renovate it or not? It's so there are a lot of uncertainty. (Benazir, sponsor)

Literature on transnational families has described the financial burden of geographically stretching resources (Enchautegui & Menjívar 2015), while the “unsettledness” that comes with temporary status and an unknown future that prevents economic and household planning is documented by Mountz, Wright, Miyares and Bailey (2002, p. 347; see also Cruz, 2010)

Inland applicants who had already started to build careers in Canada, were very frustrated at the sudden career break, described in Chapter 3, while they waited for sponsor approval; “this process is holding back her career big time” (Ben, sponsor). The negative impact on their careers matches that found for students transitioning to permanent residency in Australia (Robertson, 2011). That the sudden increase in Stage 1 processing times for inland applications unexpectedly and substantially lengthened this career break was a focus of much media attention (Campanella, 2015; Keung, 2015b; Marchitelli, 2014). Inland applicants found it difficult to understand the ease with which spouses of foreign students could access work permits, while people married to a Canadian had to wait:

That’s what frustrated us the most, because I’m a student, right. I’m like, if I was a foreigner [she]’d be able to stay here and work, if I was a foreigner. But as [I am] a Canadian citizen [she’s] not allowed to work. (Ben, sponsor)

The sponsored partner being unable to work also meant couples had to survive on one income rather than the two they were used to; “that is a big change. There is a lot of pressure on me to provide for both of us.” (surveyed applicant). Enforced dependency on the Canadian partner was mentioned multiple times as a cause of depression; “with not being able to work, my spouse was becoming moody, depressed” (surveyed applicant), and lowered self-esteem “C’est l’enfer sur terre. Mon mari se sent inutile et son estime de lui-même a diminué.” [It’s hell on earth. My husband feels useless and his self-esteem has fallen] (surveyed applicant). This reflected a relationship between unemployment and mental health that has been documented in non-immigration specific literature (Artazcoz, Benach, Borrell & Cortès, 2004).

The process could also have an effect on the career of the sponsor; “I was so stressed and distracted at work that I was not able to perform as usual which made my manager unhappy. I was worried I would lose my job if things did not improve and I could not afford that” (surveyed applicant). Jacques, to avoid being separated from his wife for long periods, had quit his job as it was the only way he could have time to visit her. He was simply hoping that his employer would take him back upon his return.

For applicants who wanted to study in Canada, uncertainty over processing times meant that they did not know when they should apply:

I don't know when I get the visa and to actually enrol in a Canadian [educational institution], you need obviously to show proof of permanent residency. And from what I saw most universities accept applications like for autumn and in like March or April, so I'm pretty sure I won't get any visa, by then. So I'm pretty sure I will lose the year 2015-2016. So that's already three years lost, because I dropped last year, I already lost last year, now I'm losing another one, and next year's another one. So it's pretty bad because I don't know, I want to go back to school. (Andrea, sponsored spouse)

Survey results showed similar patterns; the application process had a negative effect on the financial situation for 77% of sponsors and 65% of sponsored family members. Sixty-five percent of surveyed applicants reported that the sponsored person's work had suffered as a result of the process and fifty-two percent that there had also been negative impact on the sponsor's work. Approximately half of respondents reported an impact on housing which was nearly always negative (it was negative for 50% of sponsors and 46% of sponsored family members). Fewer surveyed applicants reported an impact on education, though this may have been because fewer participants were at that stage of life; for applicants to whom it was relevant, the impact was again much more often negative than positive

(respondents reported a positive impact for 4% of sponsors and 6% of sponsored family members, but a negative impact for 28% of sponsors and 35% of sponsored family members).

Key informants were more likely than applicants to report seeing both positive and negative impacts in all areas, which was not unsurprising as they were talking about multiple applications. Those who had seen negative impacts far outnumbered those who had seen positive impacts and the patterns in terms of which aspects of life were most affected were similar to patterns in applicants' responses with finance and work more prominent than education and housing. 83% of key informants, for example, reported having seen clients' finances negatively affected (compared with 12.5% positively) and 64% reported a negative impact on work (compared with 14% positive).

Attitude to Canada and ability to settle

Lastly, both sponsors and sponsored family members discussed changing attitudes towards Canada:

I am Canadian born. I have never felt less than Canadian, except during this time. I pay my taxes, I even work arms-length for the federal government. I hope to restore my faith in Canada and the system but I feel like a person who has lost their innocence. (surveyed applicant)

Ambivalence was a common theme. Sponsors who were themselves immigrants questioned their original decision to move to Canada; "I will say that 'hindsight is 20/20' I would never have moved here first if I knew it was going to be this bad" (surveyed applicant). Other applicants had started to doubt whether being able to live together in Canada was worth it:

It's very hard on him. He really misses us. He goes through days where I'll call and he'll be so frustrated, he'll be like 'cancel the papers, I don't wanna do this anymore, it's too hard on me, I love you guys but I can't do it, move down here, I don't want to move to Canada they keep screwing around with us.' (Jessica, sponsor)

Attitude towards Canada was an area in which, although negative impacts were more commonly reported, there was a higher number of positive impacts; while 55% of applicants and 59% of key informant reported negative impacts, 8% of applicants and 24% of key informants reported positive impacts on attitude to Canada. Bivariate analysis suggested that this was related to their experience; applicants who reported a positive impact on attitude towards Canada had significantly shorter total processing times than those who reported a negative impact ($p = .036$).

Though this study is focussed on immigration rather than settlement experiences, ways emerged in which the former could influence the latter. Applicants unable to visit Canada prior to immigrating spoke about the difficulty of giving up their previous lives to emigrate to a country they had never visited, “it’s really life changing to leave everything behind and go to a country that I never went to” (Daniela, sponsored spouse). This had the potential to create unrealistic expectations of applicant spouses who had never been to the country to which they were moving, as documented by Newendorp (2011) in the case of Hong Kong.

Forty-three percent of surveyed applicants perceived an impact on settlement (10% positive, 33% negative), though this may be a reflection of the number of respondents who were still in the process. Surveyed key informants were more likely to report seeing a positive or negative impact on settlement (32% and 35% respectively). Finally, key informants, reflecting the fears of advocacy organizations discussed in Chapter 1, also spoke at length about the post-immigration implications of the recently introduced conditional permanent residency; “I had abused lady leaving their spouse coming to Toronto from Edmonton and she was called by her in-laws that you will be deported because you left your husband and now you need to come back to us” (Mahmaz, settlement worker).

Summary

In this chapter I have described outcomes. I focussed not only on decisions on the application, but also on broader outcomes in lived experiences. In the former, there was superficially little diversity

amongst participants as, consistent with the high acceptance rates published by Citizenship and Immigration Canada, nearly all who had completed the process had been able to reunite with their family members in Canada. The minority who were accepted, but unable to reunite, were unable to do so due to health; for parents and grandparents, especially given the long processing times, this was closely connected to age-related health problems.

That the majority were accepted does not, however, tell the whole picture. Several of the applicants and key informants described situations in which families were unable to reunite in Canada, because they were either refused or excluded from applying, in experiences that were often related to social location. According primarily to key informants, but consistent with internal reports, the genuineness of the relationship was the most common reason for applications to be refused. Suspensions could be directly based on the identities of the sponsor and the sponsored person, such as differences in age, or an indirect result, such as an inability to visit (described in the next chapter) or difficulties producing required documentation (described in Chapter 3). For parent-child relationships, DNA tests, disproportionately requested in certain regions, could reveal unexpected results leading to refusal. Difficulties with adoption were experienced for the list of countries on which the Canadian authorities have imposed a moratorium, of which adoptive parents who hold dual nationality may not be aware.

Sponsor (in)eligibility was most often related to either income or dependence on social assistance and could also be exacerbated by unclear information on rights to apply and therefore more difficult to navigate without access to professional help. The most common theme in refusals based on ineligibility of the family member for permanent residency was clause 117(9)(d), where sponsors had not understood the importance of declaring their family members on their own application had not understood that they were classed as family members by the Canadian immigration system. Finally, when talking about types of family member who are completely excluded from applying, participants repeatedly mentioned adult siblings, who ironically may fit the construction of 'ideal' immigrants

(described in Chapter 1), based on their education, language skills, age and guaranteed familial support structures upon arrival.

When an application had been submitted and refused, the ease of navigating the appeals process was, again, related to class. Access to a lawyer was seen as very important for winning an appeal. For couples, given the length of the appeals process, ability to maintain a long-distance relationship, as discussed in detail in the context of social location in the next chapter, was also crucial.

Moreover, focusing on outcomes in terms of the decision on the application renders invisible broader outcomes that participants spoke about so compellingly; showing that it is important to look not only at the numbers but also at the lives of applicants (Leinonen, 2011). Effects on different aspects of life, especially on mental health and financial status, were reported by a number of participants. For some participants, impacts were positive, but for a far larger number they were negative, matching research in other countries and reports by advocacy organizations. The impact of unsettledness on work, finance and housing status was generally easier to navigate for those with a higher socio-economic status. Impacts on mental and emotional health and relationships did not appear to be specific to particular social locations, though they could be mitigated by ability to be together, which I discuss in detail in the context of intersectionality, in the next chapter.

These experiences contradicted the internal evaluation of the Family Reunification Program that appeared to minimize any impact on the lives of applicant families. It reported that “most S&Ps [spouses and partners] felt that the wait had little impact on their lives other than uncertainty and the desire to get on with planning their lives, although financial costs of the wait were mentioned by several participants” (Citizenship and Immigration Canada, 2014b, p. 45), though it acknowledged that the lengthy wait times for parent and grandparent sponsorship could lead to “feelings of anxiety and uncertainty because of not being able to make plans for the future” (Citizenship and Immigration Canada, 2014b, p. 45). Contrastingly, in this project, feelings of anxiety and uncertainty were

experienced as strongly, if not more so, by people sponsoring spouses and partners rather than parents and grandparents.

Outcomes were influenced both by policy definition and policy implementation. The definition of who can reunite led to refusals and exclusions. Implementation informed feelings of uncertainty and powerlessness and the ways in which participants' lives were affected by these feelings, through, for example, processing times, communication and the (lack of) transparency described in the previous chapter. In the following chapter I pull together in more detail the threads from this and the previous two chapters, to situate the experience in the context of the policy cycle.

In these three chapters, consistent with the critical policy studies approach of centring the people who are directly affected by policy, I have told the stories of applicants' experiences of family class, in their voices and the voices of people who support them. These descriptions revealed a huge amount of diversity. Diversity in terms of applicant characteristics and circumstances, diversity in experiences of the family class application process, and diversity in reactions to those experiences. For some more than others there was a gap in terms of written policy and the goals to which it purported, and the ways in which it was experienced by applicants. In Chapter 6 I turn to a more abstract analysis of those diversities and how they interact with the ways in which the policy is designed and implemented.

6. Theorizing the experiences: Social locations, policy and power

The previous three chapters answered the sub-question: What are the lived experiences of family class policy and programs (a) for applicants who attempt to (re)unite with family members in Canada and (b) for people who would like to sponsor family members but believe they cannot? I described a range of experiences, from relatively smooth processes that resulted in swift reunification to long, difficult processes that ultimately resulted in rejection and continued separation. The majority of experiences fell between these extremes.

Though most participants whose application had been finalized had the same ultimate outcome—reunification in Canada—I argued that to focus only on the decision on the application masked a huge amount of diversity in what happened during the process. Findings exposed diversity in applicants' abilities to put together an application, in the ways in which applications were processed, including the content and method of follow up requests and—very importantly—in processing times. Moreover, applicants reacted differently to their experiences, describing various impacts on their lives, especially in mental health and finances.

Experiences were linked explicitly and implicitly with personal and structural factors. All participants talked about the ways in which family class policy, sometimes also interacting with other policies or institutions, structured their attempts to reunite with family members. Within that framework, social location could privilege or disadvantage each family at different stages of the process.

This chapter, taking a theoretical step back, explores how social location and family class policy worked together to create a network of locations through which power flowed—power that could be harnessed by applicants but that was nevertheless constrained by structures—to frame experiences of the application process. The chapter is based primarily in my own theoretical interpretations of experiences presented in the three previous chapters, but includes new data where participants spoke directly to roles of social location or policy, or explicitly named power. I continue to present findings in

the context of academic and grey literature, and given the change in perspective, bring in more policy literature from the standpoints of people involved in design and implementation of policy.

The chapter moves gradually from specific features at both micro and macro levels to a general overview. I begin by focussing on aspects of social location, as perceived individually by applicants and as they intersected with each other. Second, I focus on the role of policy; I deconstruct the way it interacted with social locations at specific, and overlapping, stages of the family class 'policy cycle' to allow applicants to simultaneously be subject to and exercise power. To conclude the section, I gather these experiences of interactions between individual and structural factors, the micro and the macro, the personal and the political, into a multi-layered model of participants' experiences.

Roles of social location

I described in Chapter 1 a traditional concentration of critical policy studies analysis (and other research from an intersectionality-based perspective) on the roles of class, race and gender. The experiences of participants in this project exposed a much more complex combination of multiple aspects of social location that afforded privilege in one context and disadvantage in another. While discrimination was explicit for certain aspects of social location, discriminatory outcomes based on other social locations were implicit and a result of intersectionality.

Perceptions of individual factors

The importance placed by surveyed participants on individual aspects of social location, in response to questions based on the aspects that had been identified by interview participants, is shown in Table 10 (overleaf). Their responses exposed how the importance of a particular social location could be more, or less, important depending on the family class program through which they were applying. For example, seventy percent of spouse/partner outside Canada applicants and 64% of parent/grandparent applicants—the two types of participant whose applications involved processing outside Canada—identified nationality as having an impact on their experience.

Table 10: Perceptions of important factors

	Percentage of survey participants who perceived an impact (positive or negative) on the experience ⁸⁰			
	Applicants			Key Informants
	Spouse or Partner outside Canada	Spouse or Partner inland	Parent or Grandparent	
Age	58%	31%	45%	71%
(Dis)ability	1%	0%	9%	31%
Education	50%	34%	40%	71%
Gender identity	21%	13%	9%	19%
Personal experience of immigration	38%	42%	60%	60%
Immigration status in Canada	24%	42%	45%	54%
Income	36%	32%	70%	68%
Language	52%	42%	45%	72%
Length of relationship	56%	30%	n/a	71%
Nationality	70%	39%	64%	62%
Professional status	34%	23%	36%	41%
Race/ethnicity	48%	26%	18%	47%
Religion	34%	15%	0%	26%
Sexual orientation	11%	9%	n/a	16%

⁸⁰ That very few applicants considered their experiences to have been affected by (dis)ability or sexual orientation, may have been a result of survey design. Questions were bi-directional, encouraging respondents to reflect on potential locations of privilege *and* disadvantage but participants may have assumed there was no impact, rather than reflecting on whether they were privileged as an able-bodied person or being in a heterosexual relationship; prior research has clearly outlined disability as a basis for marginalization in policy implementation (El-Lahib & Wehbi, 2011; El-Lahib, 2015; Hanes, 2009).

Sponsors were significantly more likely to report that nationality made the process more difficult if their spouse/partner was from outside Europe or North America⁸¹ ($p = .004$) or if their spouse or partner required a visa to visit Canada ($p < .001$). This is consistent with the difficulties preparing applications and after submission described in previous chapters and difficulties being together that are described below.

Conversely, relatively fewer participants who had submitted inland applications identified nationality as having an impact. The vast majority of inland spouse and partner applicants who participated were in Canada on temporary visas, for which they would have required a certain level of English or French and would already have collected some of the supporting documentation so may have fewer problems with those aspects. Inland applicants also, by definition, prepared their family class applications within Canada, with the entailed privileges (described in Chapter 3) in access to communications and infrastructure and being able to work together with the sponsor.

Similarly, the impact of immigration experience also varied according to family class programs. Not surprisingly, it was perceived to have an impact by a larger proportion of applicants in the programs in which at least one family member had already navigated the system. Sponsors of parents could draw on lessons learned during their own immigration experience and for inland applicants the sponsored person and possibly the sponsor already had experience with the system. Conversely, Canadian-born citizens sponsoring a family member from outside Canada could be encountering Canada's immigration system for the first time.

Another important factor was age, particularly for spouse/partner outside Canada applicants. Across all programs, younger sponsors were significantly more likely to report that age made the experience easier, and older sponsors that it had a negative effect ($p = .001$). Couples between whom

⁸¹ As described in Chapter 2, due to the large number of nationalities represented, nationality was recoded into regions of origin to allow for statistical analysis.

there was a greater age difference were also significantly more likely to report that age made their process more difficult ($p < .001$), perhaps due to the increased suspicion described in Chapter 5.

Probably as a result of the minimum income requirements for that program, income was important to 70% of sponsors of parents and grandparents; a much higher percentage than people sponsoring spouses and partners, either inland (32%) or outside Canada (36%). Otherwise, class, race and gender were considered to be influential by relatively few surveyed participants. I argue later in this chapter, however, that—although other aspects of social location were often *more directly* important for participants' experiences than race, class and gender, the latter did play *indirect* roles. Discrimination on these bases is no longer (for the most part) explicitly written into policy, but participants in addition to outcomes as a result of other aspects of social location, nevertheless experienced subtle, and not-so-subtle, racialized, gendered, or class-based outcomes for family reunification and during the process.

Intersecting factors

While quantitative data supported the importance of multiple individual factors, qualitative data became important in exposing complex intersectionality, as interviewees described the myriad ways in which intersecting factors could influence applicants' experiences. Figure 10 (overleaf) provides an example, illustrating how nationality and its sister category, country of residence⁸² intersected with other categories to create particular locations of privilege or disadvantage (whether an individual was privileged or disadvantaged depended on their identity in relation to that category) in different aspects of the experience (Anthias, 2013a; Foucault, 1976a).

⁸² Many, though not all, of the experiences attributed to nationality were more accurately related to country of residence which often, though not always was the same as the country of nationality. Given the differences in timelines and movement, country of residence was too complicated a construct to ask about in the survey.

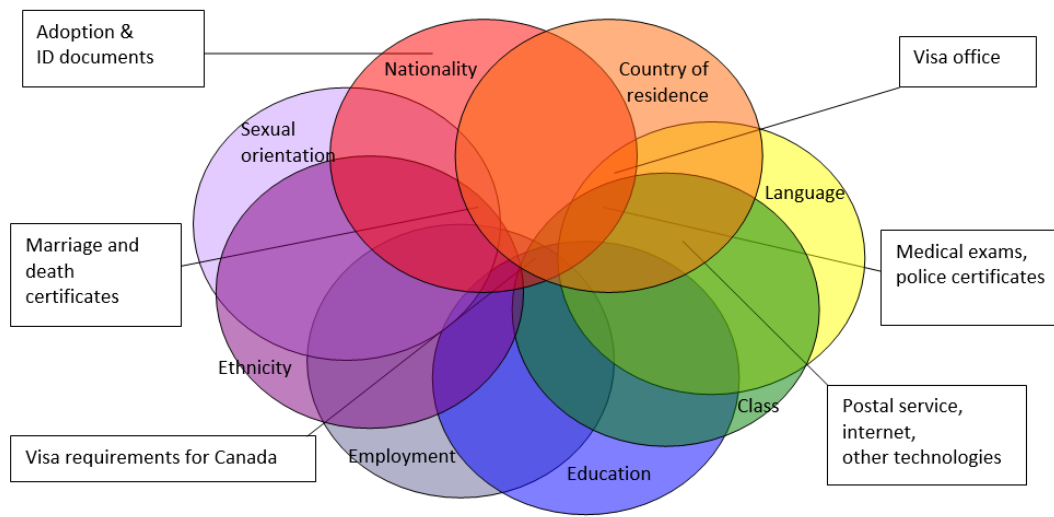


Figure 10: The intersectionality of nationality and country of residence with other aspects of social location

Figure 10 shows that nationality alone determined certain document requirements such as a passport or birth certificate, so for example, it had a positive impact for those from countries with well function bureaucratic infrastructures but a negative impact for those from countries where it was very difficult to acquire such documentation. It intersected, however, with many factors including class, language and education to influence the physical location of the sponsored person at the time of the application; that is whether they were still in their country of nationality or whether they were able to live in another country (Canada or elsewhere). In turn, for participants in this project, country of residence, which may or may not be the country of nationality, was primarily responsible for determining which visa office processed the application; therefore, for example, having the resources, language and education to be able to live in another country with a well-functioning visa office would be an advantage while those who were required to remain in a home country that perhaps did not even have a visa office were disadvantaged⁸³.

⁸³ I describe below how this has since changed for some applicants.

Country of residence and nationality could then intersect with language and access to resources (class) to influence how easy it was to put together an application, do medical exams and request security checks. I described in Chapter 3, for example, the potential difficulties with medical exams and security checks and inconsistent processing and transferral of results of these tests to Citizenship and Immigration Canada by external entities in specific countries. More generally, knowledge of English and French was clearly an advantage, as was living in a country where it was easy to provide supporting documentation, and that had designated doctors and a functioning police service for the medical and security checks. As the figure shows, other aspects of the process could be influenced by other social locations intersecting with nationality and country of residence; it makes explicit how different aspects of social location mattered more in different contexts.

The figure also shows how an applicant can be simultaneously disadvantaged and privileged (Anthias, 2013b; Foucault, 1976a). Participants described how class privilege could help to overcome disadvantages of country of residence, for example if they were able to pay privately to access improved communications and technology or to employ a good immigration lawyer. Applicants could use a high level of education and fluency in English or French to their benefit by writing compelling statements to argue against being discriminated against on the basis of immigration status or not being able to provide a police certificate because they lived in a certain country. The use of class status to overcome other barriers to immigration has been identified elsewhere; El-Lahib, and Wehbi (2011) talk about how applicants with disabilities are less likely to be declared medically inadmissible if they have access to financial resources and can guarantee they will not ‘burden’ the healthcare system.

Yet the ways in which social location worked to privilege or disadvantage applicants were constrained by, and interacted with, the broader context. I now reframe participants’ experiences by focusing on the key aspect of that context: family class policy.

Roles of family class policy

Family class policy, as discussed in Chapter 1, is a means for the Canadian state to control the movement of people into its territory (Salter, 2006). Immigration regimes allow the state to exercise “bio-power” (Foucault, 1978a p.258; see also Ong, 2003) through policies, programs codes and practices that manage the “subjugation of bodies” (Foucault, 1978b, p. 308) to control the population (Ong, 2003; Stoler, 2006). The granting (or not) of entry into Canada is achieved through a ‘surveillance regime,’ under which individuals present themselves—often before even reaching a physical border—for examination in the hope that they will be judged to meet the acceptance criteria; these individuals are subject to the laws of Canada, but not (yet) subjects *in* the law (Salter, 2006; Wray, 2012).

A key task of critical policy research is to deconstruct—to “excavate” (Sassen, 2000, p. 168)—power; power that in the case of family class policy grants individuals and groups’ relative privileges and ease of entering Canada based on their relationship to a Canadian citizen or permanent resident. The power of government and bureaucracy relative to the applicant (and even more so to people who could not apply) was clear throughout the process. Yet, reflecting Foucault’s assertion (1976a) that individuals can at once undergo and exercise power, applicants could and did work to take back power, though their ability to do so was shaped by social location and context.

In this section I use the concept of the policy cycle to structure an exploration of ways in which policy and social location influenced applicants’ experiences of empowerment and—even more so—disempowerment, of privilege and disadvantage. First, I deconstruct the policy definition, paying particular attention to who it excluded. Second, I examine the micro decision-making by visa officers as they assessed the eligibility of applications. Third, I look at the ways in which these micro-level decisions were constrained by macro-level decisions about policy implementation, focussing specifically on annual targets and resource allocation. Finally, I turn to policy outcomes, deconstructing how definitions of success have constructed evaluations of applicants’ experiences.

Definition of the policy problem

Critical policy studies argue that the definition of a problem, by determining policy responses, can have unequal implications for different groups (Hankivsky et al, 2014). In this case family class policy dictated the type of family members allowed to reunite, privileging some but marginalizing or excluding others (Enchautegui & Menjívar, 2015; Lipsky, 2010). Participants' experiences exposed how definition of the policy problem could influence (a) who was allowed to submit an application and who was excluded (Chapter 5), (b) what was required in that application (Chapter 3), (c) the way in which the application was viewed as valid or not (Chapters 3 and 4), and thereby (d) outcomes for applicants (Chapter 5).

In a historical perspective, the version of family reunification policy experienced by applicants applied to the narrowest range of relationships since World War II;⁸⁴ spouses and partners, 'dependent' children and (with limitations) parents and grandparents. Applicants nevertheless recognized their geographical privilege at being able to sponsor those family members; they expressed appreciation that Canada defines at least certain types of family separation as a problem; "you can't take it for granted like it's not always the case" (Daniela, sponsored spouse). They were aware that in many countries provisions for family reunification have been declining; indeed, Canada ranks highly amongst OECD countries in terms of absolute numbers of immigrants through family reunification policies (OECD, 2016) though it is lower in terms of family reunification immigrants as a proportion of all immigration (Chaloff, 2013).

Applicants who were sponsoring their parents were grateful that parents and grandparents were included in the definition, acknowledging that this is not an option in other countries; "Canada is one of the few countries where you have this kind of thing" (Zao Ping, sponsor). While, for example, the USA (US Citizenship and Immigration Services, 2016a), New Zealand (New Zealand Immigration, 2016b)

⁸⁴ With the important exception that same-sex spousal/partner relationships are now recognized.

and Australia (Australian Government Department of immigration and border protection, 2016) are amongst those who allow adults to apply to sponsor their parents, in the UK (Gov.UK, 2016), Finland (Finnish Immigration Service, 2016) and France (Office français de l'immigration et de l'intégration, 2016) options for parental sponsorship are extremely limited⁸⁵.

Inclusion of some within a bordered community, however, inevitably implied exclusion of others; "since there is no hospitality without finitude, sovereignty can only be exercised by filtering, choosing, and thus by excluding" (Derrida, quoted in Salter, 2006, p. 168). For family class, through determining which families to include and which to exclude; "bodies and the perception of physical compatibility [become] crucial sites for the elaborate politics of exclusion [and] the sharing of common ideals about love and relationship also serves to delimit national belonging" (Maskens, 2015, p. 47). By determining eligibility criteria and the forms of evidence it would accept from applicants to "prove" that they fit that definition, the Canadian state could apply "a normalizing gaze, a surveillance that makes it possible to qualify, to classify and to punish" (Foucault, 1977b, p. 197).

Construction of deserving relationships

Spousal/partner relationships, for example, have been documented to develop for a wide range of reasons (Belluz & Alini, 2011; Nakamatsu, 2011; Smith Kelly, 2010; Stam, 2011). Yet in contrast to Canadian citizens who are allowed to marry for any reason without their relationship being approved as 'genuine', in family class, the Canadian state put spousal/partner relationships under surveillance, deeming certain characteristics to be more suspicious, and therefore to invite more scrutiny, than others (Williams, 2012).

Similarly, a variety in parent-child relationships is recognized both in literature (Joly et al, 2016; Gui, & Koropecyk-Cox, 2016) and in *the International Convention on the Rights of the Child* (1989), yet the Canadian state only recognizes the biological definition and certain types of adoption. The original

⁸⁵ The possibility exists only under exceptional humanitarian circumstances.

inclusion, then sudden exclusion, then inclusion but based on income, of sponsorship of parents and grandparents, and changes to the definition of the dependent child, were further examples of the state's power over inclusion and exclusion.

Recent changes reflected, and were justified by, the powerful discourse of desirable/undesirable, epitomized by the 'ideal' immigrant described in Chapter 1, who reflected the "best and brightest" (Gardiner Barber, 2008; Pratt, 1999; Tannock, 2011, p. 1346), a discourse that overlooked both the humanitarian goals of *IRPA* and human rights obligations. That the government justified the latter change by arguing that adult children were less likely to integrate than their younger siblings (Keung, 2013) was inconsistent with the points it awarded for age in the economic stream; the highest number of age points possible were given to young adults of a similar age. The new cut-off age was lower than in the USA (US Citizenship and Immigration Services, 2016b), and New Zealand (New Zealand Immigration, 2016a). It penalized people whose own applications, through refugee or humanitarian streams for example, take the longest long time to process and whose children could age out before they were able to sponsor them (Keung, 2015f).

Another clear example of exclusion from policy definition was the wrong kind of adoption; adopted children who could be refused because of their nationality, regardless of the child-parent relationship. That provincial adoption authorities were required to approve all adoptions before immigration of the child to Canada, was a fully understandable effort—based in extensively documented exploitation by adoptive parents from the Global North of families in the Global South (Briggs, 2006)—to ensure the best interests of the child were respected. To refuse automatically *all* adoptions from certain countries, however, failed to acknowledge that there could be legitimate adoptive parents and children for whom this rule would mean continued and endless separation. By prolonging such separations, the policy contravened the very principle—the best interests of the child—that it was designed to uphold and instead added considerably to suffering.

Construction of deserving individuals

Participants' experiences also exposed how the social location of individual family members could result in exclusion from family class and continued separation. This was obvious in the new minimum income criteria to sponsor parents and grandparents; participants sponsoring parents were significantly more likely to be in higher income brackets than those sponsoring other family members ($p = .018$). This confirmed advocacy organizations' warnings that the new minimum income requirements would "privileg[e] the wealthy at the expense of middle-income people" (Canadian Council for Refugees, 2012b, see also Ontario Council of Agencies Serving Immigrants, 2013). In turn, these requirements would have a disproportionate impact on women and racialized communities, who due to class intersections with race and gender were less likely to meet new income criteria (Canadian Council for Refugees, 2013b; My Canada Includes All Families, 2014), as well as age, as young adults in the early stages of their careers were less likely to have consistently earned the required minimum income.

Definitions of sponsor eligibility also excluded certain low income sponsors from spousal and partner sponsorship, both advertently and inadvertently. In the former category, people in receipt of social assistance were automatically ineligible to sponsor. In the latter, confusion around eligibility requirements led to separated families not applying because they erroneously believed themselves ineligible on the basis of low income. This misunderstanding of eligibility requirements also exposed the power of knowledge (Foucault, 1976a), or rather, the marginalization of people who did not have access to certain knowledge, pointing to possible intersections between class, language skills, lack of education, or lack of experience with the immigration system.

The growing emphasis on class in the translation of the policy definition into eligibility requirements, reflected a drift towards viewing family class, along with other humanitarian immigration programs, through an economic lens and as "secondary to the economic stream" (Theo, settlement worker). The majority of recent changes to family class (and other immigration streams) had been

justified by the Conservative government using economic discourse; policy goals were increasingly focussed not on addressing the problem of family separation, but on minimizing a (constructed) negative economic impact of family reunification migration.

This discourse emphasized hierarchies within family class, echoing previous historic periods when extended family members could immigrate only if they met a certain skill level (Tannock, 2011); a discourse that constructed certain family members as 'deserving' and certain, such as older adult children and parents and grandparents, as 'undeserving'. It ignored family class immigrants' non-economic contributions that have been documented in academic research (Enchautegui & Menjívar, 2015; Franklin, 2015; Thobani, 2000; VanderPlaat, Ramos & Yoshida, 2012; Zhou, 2013) and by advocacy organizations (Canadian Council for Refugees 2012b; My Canada Includes All Families, 2014) that were even acknowledged in the internal evaluation of the Family Reunification Program (Citizenship and Immigration Canada, 2014b).

Arif (an MP caseworker) argued against parents and grandparents being judged in isolation as economic 'non-contributors':

You can't tell me that they're not, they're not of value to Canadian society because they are, they're of huge value, you just may not see the dollar value today you know, you'll see it in the future when both parents are working and there's double the income coming in and double the taxes being paid, this but they don't see that. (Arif, constituency caseworker)

Multiple recent witnesses to the Standing Committee argued that if an economic analysis was at all necessary, outcomes for parents and grandparents should not be considered independently of those for the family (Standing Committee on Citizenship and Immigration, 2016d). Further, Metro Toronto Chinese and Southeast Asian legal clinic (2016) argued that preventing low income families from working together across generations could contribute to keeping them in poverty.

Conforming to these constructions

Applicants internalized these constructions of ‘good’ vs ‘bad’ potential citizens, people more likely to (economically) succeed and people less easily assimilable and less likely to contribute to the Canadian economy, based on, for example, class, education and English/French skills (Adelman, 2002; Ryan, 2010; Shachar & Hirschl, 2013). Many therefore took steps to engage in “self-making” (Ong, 2003, p. 16) to try to fit the ‘norm,’ primarily at the pre-application stage when they had the most control over how to present themselves to those who would scrutinize their application package.

In one example of how the power of policy definition could produce a new reality for applicants (Foucault, 1977b), applicants could change their lives to better fit the criteria by bringing their wedding forward rather than applying as common-law partners. This reflected the impact of immigration law on marriage behaviour that has been seen in research outside Canada (Enchautegui & Menjívar 2015; Heikkilä, 2011a; Jørgensen, 2012; Smith Kelly, 2010; Stam, 2011). Though marriage primarily for the purpose of immigration renders a couple admissible, Satzewich (2015) cites one immigration officer who acknowledges that immigration “always plays some role in the reasons for the marriage” (p. 143).

Applicants could also present supporting documentation that emphasized not only the genuineness of the relationship, but that emphasized a construction of the sponsored person as an ‘ideal’ immigrant who would be a benefit to Canadian society and the economy. Nicole, for example, described the extra steps that she and her husband had taken:

It seemed to me that the government is very interested in the character of the person they’re allowing into the country. So because of that we did all of [his] educational certificates, including extra courses that he had done ‘cause we wanted to paint a picture of him, you know a stand up citizen that they would want to let into the country. (Nicole, sponsor)

This approach to making the applicant appear to fit the construction of the ideal applicant for a particular program has been documented in other immigration programs. Gardiner Barber (2008)

describes how potential labour migrants try to present themselves as having a “desirable” identity (p. 1268), while Lakhani (2013) explores how lawyers work to present clients as deserving of humanitarian immigration status. The attention that visa officers pay to whether family class applicants fit such constructions is described below.

Ability to present the family member as an ‘ideal’ immigrant therefore depended on many aspects of social location (Wray, 2012). In another example of agency, however, other applicants avoided being labelled as ‘undesirable’ by harnessing the power of their language abilities and education to reframe the construction. In Chapter 3, I described, for example, how one sponsor argued that her partner had overstayed a visitor visa for perfectly legitimate reasons that (by providing childcare that enabled his citizen sponsor to both work and study) also ultimately benefited the Canadian economy. Others used language, education and professional experience to justify why they could not provide certain required documents to Citizenship and Immigration Canada.

Policy implementation

Policy implementation involved assessing potential applicants for conformance to the construction of eligibility. It included provision of information to potential applicants, and micro and macro decisions that organized processing; power in policy implementation happened at multiple levels (Foucault, 1976a). At the (micro) level of individual applications, decisions were made by visa officers as they processed cases and communicated with applicants. At the (macro) level of family class management, decisions covered immigration targets and the resourcing of different parts of the processing infrastructure, as well as instructions to visa officers and others on application processing procedures. Within these constraints applicants again worked together to empower themselves and overcome barriers.

Public information

The power of knowledge was prominent in experiences; information and communication were important in facilitating planning, submitting a correct application, during the processing of applications, and ultimately in decisions on applications and impacts on the lives of applicants. At its worst, lack of pre-submission knowledge resulted in families not applying, or being refused when they submitted wrong or insufficient information. This included families who had been wrongly advised in relation to adoptions, those whose family members were excluded by regulation 117(9)(d), couples who had applied as conjugal partners when they should have applied as common-law partners, and the families who had not applied because they thought they did not qualify (all described in Chapter 5).

Information provided to potential applicants was therefore crucial. Many families, recognizing that Citizenship and Immigration Canada's decision to approve or reject reunification would likely be based on the application package, were fully deferential to instructions. Unclear information led not only to delays and problems, but also caused a huge amount of worry and second-guessing. Bureaucratic language reinforced feelings of subordination and could marginalize non-native English or French speakers. The power to change the forms at any moment with minimal notice to applicants—and return applications that had included the old forms—left applicants nervous and also caused considerable delays.

Applicants attempted to empower themselves by, if they could, drawing on their own and family members' and friends' previous lived experiences. They also worked together to compensate for the lack of case-specific instructions by asking and answering each other's questions in online forums. When they encountered difficulties putting together documentation interviewees described drawing support from social networks around the world, or even strangers who happened to be travelling to the right place. Interviewed families who due to low-income were concerned about cost developed strategies to minimize how much they needed to spend; guessing when to submit an application so that an interview

would come at the right time, and considering carefully when to do a police or medical check if they thought the process would take longer than a year.

Accurate information throughout was also key to managing expectations; a lack thereof caused uncertainty and suffering. Confusion about the way processing times were presented, and how to apply this to individual applications, left applicants either hoping for the best but fearing the worst, or basing their expectations on what they heard from other people. Uncertainty about processing times exacerbated feelings of subordination; participants needed to be ready to respond quickly to a follow up request that could come at any moment for a period of months if not years. When reflecting back on their experiences, expectations did play a role; participants could be pleasantly surprised that their experiences had been contrary to negative expectations, although in hindsight this was tinged with regret when the information provided had caused them to wait to submit it; “eight, nine months is nothing when you’ve been hiding, when you’ve been held back by this fear of what might happen you know” (Rudo, sponsor).

Micro implementation: Assessing eligibility

Once the application was submitted to Citizenship and Immigration Canada the ‘street level bureaucrats’ (Lipsky, 2010) processing applications on behalf of the state exercised many forms of power. Officers decided whether or not (and how) to return an application unopened for a small amount of missing information, where to “dig deeper” (Satzewich, 2015, p. 140) for more information to prove eligibility and where not to dig, when to request passports—and thereby restrict applicants’ movements and actions before they had even arrived in Canada—months in advance, whether or not (and how) to insist on an interview, and ultimately, which families would be allowed to reunite in Canada. The existence of an appeals process was cited as a mixed blessing for applicants as it could provide “complete cover to visa officers,” (surveyed key informant); indeed, Satzewich (2015) described

visa officers as “relatively untroubled” (p. 144) by the thought of rejecting an application precisely because they knew applicants would have the opportunity to appeal.

In judging applications to enforce compliance to the ‘norm’, visa officers exercised power through surveillance, through the objectification and examination of the subjects (Foucault, 1977c; Wray, 2012); applicant families. Officers’ decisions were guided by manuals that have been found to emphasize an ‘othering’ construction of certain applicants (El-Lahib, 2015) based in “typifications of normality” (Satzewich, 2015, p. 141). For spouses and partners this meant visa officers deciding whether the couple fit the state’s definition of a genuine relationship, of what it meant to be intimate according to certain “artifacts,” “practices” and use of “space” (D’Aoust, 2013, p. 264; see also Kim, 2011; Shah, 2006). For parent-child relationships it involved testing blood for DNA or reviewing adoption processes. The processing of applications was experienced differently by participants in different social locations, depending on the ease with which families could fit this norm.

This legalization of family life—of the personal becoming the political (Robertson, 2011)—therefore involved state intrusion into the most personal aspects of individual lives (Maskens 2015). Applicants were well aware that an anonymous officer of the Canadian government had the power to decide whether they could live with their loved ones in Canada; that the geography of their lives came down to a decision based on how public authorities would judge the application they had submitted (and sometimes an interview). Being forced to expose the most private aspects of their lives to a bureaucrat that remained faceless was unnerving and a, perhaps ultimately beneficial, surprise to applicants used to relative privilege:

I’ve never felt outside the system, like I’ve always been like an insider, resourced person that’s never struggled with anything. But now it’s like I know what it’s like to feel, to be vulnerable in a place, like my status in this place is in jeopardy or is not confirmed. So like to have that empathy

for other folks I feel like is a gift that will you know, changes the way I look at things. (Caroline, sponsored spouse)

As processing manuals and guidelines cannot cover all cases, visa officers are granted a certain amount of discretion (Pratt, 1999; Satzewich, 2014a). Many factors, at multiple levels, including organizational culture and socialization, as well as the overall workload and demand (discussed below) have been documented to influence visa officer decisions (Lakhani, 2013; Lipsky, 2010; Satzewich, 2015). Officers' values could also play a role; Satzewich (2015) quoted one who described how "at the end of the day, you have to ask yourself, would you want this person to be your neighbour," (p. 136) and another who confirmed family class decisions could be based not on a judgement of relationships, but whether they thought applicants would be an "assets to Canadian society" (p. 144). This provided justification for the efforts by applicants, described above, to prove that the sponsored person fit the construction of the 'ideal' immigrant.

Differences in visa officers' processing styles—that some were "more enforcement oriented than others"—were documented in the internal evaluation of the Family Reunification Program (Citizenship and Immigration Canada, 2014b, p. 41), as well as by Satzewich (2015). Yet, contrary to a commonly held perception that visa officers are blamed for much of the bias in processing (Satzewich, 2014b), fewer participants in this project placed an importance on visa officer decisions compared with other implementation factors such as processing times and communication. While certain applicants, often having looked at case notes obtained through Access to Information requests, were not happy with the visa officer processing their application, others, in particular key informants, talked with praise about Citizenship and Immigration Canada staff who were in the difficult position of judging vague concepts; "the folks that actually work for Citizenship and Immigration, they're amazing people" (Arif, MP caseworker).

Instead, participants focused on a systemic culture that considered applicants “guilty until proven innocent” (Basha, settlement worker):

It should be much more open, we’re not criminals, we’re citizens who are trying to you know.

Actually we’re pretty proud of being Canadian and of being here so why are we treated like, like we’re suspicious from the start and like we shouldn’t get any information we shouldn’t know anything. (Masha, sponsor)

Critical discourse analysis of Citizenship and Immigration Canada operational manuals has supported this interpretation, showing how manuals portray applicants as “potential risks until they are proven otherwise” (El-Lahib, 2015, p. 215), resulting in an approach by Canadian visa officers described to the Standing Committee as “treat[ing] every single application as a potential fraud application” (Ms. Avvy Go quoted in Standing Committee on Citizenship and Immigration, 2016e, p. 5). Salter (2006) has made similar observations of border guards who, when assessing people crossing a border, work on the premise of “reasonable suspicion” rather than “probable cause” (p. 181).

Furthermore, participants could perceive not only an automatic level of mistrust but feel (as mentioned in Chapter 3 in relation to forms) that the whole system was set up to trap people:

The lack of information, the stress and then the feeling that I'm like fighting against the system that this. I constantly felt like all these little details all these little things were there to make me trip up and that's the feeling that I had the entire time and that's what makes this such a terrible process. Because you don't feel like you have the support you feel like, I feel the whole time you know like the government doesn't want to let immigrants in, they don't want to let you do this. But they're going to do this because they kind of have to because it's mean to let people to make people stay separate, but they don't really want to and I feel like so tedious and so hard because only those who are truly devoted who really, really want it will actually go through it. (Zoe, sponsor)

The ensuing onus on applicants to prove their innocence privileged people who understood what was required and who had the linguistic, educational and organizational background to be able to put together an application:

I think if you're married and it is you know really a real relationship I think the chances of you coming to Canada are pretty much there, and there should be no problem in you coming here. I think the only problem you'd see it would be then the missing documents that you may have like if I would have missed major documents I think maybe my application would still be processed today. So I think it's important that applicants kind of understand how important it is to submit all documents. It's such a bureaucratic system that really necessitates that all different forms and papers and so forth are submitted. So it's really like a lot on the applicant's shoulders, because you have to be organized, you have to know how to fill in the forms, you have to not miss any line or any form you have to really know, look with a hawk's eye and all the details on the form and so forth. So yeah I mean I think a lot of people also might be a little bit sloppy and not do that and this could reflect very negatively on your application. (Cecilia, sponsored spouse)

Finally, experiences of individual application processing were importantly mediated by communication with Citizenship and Immigration Canada. This was another area in which power differentials, and knowledge as power, were clear in visa officers' almost total control over access to information about application processing. When a visa officer sent a follow up request to an applicant and the applicant did not respond to the request within a certain amount of time—whether or not they had actually received it—the officer could close the application. Conversely, when an applicant sent additional information to Citizenship and Immigration Canada they would never know whether it had reached the visa officer processing the file or not. The general resistance to applicant enquiries, and opacity of communication sent to applicants, reinforced feelings of powerlessness:

They make you feel one, like they're treating you just like a number and you are going to have to wait or not, depending on, they don't have to tell you anything like you, you see black ahead, you have no idea it's like dark, you have no idea where you're going to be next month. (Carla, sponsored spouse)

This sense of helplessness was exacerbated by the resulting reliance on online information and the call centre—both of which fell well below participants' expectations of adequate customer service⁸⁶. Applicants who had the financial resources or knowledge to access lawyers and MP caseworkers, who had additional means of communicating with Citizenship and Immigration Canada, had privileged access:

CIC doesn't give a damn about some small guy like me out there, but I think for an MP somehow they feel that they have to respond to them (...) that was quite clear from my experience – they respond to [an MP] good or bad, but if you're a guy who just wrote them there's no way Nairobi would respond to me. So that part was not good. (Dieudonné, sponsor)

The decision made in 2012 to close the counter service reflected a broader pattern of withdrawal from clients; concurrent with funding cuts to the settlement sector it had particular consequences for low income and marginalized applicants. Difficulties accessing official information fuelled applicants' creative use of each other as sources of information, particularly for those who were unable to access other sources of support. The internet was open to all who had a basic understanding of English or French and many applicants pooled knowledge through online forums; including by creating and maintaining detailed spreadsheets to try and make more sense of timelines. While the benefits of being able to connect with others going through a similar experience were clear in terms of mental health, the accuracy and usefulness of the information for applications varied. More meaningful

⁸⁶ Citizenship and Immigration Canada itself acknowledged that more training for call centre agents to respond better to enquiries would be useful (Citizenship and Immigration Canada, 2014b).

information could be obtained through Access to Information requests for applicants who knew about the option; their use—likely to only increase with awareness—would inevitably serve to limit any efficiency gains or cost savings in the name of which the original cuts had been made (Satzewich, 2015).

According to the Office of the Auditor General (2010), improving services to clients had been a strategic priority of Citizenship and Immigration Canada. The same report cited “a public commitment [by Citizenship and Immigration Canada] to, among other things, provide clients with quality services, treat clients with courtesy and respect, and publish application processing times” (p. 7). It also described how Citizenship and Immigration Canada was intending to start systematically collecting and responding to client feedback. There is a form on the Immigration, Refugees and Citizenship Canada website (Citizenship and Immigration Canada, 2014a) into which anyone can write positive or negative feedback on any aspect of the immigration system. As no participants mentioned this, it is unclear whether they were aware of the option⁸⁷. Neither was it clear, given participants’ experiences with customer service, whether any action had been taken in response to the problems identified in 2010.

Macro implementation: Annual targets and resource allocation

Visa officers did not wield their power over individual applications in a vacuum. In the case of family class, officers were constrained not only by the ways described above in which policy and organizational culture influenced their interpretation of the norm by which to judge applications. They also had to work within immigration levels, visa office targets and resource allocation that determined how many applications they could process and accept on an annual basis. Whereas micro-level decisions could delay an individual application, macro-level decisions over immigration levels and targets and

⁸⁷ Mr. Robert Orr (quoted in Standing Committee on Citizenship and Immigration, 2016a) also spoke about client service surveys. That no participants mentioned these could signal that they are new, or that participants may not have known about them.

resource allocation played an important role in determining overall trends such as processing times. Power over those macro-level decisions lay ultimately with the Minister⁸⁸.

The processing time was the aspect of implementation that affected the greatest number of surveyed applicants; 75% described it to have had a negative impact on their experience, and only 8% a positive impact. This contrasted sharply with the results of the internal evaluation which reported that the majority of spousal and partner applicants, if not parent and grandparent sponsors, were happy with the time taken, although the same report did also acknowledge that processing times could be improved⁸⁹ (Citizenship and Immigration Canada, 2014b).

The existence of levels meant that if more applications were received for the different programs each year than were included in the levels, a backlog would automatically develop that would lengthen family separation. This mathematical inevitability has been documented in the US system (Enchautegui & Menjívar 2015) and in the Canadian context has been cited repeatedly in Standing Committee reports and meetings as one reason for backlogs in certain parts of the immigration system (Standing Committee on Citizenship and Immigration, 2012; Standing Committee on Citizenship and Immigration. 2016a). It was also part of the reason that the former Conservative government stopped accepting parent and grandparent applications and then implemented a quota to reduce the backlog. The use of levels for spousal and partner applications meant a *de facto* quota on how many spouses and partners could enter Canada each year, regardless of how many applied. Quotas in the form of levels and targets also meant that simply allocating more resources would not necessarily reduce processing times as long

⁸⁸ The 2008 *Action Plan for Faster Immigration* (mentioned in Chapter 1) expanded the powers of the Minister for Citizenship and Immigration to redefine eligibility criteria through Ministerial Instructions, set targets and moratoria on applications, such as that imposed on parent and grandparent applications, and allocate resources (*Budget Implementation Act*, 2008, S.118).

⁸⁹ This difference may, in part, be due to the earlier data collection in the internal evaluation; processing times for inland applications in particular increased substantially between the experiences of participants in that evaluation and participants in this project.

as levels or targets remained much lower than the number of applications received (Citizenship and Immigration Canada, 2014b), a point to which I return in the next chapter.

Correspondingly, the use of specified targets for individual visa offices meant that backlogs could also develop at offices that received more applications than they had been instructed to process. According to Satzewich (2014a) targets were based on “the previous year’s target, the overall staff complement, and the volume of applications in the region” (p. 9). The Ontario Council of Agencies Serving Immigrants in a statement in 2011, questioned though why the Minister at the time would increase the target for one visa office (Beijing) in response to advocacy from that community, but at the expense of other visa offices in the Global South that were also experiencing long delays⁹⁰ (Ontario Council of Agencies Serving Immigrants, 2011).

Levels and targets, in turn, interacted with decisions about the management and resourcing of visa offices, both financially and in terms of personnel. The internal evaluation of the Family Reunification Program reported concern that to decrease budget allocations while increasing planned admissions would cause further strains in the ability to meet both targets and the service standards for processing times that the department was already unable to meet (Citizenship and Immigration Canada, 2014b). While meeting the levels was not a problem in 2014 (the latest year for which data are available)—indeed the levels were very slightly exceeded (Immigration Refugees and Citizenship Canada, 2016a)—processing times continued to fail to meet the standards.⁹¹

⁹⁰ As targets by visa office are not publicly available, more recent comparisons are not possible. Indeed, a recent reduction in the amount of data made publicly available by IRCC on both its own and the Government of Canada Open Data website has made analysis by visa office more difficult for both academics (Liew, 2016) and politicians (Ms. Jenny Kwan, quoted in Standing Committee on Citizenship and Immigration, 2016a), though government officials argue that the data is no longer available because an increasing amount of applications are being processed away from the country of residence (Mr. Robert Orr, quoted in Standing Committee on Citizenship and Immigration, 2016a)

⁹¹ Recent changes are discussed in the final chapter.

The distribution of visa offices could also influence experiences; “when you have one office in Africa that has many countries, I think it’s a priority issue about which countries they want to prioritize sponsorships from” (Lou, lawyer). Citizenship and Immigration Canada audits of its offices confirmed that the same factors that could make it difficult for applicants based in certain countries to put together application packages (e.g. difficulties with identity documents, mail services described in Chapter 3) could also cause problems for the offices processing applications (Citizenship and Immigration Canada, 2012a). Participants argued that this would justify opening more locally-based processing centres, “even if they’re not high commissions or whatnot, even if they’re just immigration officers, especially in a place that you know is going to have a high volume” (Sophie, sponsor applying through Nairobi), echoing calls of advocates arguing for improved processing in Nairobi (Canadian Council for Refugees, 2011b).

Over the period studied, however, Citizenship and Immigration Canada closed several visa offices. Shannon (a lawyer) lamented the closure of the Berlin office that in her opinion had exemplified best practices; “they were beautiful, they were swift, you often got an answer within two, three months, they were reasonable, they were quick and it was a pleasure, the whole thing was just a pleasure to deal with.” She expressed hope that lessons had been learned and applied to other offices before it was closed; “I really wished someone had taken a good hard look at Berlin before we closed it, what are they doing right.”

Applicants and key informants were concerned about what closures meant for both the transferred caseload and the pre-existing caseload in the office that was taking over the files; “I don't know where they start how to start right do they go in with the same line? Or do they have their own separate line? How does that work right? Which, they're not very transparent with that” (Pinying, MP caseworker). Caroline (a sponsored spouse) described how she and her husband felt when their application was transferred not once but twice as a result of different office closures; “we were really

nervous because we were getting bounced around from all these different offices and we were like when is this and then when is this going to happen?” Her nervousness was well-founded; the internal evaluation of the Family Reunification Program acknowledged that the transfer of files between visa offices can at times be problematic (Citizenship and Immigration Canada, 2014b) and one audit found that a visa office could experience a backlog when neighbouring offices were closed (Citizenship and Immigration Canada, 2014d, Beirut).

In general, applicants and key informants advocated for adjustment to both targets and resources to better equalize processing times across offices:

That does privilege certain applicants over others (...) I don't really see a reason for it because there's no, I mean the reason is because it's set up that way. But I don't see a justification for it because erm you know each sponsor has the same right to sponsor their family as any other you know essentially, in that class. So yeah it seems to me that that's a problem (Zach, MP caseworker)

Some were stronger in their interpretations, perceiving the difference in processing times to be a direct result of political priorities over the countries from which the government wanted to welcome immigrants:

The processing time can be. It's so political. If you look on that list, you know. You know that [office] whatever is seven months and Islamabad is 30 because they've made a political decision to not staff that embassy sufficiently or, you know. That's, that's pretty maddening and people say like, 'Why? Why?' And what's the answer? Well they have made a backhanded political decision to stem the flow from you know, east Africa, you know, one embassy covering a huge number of countries. (Priyanca, lawyer)

This de-prioritization was not only within family class but between family class and other immigration streams; advocacy organizations such as the Canadian Council for Refugees (2015) have

asked why family reunification cases take so much longer to process than economic immigration cases. Applicants understood processing would not be immediate, but the longer timelines, whether “by design [or] by default” (Dieudonné, sponsor) were seen as excessive; “I understand I’m bringing someone in, it’s not an easy thing right, but it’s also not rocket science, it should not take 10 years to bring in my parents” (Pinying, MP caseworker).

Lastly, it was not only Citizenship and Immigration Canada that was involved in the surveillance of potential immigrants. Other entities empowered with scrutinizing applicants included bureaucracy both inside and outside Canada involved in the processing of, for example, police or medical checks or adoption approvals. Other parts of the immigration system approved or denied visitor visas, and CBSA border guards had the power to refuse entry. This was felt keenly by Canadian-US couples who would go back and forth; “crossing the border is extremely stressful, just ‘cause you have like no idea, like you’re completely powerless” (Caroline, sponsored spouse). The power and politics of increasing visa controls—a result of much broader political issues that reinforce divisions between countries and between the rich and the poor (Evans, 2008; Mau & Brabandt, 2011)—was another rapidly changing policy area with major implications for keeping families separated to which I turn below.

Policy outcomes

I described the broad range of outcomes from the participants’ perspectives in the previous chapter but definitions of success have often focused on the number—a product of the annual levels—of families reunited in Canada; a criterion against which the policy could be described as ‘successful’ for most families *that apply*. Similarly, while the internal evaluation of the Family Reunification Program did look past the numbers, only one of the nine “final outcomes” identified referred to the relationship between immigration policy and the ability to reunite with family members—“the Family Reunification Program has been successful at landing sponsored relatives and family members are remaining in close

proximity to their sponsors once in Canada” (Citizenship and Immigration Canada, 2014b, p. viii)—the remaining eight all described settlement outcomes in terms of benefits and costs to Canada.

Participants’ experiences challenged this interpretation, exposing the power of a narrow definition of ‘success’ in family class policy to render other outcomes invisible. First, that report excluded different types of families who were separated and wished to reunite. It excluded families who were unable to even apply, or who believed they were unable to apply, for the reasons described in Chapter 5. It also excluded the thousands of families who had applied and been denied, some of whom were undoubtedly fraudulent, but others of whom were in genuine relationships.

Second, neither do these commonly used measures of ‘success’ take into account the lives of participants during the process and the potential effects of the experience on the individuals and their relationships. While most participants in my study were ultimately approved, no interviewed participants talked about it being an easy process. As Fox Piven and Cloward, quoted in Lipsky (2010, 10), have argued “it is the daily experience of people that shapes their grievances;” Lipsky goes on to elaborate that judging programs by the number of cases says nothing about the quality of work and inevitably leads to “goal displacement” with a focus on the numbers. That this is the case at least in some visa offices processing family class cases was clearly expressed by a manager quoted in Satzewich (2014b):

We have become number freaks. We have to meet our targets, within $\pm 3\%$. But you don’t want to exceed your target either. If you reach your processing target by September, you can’t issue any more visas, and that is a problem. And if you go over your target ... they will say next time you can process the target numbers with fewer resources, or increase the targets. (Deputy Immigration Program Manager, July, 11, 2010, quoted p. 1459)

The level of ease or difficulty of applying clearly depended on the ways in which family characteristics and the circumstances of the application such as type, timing and location interacted

with policy; experiences exposed different direct and indirect ways in which they were discriminated against. As described in Chapter 1, discrimination based on race, nationality or gender and other aspects of social location had, for the most part, been removed from the *written* policy by 1976. Yet the experiences of participants in this project suggested that even in these areas substantive equality had yet to be achieved; there was a gap between the way policy is written and the way it was experienced, a difference between formal equality (equal legal rights) and substantive equality (equal treatment in reality) (Hankivsky, 2007; Pal, 2001; Phillips, 1999), that I deconstruct below.

Summarizing power

Relative power, as I described above, was a result of both social location and circumstance. For families who *were* able to apply, the selection criteria continued to discriminate explicitly on a class-basis, most clearly through the minimum income requirements for parent and grandparent sponsorship, but also in the ineligibility to sponsor a spouse or partner for people on social assistance. Age-based discrimination had actually become more entrenched with the exclusion of young adult immigrants, who Canada now expects—contrary to the experiences of families in Canada—to be independent of their parents from the age of 19. The requirements for applicants to not be an ‘excessive demand’ on medical services⁹² clearly discriminated on a basis of (dis)ability. In turn, these explicit sources of discrimination, by intersecting with other aspects of social location, worked to disadvantage on other bases—for example through the intersection of race and gender with class, or of age with (dis)ability.

Policy implementation further worked to privilege or disadvantage families in specific social locations at various points of the process. At a macro-level, the distribution of visa offices, their targets and resourcing, inevitably disadvantaged people based on nationality. While there were differences between offices within regions, those disadvantaged were usually, though not always, from countries

⁹² Immigration, Refugees and Citizenship Canada has indicated that it will soon be reviewing this definition (Mr. Robert Orr, IRCC assistant deputy minister operations, in Standing Committee on Citizenship and Immigration, 2016a)

that had racialized populations. These results suggest a move at particular points of the process from *de jure* racism to *de facto* racism—nationality-based discrimination in policy design and implementation that in effect has racist outcomes (Stoler, 2006)—similar to that documented in other parts of the immigration system (Tannock, 2011); Neborak (2013) has suggested that these “racially stratified immigration policies are reminiscent of racist policies from the past” (p. 7)

At a micro-level, the ways in which visa officers processed individual applications privileged families who had been able, for various reasons, to put together strong applications, and whose social location—for example in relation to age, culture or gender norms—did not arouse suspicion. Due to the gendered way in which society is constructed, this had implicit outcomes for women, for example, in judgements of age differences between spouses or partners, cultural expectations about women’s role in a genuine relationship, and implications for women who were pregnant or who would like to get pregnant.

Moreover, where Canada’s economic immigration stream continues to discriminate explicitly based on educational background, professional status, language ability and age, amongst other factors, (Anwar, 2014; Satzewich, 2015; Tannock, 2011), family class does so implicitly. For family class, people who were privileged in these areas (as well as, in particular, on the basis of class) were better able to empower themselves; applicants demonstrated throughout the process ways in which they had tried, and to different degrees succeeded, to develop “counterstrategies” (Ong, 2003, p. 15). This included minimizing negative experiences in the way their application would be processed, arguing against discrimination and portraying the sponsored family member as an ‘ideal immigrant’.

Families drew strength from each other as well as from their broader social networks to improve life during the process. They came together online to improve access to knowledge and to advocate for change. Applicants advocated for themselves both individually and collectively; I have cited many instances of applicants turning to the media to advertise their difficulties and put pressure on the

authorities. In many of these cases later articles reported that the situation had subsequently been resolved. At other times, as I describe in the next chapter, applicants worked together to increase awareness of policy weaknesses and advocate, sometimes successfully, for improvements. Yet agency was nevertheless framed by policy structures—it was an “agency constrained by limited choices” as Gardiner Barber, describes in the context of Filipino migration to Canada (2008, p. 1266).

Findings exposed complex, multidimensional relationships between individual (personal) factors, each intersecting as they did in Figure 10 (to determine for example what documents they have to produce, how easy it is to meet those requirements, how closely the applicant fits the construction of an ‘ideal’ immigrant), but in turn interacting along multiple planes with different types of external factors, to influence the experiences of a family at different stages of the family class application process. Influential external structures included, most explicitly, institutional factors such as family class policy design and implementation (e.g. what the requirements are, and how applications are processed); but other Canadian policies and institutions, the policies and institutions in external countries, and global hierarchies also played a role. The way in which different types of structure influenced different stages of the process meant that different social locations could simultaneously privilege and disadvantage an individual family; I use the final section of this chapter to provide an illustration of these interactions.

Ability to be together

A final in depth example will serve to illustrate this multidimensionality, to show how interactions between different types of factor influenced an important part of the experience to which I have alluded repeatedly. That example describes ability to be together during the process. This was extremely important to participants, especially couples, who fell along a continuum from those who were able to live together during the whole process, through those who were not living together but

were able to visit for extended periods of time, to those who were separated during the process and could only manage brief visits (or no visits at all).

Ability to be together *in Canada* during the process depended on social location. Most participants applying from inside Canada had originally arrived on skilled work visas or as students, either of which would have required a certain level of education and language ability (to qualify for the job or graduate school) and resources if international tuition fees were involved (Neborak, 2013, Wray, 2012)⁹³. Other sponsored family members were able to live in Canada with their sponsor for long periods as a visitor; this implied (a) visa exemption or approval of a visa, which depended on nationality, as well as (b) the financial resources to live on either savings or the sponsor's income. Participants generally welcomed the introduction of the super visa for parents and grandparents but argued it was only available to a relatively wealthy segment of the population; this is consistent with statements made by advocates (Canadian Bar Association, 2016; Metro Toronto Chinese and Southeast Asian legal clinic, 2016; Standing Committee on Citizenship and Immigration 2016b).

When the sponsored family member was unable to live with the sponsor in Canada during the process, the sponsor (of a spouse or partner only) had the option of moving to be with them outside Canada, but again this depended on social location. Canadian citizenship was essential (permanent residents had to be in Canada to sponsor) and dual citizens enjoyed the particular privilege of 'flexible citizenship' (Ong, 1999) that could enable them to live in another country. Daniela, for example, was unable to move to Canada due to visa requirements, but as her husband had citizenship of another EU country they could live together in that country. In another example, Nicole and her husband, thanks to her Canadian citizenship and savings and his educational background were able to string together a

⁹³ Key informants also talked about inland applications to sponsor refugee claimants but cautioned how difficult this could be with the increasing Stage 1 processing times. If the refugee claim was refused during the sponsorship application process, the refugee became subject to a deportation order; "now we're deporting people that could've reached first stage approval, that aren't doing it because of wait periods, and they're being penalized for wait periods." (Chiara, lawyer).

succession of concurrent temporary visitor, work and study permits to live together in different countries. Indeed, a significantly greater proportion of couples reported they could live together during the process where the sponsored person was from Europe or the USA (82%), compared with those where the sponsored person came from a different region; in comparison only 24% of couples where the partner was from Central or South America were together during the process ($p < .001$).

When family members were not able to live together the frequency of visits varied. While 42% of survey respondents whose spouse, partner, child or parents were outside Canada were able to visit with their family members more than once a year and 25% once a year, almost a third (31%) visited less than once a year. When the sponsored family members tried to visit Canada, assuming they had the financial resources to do so, access to a visa or visa exemption was the key factor.

If the sponsored family member came from a visa exempt country they could visit for up to six months at a time; “he came here and erm so just five months so not the, as a tourist kind of thing because he was done school and I was just finishing up so he came and hung out I guess. He volunteered” (Zoe, sponsor). If the sponsored family member needed a visa the situation was quite different; applicants and key informants, as have witnesses to the Standing Committee (Canadian Bar Association, 2016; Standing Committee on Citizenship and Immigration, 2016f), reported frequent rejections of visitor visas for spouses, partners and parents, even under extenuating circumstances:

We have tried TWICE for my wife to get a TR Visa so she could visit Canada and meet my family and friends, and were twice denied. The last time we applied, my dad was dying and we requested compassionate grounds for the TR Visa. It was denied, and my family, wife and I are very bitter about it as my dad passed away without ever meeting my wife (surveyed applicant).

The pattern of higher numbers of visitor visa rejections for countries in the Global South has previously been noted by the Ontario Council of Agencies Serving Immigrants (2012b) who described “a longstanding and near universal perception of unwarranted, overly high and arbitrary visa rejections.”

They, along with media reports (Canadian Broadcasting Corporation, 2016; Helmer, 2016), have suggested that this disproportionately affects countries with racialized populations, in a pattern that has also been documented for visitor visas to the USA (Cruz, 2010). Indeed, Satzewich (2015), discussing the processing of visitor visas, documented the ways in which applicant characteristics such as country of origin, socio-economic status and immigration history could all inform visa officer's decisions about whether to issue a visa; he also described how in certain offices with high caseloads and major time constraints any application that was at all incomplete or ambiguous was "simply refused" (p. 196).

Faced with these levels of refusals some low income applicants had decided it was not worth even applying for visitor visas and potentially losing the application fee for nothing; "I don't try 'cause I know it's just like, I just go a pass out \$100 through the window" (Andrea, sponsored spouse). The double-standard this created for the lived experience between visa-exempt family members and those who were routinely refused was not lost on applicants:

US citizens can also apply outside Canada which takes erm much less time than inside, but then they can come at the same time on a tourist visa because they're allowed a certain amount of time and they can extend it on the basis that they want to be with their spouses while their application is being processed because they're visa exempt right. So the people who require a visa, it's funny because those people even if they apply for a temporary visa to go visit their spouses in Canada they get denied on the basis that they are married with Canadian citizens, and this is for them like if you are married to a Canadian citizen, automatically you will overstay your Canadian visa, so those people cannot visit their spouses. (Daniela, sponsored spouse)

If the sponsored person could not get a visa to come to Canada, ability to visit depended on the social location of the sponsor. Separation could be relatively easy if the sponsor's professional and financial status, and a lack of other commitments, allowed frequent visits; "if I ever want to see her I can just fly and see her" (Ansar, sponsor). A number of factors, however, could limit the sponsor's

movement. Permanent residency rules require a certain amount of physical presence in Canada; “I travelled a lot during my first year after landing for my job on the ship so I was keen to stay in Canada as much as I can” (Anwar, sponsor). Work responsibilities, especially for sponsors in precarious employment, prevented travel, as exemplified by Jacques who had to quit his job to visit his wife. Low income was a barrier, especially when the family member was somewhere that was more expensive to get to; “I would like to go more often but you know our economic situation doesn’t help” (Sara, sponsor). Or factors could combine to prevent movement; “I was on mat leave, and I don’t have a lot of money, I was on mat leave cut to my normal salary, you know so, erm I have the apartment, I have other bills to pay” (Jessica, sponsor). Indeed, visits were significantly more likely to be frequent when the family member was either from Europe or the USA, perhaps due to visa exemptions for the sponsored family member to visit the sponsor, or Central and South America, perhaps due to relatively easy logistics for the sponsor to visit their family member, compared with families where the sponsored person was from Africa or the Middle East, or Asia Pacific ($p = .027$).

I chose to use on ability to be together to provide an overall illustration of intersectionality for two main reasons. First, it clearly shows how intersecting factors of social location such as nationality, class and education interacted with both policy definitions and implementation (e.g. possibilities for inland processing, processing times, ease of attending interview) and other policies (e.g. visitor visas) to inform experiences; similar experiences have also been documented for the ability of spouses to be together temporarily in the UK (Charsley, 2012b). Second, it was a key part of the experience that could easily be, and has been, overlooked through a narrow focus on outcomes and definitions of success, and in analysis of the policy from top down perspective.

Summary

This chapter has argued that an intersectionality-based approach is essential for understanding the experiences of participants, who represented a huge range of fluid social locations that create

“complex multi-dimensional power dynamics” (Hankivsky et al, 2014, p. 4). It is clear that while the traditional foci of critical policy studies (and much of intersectionalist analysis of other policies)—class, race and gender—did play a role in the experiences of family class applicants, from the perspectives of participants they were (with the exception of class for sponsors of parents and grandparents) far from the most important factors. As described throughout the findings chapters, summarised earlier in this chapter, and illustrated in Figures 10 and 11, for each participant, many aspects of social location (including but not limited to nationality, country of residence, age, health, education, ability in English or French) interacted in different ways with a multitude of structural factors (such as policy definitions and implementation and external circumstances in the country of birth or residence) in different contexts throughout the process (such as ability to prepare a complete application, the way in which the application was processed, ability to respond to follow up requests and life during the process) to influence the experiences of applicants.

The power exercised by the state in defining who could reunite with family members and in the surveillance of applications to decide who would be approved and who would be rejected resulted in an invisible norm—the family that benefitted from comparatively positive experience of both processing and the ultimate decision. A norm that implied a certain class status, with a certain level of education, from countries that are well-served by both visa offices and general infrastructure. A norm that inevitably marginalized ‘others’. Those who had navigated the system relatively smoothly reflected on their privilege:

My situation had a happy speedy(ish) ending, it is now a part of our family history and in that respect I would not change it. It helped us grow as a couple and become a strong family unit. Not everyone has that resolve. Not everyone has the money the patience, understanding or outside resources to help them through the process (...) These applications take months,

sometimes years to organize and layout. The lives they determine may be destroyed in minutes.

It's not easy. I wish all those undergoing it now the best. (surveyed applicant)

Further, the exercising of power by the state happened within a context of global power relations that subordinate certain (racialized, underdeveloped) states to others (Foucault, 1976a; Frank, 1967; Ong, 2003; Wallerstein, 1974). Relations of power influenced policy decisions by the Canadian state, such as the implementation of visitor visas. They also played a role in the ability of individual applicants to meet the policy demands of putting together an application and responding to follow up requests. Given that family reunification immigrants were more likely to be women and from countries in the Global South, the disadvantaged position of family class vis-à-vis economic migration further exacerbated racialized and gendered outcomes (Citizenship and Immigration Canada, 2015a; Heikkilä, 2011b; Neborak, 2013).

In the final chapter I look forward from participants' experiences at what changes, some as a direct result of applicants' agency, have been made since the data were collected and imagine what other changes could be made in the future. I reflect on the project as a whole; how well suited the theoretical approach and research design were to answering the research questions, the implications of my own position as a researcher and what this all means for a future research agenda.

7. Looking forward and reflecting back

In this final chapter I return to the more concrete goals of this research; goals that relate to advocacy and the research process. First, I explore what the findings contribute to policy advocacy—a key component of the critical policy studies approach. I summarize both the strengths of policy that have been identified, and ways to address policy weaknesses to mitigate negative impacts experienced by applicants—negative impacts that were often connected to social location. Second, I describe what this project contributes to knowledge of the research process; I look at strengths and weaknesses of using both a critical policy studies approach and a mixed methods research design to study the topic of family reunification policy. Third, I reflect on the progression of my knowledge of my own position as a researcher over the course of the project. Fourth, I discuss limitations that emerged over the course of the project that were not taken into consideration in initial research design and I describe directions for future research. I conclude by briefly summarizing the key ideas generated in this dissertation.

Strengths, weaknesses, recent changes and further recommendations

Critical policy studies aim to identify and advocate for changes to policy to improve society; in this case, to ensure that families are equally able to successfully reunite in Canada regardless of social location. This research exposed many strengths and weaknesses in policy that could result in unequal outcomes for applicants. In the following section I identify major strengths of Canadian family reunification policy in relation to other countries, but I concentrate on advocacy to address weaknesses that emerged. I structure my discussion from the perspective of applicants, as I did the findings chapters; I start with eligibility and move through application preparation to processing.

It is first important, however, to note that this is a regularly evolving policy area and the previous and current governments made (or promised) several changes towards, and since, the end of data collection. Most prominently, in direct contrast to the focus of the previous Conservative

government on economic immigration, family reunification was a priority in immigration reforms promised by the Liberal Party during the 2015 election campaign (Liberal Party of Canada, 2015)⁹⁴. Once elected, the Prime Minister's mandate letter to the new Minister for Citizenship and Immigration directly addressed those promises; six out of twelve priority actions were related to family reunification (Trudeau, 2015).

I therefore incorporate changes and promises made by both governments into the discussion of what the findings of my study mean for advocacy. To be precise, I describe changes that were made before the end of December 2016. Given the recent rapidity of changes to policy, I recognize that further changes may be made in early 2017 that will not be included here. I also fully acknowledge that other actions to address weaknesses may have been taken internally in Immigration, Refugees and Citizenship Canada; as an outsider I am only aware of those that are announced publicly.

(In)eligible relationships

The very existence of policy that allows family reunification—that is, the recognition that family separation should be considered a policy problem—is a strength of the Canadian immigration system that should not be overlooked. As described in the previous chapter, participants appreciated that the definition of family includes not only spouses but also common-law and, most importantly, conjugal couples who are unable to live together, that it includes parents and grandparents, and that it allows (albeit in a limited way) for sponsorship of other types of family member, on a case by case basis. Yet other aspects of the definition of family members who are eligible to reunite caused concern.

The narrowed definition of 'dependent child' by the previous government was a particular target for advocates; the problems advocates predicted when the change was announced were confirmed by participants in this project. The Liberal government has since recognised this; it released a

⁹⁴ Minister McCallum has since directly critiqued Conservative discourse on family class, arguing against the division between "economic" and "humanitarian" immigration as he recognizes the economic and non-economic contributions of all immigrants (quoted in Standing Committee on Citizenship and Immigration, 2016a).

notice in October 2016 that it will soon be increasing the age of the dependent child from under 19 to under 22 (Immigration Refugees and Citizenship Canada, 2016n). This is a welcome improvement for adult children aged between 19 and 21, but it did not fully reverse the changes; it will continue to exclude children aged 22 and older who are still dependent on their parents while in full-time education. Indeed, raising the age to under 22 is inconsistent with the census data cited by Immigration, Refugees and Citizenship Canada in their rationale for making the change; data that described the dependency of adult children *under 25* on their parents (Immigration, Refugees and Citizenship Canada, 2016n). My position is therefore that Canada should raise the age to be consistent with its own data and follow other countries such as New Zealand and the United States that allow for family reunification with older adult children.

The definition of dependent child to exclude certain child-parent relationships can directly contravene the best interests of the child, as described by participants, and supported by both academic and advocacy literature. To reduce the number of children suffering as a result of separation from parents there needs to be more flexibility with adoption cases when children come from a country upon which provincial authorities have placed a moratorium; accessing a humanitarian exception is currently only an option for parents who can afford legal support. In its 2014 evaluation, Citizenship and Immigration Canada (2014b) did acknowledge that there is a need for better coordination with provinces and territories over adoptions, a call echoed in academic literature (Joly et al, 2016). This should include comprehensive evaluation of the impact of blanket moratoria for the best interests of the child.

Further, the findings exposed how the current restriction of parent-child relationships to either biological or approved adoption prevents other parents and their children from reuniting, thereby causing considerable suffering. The definition of parent-child relationship should allow for non-biological

parent-child relationships, consistent with that used for Canadian children (Joly et al, 2016) and recognized in the *International Convention on the Rights of the Child* (1989).

The absence of official limits on the number of spouse/partner and dependent child applications accepted is another welcome policy that should be maintained; it means that those types of family members can all (notwithstanding limitations described below) submit an application that will eventually be processed. For parents and grandparents, however, many families remain separated. The Liberal government raised that quota from 5,000 to 10,000 applications for the 2016 intake (Immigration Refugees and Citizenship Canada, 2016g)⁹⁵ but the speed with which the quota has filled up each year suggests many more families would like to reunite than are allowed to under the current quota. The government claims to recognise the importance of family reunification with parents and grandparents, so it should allow all adult children and parents and grandparents who would like to reunite in Canada to do so, not just families who are lucky enough to make an arbitrary quota.

Lastly on the definition of eligible relationships, the Liberal government, as also promised in their manifesto, adjusted the skilled worker points allocation to grant more points to siblings of Canadian citizens and permanent residents immigrating through the Express Entry economic immigration program (Standing Committee on Citizenship and Immigration, 2016a). It has not, however, announced any intention to consider including siblings in family class (outside the very rare exceptions that already exist), similar to that allowed in the USA. Findings suggest that allowing sponsorship of siblings—especially young adults who are too old to qualify as dependent children but too young to have the years of work experience necessary to qualify as economic immigrants—would prevent permanent family separation and allow young adults to start early to build careers in Canada (and contribute to Canadian society and the economy) with the support of their already established sibling(s).

⁹⁵ This only happened after applications had been submitted, amidst confusion and reminders to the government of their election promises (Berthiaume, 2016).

(In)eligible individuals

Strengths and weaknesses were also identified in the (in)eligibility criteria for the sponsor and sponsored person. For sponsors wishing to bring their spouse or partner to Canada, the absence of a minimum income requirement is a particular strength of Canadian family reunification policy compared to European countries (Charsley, 2012a) and the USA (Enchautegui & Menjívar 2015), notwithstanding the need for improved awareness discussed below. Similarly, the age at which one can sponsor a spouse compares favourably to European countries (Charsley, 2012a), as does the lack of discrimination based on the immigration and citizenship history of the sponsor (Jørgensen, 2012).

The opposite is true for people who wish to sponsor parents and grandparents; current class-based discrimination penalizes families who may benefit the most from the increased support systems that family reunification brings, and the government should eliminate minimum income requirements in that program. If minimum requirements remain, they should at least, as suggested by Canadian Bar Association (2016) and Pagthaken (cited in Neborak, 2013), reflect differences in living standards across Canada. The proof of ability to support parents or grandparents should be more flexible and not based solely on tax returns, to allow, for example, for maternity or sick leave and eliminate discrimination based on gender or health. Judging ability to support solely according to the income of the sponsor and their spouse or partner fails to acknowledge other sources of support; the sponsored parents may bring considerable wealth to Canada and policy should assess sponsor's and their family member's incomes cumulatively (NDP in Standing Committee on Citizenship and Immigration, 2012). Similarly, when multiple siblings live in Canada they should be allowed to co-sponsor their parents, again to eliminate class-based discrimination (Pagthaken, cited in Neborak, 2013).

Lastly, there was consensus amongst key informants consistent with literature that inadmissibility of a family member due to application of 117(9)(d) can cause considerable damage to families. This clause, too, often worked against the best interests of the child, as was agreed recently by

a federal judge (Brean, 2016). There is no need for this clause given that other provisions exist to deal with fraud and 117(9)(d) should be repealed.

Application requirements and preparation

Turning to the implementation of policy, many adjustments could be made at various stages to improve overall efficiency, and to reduce different outcomes on the basis of social location. Delays and mistakes in individual application processing could be minimized by improving (a) the quality of applications submitted, (b) the consistency and efficiency of processing, and (c) customer service. Several of these changes are already in progress; in December 2016, the government announced its intention to “improv[e] the application process for clients” (Immigration, Refugees and Citizenship Canada, 2016p).

In application preparation, findings suggested that much could be done to reduce the number of mistakes that result in submission of incomplete applications which wastes time for both the applicant and people reviewing the application and extends separation longer than necessary. Immigration, Refugees and Citizenship Canada can justifiably make clear that responsibility for a correct and complete application lies with an applicant, but it needs to provide a context within which applicants are able to do so. Even the most privileged and conscientious participants described, for example, how they could make mistakes as a result, at least in part, of instructions and design of the forms.

Information online needs to be clear about the differences between types of relationship so that couples do not submit applications as conjugal partners when they are not eligible, or feel compelled to get married even though they qualify as common-law partners. Information must also clearly state that income is not an eligibility criterion for sponsoring spouses and partners, to prevent low-income couples from believing they are ineligible. Basic concepts must be well defined; while the December 2016 version of the website does include a list of brief definitions, which may be an improvement on the information that was available to participants in this project (Immigration, Refugees and Citizenship,

2016c), ambiguity remains. The website refers applicants to the *Regulations* for legal definitions; this may be useful to applicants who have experience reading legal documents, but could easily confuse others.

Immigration, Refugees and Citizenship Canada (and Citizenship and Immigration Canada before it) has regularly made improvements to forms. Indeed, participants who had missed the 2014 parent and grandparent quota and reapplied in 2015 spoke about improvements that had been made to the newer forms. More recently, in December 2016, an overhaul of the spousal and partner application process involved a substantial consolidation of the forms required. The advance announcement that new forms would be introduced and that old application forms would continue to be accepted for a certain period of time was a huge improvement; this would help to avoid the experiences described by participants whose applications were returned because forms had been updated without notice.

Clear instructions that bring attention to the most commonly overlooked forms or individual signature lines would reduce the number of incomplete applications. Instructions on how to answer individual questions that are often misunderstood would also help applicants; the recent redesign of spousal and partner sponsorship forms to separate out those for spouses, common-law and conjugal partners should help in this regard. Clearer instructions have also been introduced since the experiences described here, that emphasise the importance of not leaving gaps in dates in the background information. Close attention should be paid to the ability of these new forms and instructions to reduce mistakes, and whether any new recurring difficulties emerge.

In terms of supporting documentation, instructions should clearly detail what (and how much) families need to provide to prove the relationship, including when families may not have common types of proof due to, for example, socioeconomic status, age or country of residence⁹⁶. This would also

⁹⁶ The new document checklist for spouses asks for proof of joint ownership or a joint lease *and/or* proof of joint utilities (Immigration, Refugees and Citizenship Canada, 2016b). It is not clear what couples should do if these are

minimize the time wasted by applicants who collect excessive amounts of proof and by the person at Immigration, Refugees and Citizenship Canada who has to process that proof. Similarly, more varied suggestions for proof of intent to return should recognize that sponsors are living outside Canada so that they can be with their partner. It is difficult to apply for jobs or school in Canada before they know when they will be able to return with their partner and most cannot afford to buy or rent a house indefinitely in the meantime simply so that they have proof.

For applicants with little experience of Canadian bureaucracy a key informant from Quebec mentioned that some French classes for new immigrants in that province teach students how to fill out bureaucratic forms; this is a useful way to increase bureaucratic literacy and if not already the case, would be useful in English as a Second Language classes. With the same goal, an orientation program was suggested in the internal evaluation of the Family Reunification Program (Citizenship and Immigration Canada, 2014f); this could mirror the relevant sections of the Refugee Sponsorship Training Program for potential sponsors of refugees (Immigration, Refugees and Citizenship Canada, 2016e). Tools that are accessible and written in clear non-bureaucratic language with examples provided, would be useful to all potential sponsors, but particularly families who have no previous experience of the immigration system and those with limited English or French⁹⁷. They would also help to manage expectations and therefore subsequent experiences of application processing.

Moving as much of the process as possible online to reduce both mistakes and delays was a common theme in participants' suggestions. Instead of making applicants fill in multiple online forms, print them off, and then mail them in, much of the information (e.g. identity, contact information, personal background) could be filled in electronically, as is already the case with Express Entry

only in one person's name, as could understandably be the case if, for example, a Canadian had moved in with a partner overseas who was already well-established in their home country.

⁹⁷ Translated versions of the information would be even more useful to reduce difficulties that result from the language used.

applications. This would help to avoid gaps in information and would ensure correct data entry of contact details. The most recently announced changes signalled a move in this direction; sponsored spouses and partners will now fill in the background information form (Schedule A) online after the sponsor has been approved (Immigration, Refugees and Citizenship Canada, 2016f) and sponsors of parents and grandparents, as described below, will express their interest online (Immigration, Refugees and Citizenship Canada, 2016q). While welcome for the majority of applicants, it is nevertheless important to ensure that a move to online forms does not disadvantage sponsored family members who live in areas with limited internet infrastructure.

Findings also identified improvements that need to be made to information options for applicants who have more specific questions. One participant suggested a searchable forum in which applicants could submit questions to be answered by Immigration, Refugees and Citizenship Canada officials (he referenced similar services provided by telecommunications companies). This would be an improvement over unofficial online forums with unverifiable information. It would create an online repository that could be updated as necessary and searched by subsequent applicants, thereby reducing the pressure on the call centre and visa offices.

Regardless of changes to online information, several improvements were identified for the call centre. The number of staff should be increased so that applicants are able to reach an agent within a reasonable time and the interactive voice response menu system should be simplified to make it easier for people with limited English or French to speak to someone earlier in the process. Call centre staff should be provided detailed and up-to-date training and need to be able to see details of individual cases so that they can answer questions directly and accurately rather than simply quoting from the website and being unable to provide further details (or even giving inaccurate information). The call centre should use more inclusive language by not assuming all spousal/partner relationships are heterosexual. The idea of mission-based call centres was also tabled in the internal evaluation

(Citizenship and Immigration Canada 2014f); this could address location specific problems, particularly for offices that have a high or problematic caseload.

Lastly in terms of preparation, findings suggested the need for an overhaul of management of the quota system for parent and grandparent applications. Ability to meet the quota became increasingly biased between 2014 and 2016 towards people who lived in Ontario who were able to pay growing courier fees. Findings identified how the process needed to be adjusted to equalize applicants' chances of meeting the quota regardless of class or location, by ensuring forms are available well in advance and expanding the timeframe within which applications are accepted. In December 2016, Immigration, Refugees and Citizenship Canada (2016q) announced a new system based on a lottery rather than the previous first-come, first-served basis. Starting in January 2017, potential applicants will have 30 days to express their interest in sponsoring their parents or grandparents⁹⁸. After 30 days, a lottery will choose 10,000 people who will be invited to submit an application within the following 90 days.

This is fairer than the previous system as it will eliminate discrimination based on location in Canada and ability to pay courier fees, but nevertheless raises several questions. The announcement did not explain what will happen when applicants submit incomplete applications; will they be asked for the missing information, will someone else be invited to fill their place (as was the case with the first-come, first-served system from 2014-2016), or will the spot simply be eliminated? It did not establish whether there will be any future weighting in the lottery to benefit families who have expressed an interest in multiple years over those applying for the first time. Application packages were not released before the end of 2016, so it was impossible to see whether any improvements were to be made to instructions or

⁹⁸ This new system will also give a more realistic picture of how many people in Canada who meet the current criteria would like to sponsor parents and grandparents and therefore an idea of better immigration levels to reduce family separation.

forms. As the expression of interest is to be online, however, it is also likely that part of the application will also have migrated; here again there needs to be accommodation for applicants with limited access to technological infrastructure.

Transparency and consistency

Further potential improvements were identified in the processing of applications that would minimize negative impacts on applicants' lives and reduce the pressure they place on Immigration, Refugees and Citizenship Canada. First, the more aware applicants are of the process, what to expect and how their application fits within the system, the more easily they will be able to continue with their everyday lives and plan for settlement in Canada. Several participants described how something as simple as visual diagrams of what happens to an application could help them to understand the process and how their applications may be delayed; certain key informants had created their own to show to clients. Processing times also need to be transparent and clear, as I discuss in more detail below.

Applicants would benefit from more information about the status of their individual application, which could be easily provided through the online eCAS tool; this may or may not have changed since the period covered in this study. For applicants who need to communicate with Immigration, Refugees and Citizenship Canada during the process, the call centre improvements described above are again relevant—particularly in the absence of a counter service that could advise people on a case-by-case basis. Better service to applicants during the process would minimise negative impacts on applicants' lives. It would also reduce the downloading of immigration support for applicants who cannot access lawyers or consultants, to settlement agencies and MP constituency offices—who are neither adequately trained nor, in the case of settlement agencies, adequately funded to do so—and it would minimize the time spent by Immigration, Refugee and Citizenship Canada officers processing access to information requests.

Consistency in the processing of individual applications would help to reduce unequal outcomes for applicants that are based on visa office or visa officer. When only a small amount of information is missing from an application, to request this electronically rather than returning an entire package would reduce the amount of time and cost to the applicant and the time spent by Immigration, Refugees and Citizenship Canada reviewing the application. Immigration, Refugees and Citizenship Canada must minimize the number of documents lost after receipt; this results in, at best, delay-inducing requests for information to be re-submitted and, at worst, refusals. Information about applicants' rights in the latter case—when cases are closed because documentation has gone missing—to have the case reopened, should be widely disseminated and not restricted to those who have access to a lawyer.

Similarly, efforts to reduce the amount of communication sent to applicants that goes missing are welcome. Allowing applicants to update their contact details online will remove the responsibility from visa officers to correctly enter new addresses and reduce the amount of misdirected mail. Notifying applicants of follow up requests online, as was announced for new spousal and partner applications, will reduce delays due to misdirected correspondence. The 30-day response time for some requests may, however, continue to prevent applicants from living life, as they will need to be ready to respond to a request at any time, so will not be able to make plans, for example, to travel for any period of time. Applicants should be made aware that they can request an extension to response times.

To reduce disparity between experiences based on visa office, the treatment of certain types of follow up requests should be standardized. Passports should not be requested months in advance by certain offices, effectively restricting the movement of applicants. Contrastingly, notifications to attend an interview should not provide so little notice that applicants have difficulties attending because, for example, they do not have time or resources to get a visa to travel to a different country. The over-reliance on DNA tests that adds considerable time and cost to applicants from Africa should be restricted to the minimum necessary, as was the original intention.

Another recent improvement is recognition that as long as processing times remain longer than a year, it is better to ask applicants for medical exams and police certificates later in the process; this will reduce the number of applicants that have to do repeat checks. Moreover, pregnant applicants should be allowed to complete the medical exam—or having done the rest in advance, do the x-rays—after arrival in Canada, to allow couples to be together at such an important time in their lives.

In the tragic cases where a principal applicant dies during the application process and dependents are listed on the application, family reunification should be a priority. In cases where the dependent is in a position to become the principal applicant, visa officers and call centre agents need to inform applicants of this option rather than simply closing the case. Where there are dependents who do not qualify as the principal applicant, for example, because they are step-children, and they nevertheless wish to reunite with a family member in Canada, they should be allowed to continue with their application.

To reduce the time and documents lost when applications are transferred between offices, more generic processing could be done within Canada—as has been increasingly the case in recent years (Immigration, Refugees and Citizenship Canada, 2016k)—or shared between visa offices. This must be done, however, without losing recognition of the importance of local knowledge that is provided by local offices (Citizenship and Immigration Canada, 2014b). Local knowledge is particularly important in addressing potential bias when judging genuine relationships, not only in terms of ‘cultural’ expectations for the characteristics of relationships, but also the types of relationship histories, and therefore proof that can be provided, that are realistic in the context of local economies and infrastructures.

Increased transparency in decision-making would enable inconsistencies in such decisions to be more easily discovered and addressed. Given the options that exist to address fraud, judgement of relationships should be more open, to reduce the number of genuine families punished because an officer did not believe the proof they provided. Future Canadians should be treated, as current

Canadians are, as innocent until proven guilty, not vice versa; “you can’t make a policy, an approach, based on a few bad apples that we have. It just ends up embittering everyone and there’s no need for that” (Dieudonné, sponsor).

Prime Minister Trudeau expressed his desire for such an approach—an approach that people watching Canadian immigration must monitor carefully—in his mandate letter to Minister McCallum:

We have also committed to set a higher bar for openness and transparency in government. It is time to shine more light on government to ensure it remains focused on the people it serves.

Government and its information should be open by default. If we want Canadians to trust their government, we need a government that trusts Canadians. It is important that we acknowledge mistakes when we make them. Canadians do not expect us to be perfect – they expect us to be honest, open, and sincere in our efforts to serve the public interest. (Trudeau, 2015)

In turn, Minister McCallum later acknowledged he wants to aim for “more welcome servicing” in Immigration, Refugees and Citizenship Canada (Minister McCallum quoted in Standing Committee on Citizenship and Immigration, 2016a, p. 6). This would reduce many of the negative impacts for applicants and improve their attitudes towards Canada, and would also improve the experiences of officers processing applications and interacting with applicants.

Processing times

Application processing times were the most important concern for many participants and were a result in each case of a combination of micro and macro factors. Overall, in both 2013 and 2014—the period over which many participants’ applications were processed—only 65% of applications for a spouse, partner and/or children were processed within 12 months, falling short of the 80% target for these cases (Berthiaume, 2015). Between 2015 and 2016 this fell to 57% (Immigration, Refugees and Citizenship Canada, 2016i). By June 2016, the actual time to process 80% of applications was at 16

months for outside Canada spousal and partner cases, 22 months for inland spousal applications and 73 months for parents and grandparents (Immigration, Refugees and Citizenship Canada, 2016l).

Many difficulties during the process described by participants were either a direct result of processing times, such as the need to redo documentation that had expired, or an indirect result, such as the effects on mental health of uncertainty and extended family separation. Most applicants' experiences would be greatly improved if the government consistently achieved its targets for processing of applications for a spouse, partner and/or children and if it introduced (and met) targets for processing of applications for parents and grandparents. This would reduce uncertainty, allow for mental preparation and planning in terms of finances, housing, education and work, and it would enable families to make better decisions about whether and how much they could (afford to) be together during the process.

Applicant families, most predominantly those applying inland, have been working together to advocate for reduced processing times, most vociferously through the media (e.g. Berthiaume, 2015; Campanella, 2015; Marchitelli, 2014) but also directly to Parliament (Canadian Spousal Sponsorship Petitioners, 2016). Recently, even MPs have pressured the Minister over processing times (Rana, 2016a). Focus has been on both the length of processing times and on differences between programs and visa offices. One applicant launched a court case claiming discrimination on the basis of family status that pointed to the processing times being so much longer for parents and grandparents than spouses and partners; this resulted in the Canadian Human Rights Commission recently asking the Canadian Human Rights Tribunal to open an inquiry (Zilio, 2016).

The Liberal Party has recognized the problem of processing times. It made reducing them an election pledge, a commitment reiterated in February 2016 by the Minister:

For the last decade, the processing times for all forms of Family Class immigration have gone through the roof. So, today, one can say it is a mess. It's our top priority over the coming years

to bring those processing times down. (...) This is not something you can do in a day. We have to put in place additional money, additional measures to improve efficiency and we will have a plan. (Minister McCallum quoted in Rana, 2016a)

In December 2016, the government started to expand on how they would deliver on this commitment. At that time, they promised to process spousal applications, both inland and outside Canada, within one year (Immigration, Refugees and Citizenship Canada, 2016p), adding that families who had already submitted applications “should have a decision on their sponsorship application no later than the end of December 2017” (Immigration, Refugees and Citizenship Canada, 2016p)⁹⁹. The three strategies identified for achieving the target processing times were “higher levels of admission, more money, and more efficiency” (Minister McCallum, quoted in Standing Committee on Citizenship and Immigration, 2016a, p. 2).

The most recent annual immigration levels are described in Table 11, overleaf (Citizenship and Immigration Canada 2010; 2011b; 2012h; 2013c; 2014c; Immigration Refugees and Citizenship Canada 2016h; 2016o). Table 11 (overleaf) shows the increased admission levels used by the previous government in 2012 and 2013 to reduce parent and grandparent processing times. This effort was commended *by those who had been able to submit applications*; it was at the expense, however, of families who could not submit new applications due to the moratorium. The combination of the moratorium and increased levels meant that the parent and grandparent backlog was halved between the end of 2011 and 2013 (Citizenship and Immigration Canada, 2013b). As the Liberal government doubled the intake in 2016 without a corresponding increase in levels, backlog elimination will inevitably be delayed.

⁹⁹ It was noticeable that they presented this as a new target and not one that in reality has existed, but has not been achieved, for several years.

Table 11: Family class levels plans 2011-2017

	2011	2012	2013	2014	2015	2016	2017
Spouse, partner and children	48,000	44,000	48,300	48,000	48,000	60,000	64,000
Parents and grandparents	17,500	25,000	25,000	20,000	20,000	20,000	20,000
Total	65,500	69,000	73,300	68,000	68,000	80,000	84,000

Table 11 also shows increased levels for spouses, partners and children in both 2016 and 2017 that were recently announced by the Liberal government to work on that backlog. The effectiveness of these in reducing processing times will depend on whether (and how much) the number of applications received exceeds the number processed. Immigration, Refugees and Citizenship Canada itself has acknowledged an increasing number of spousal and partner applications; in 2014 it received nearly 70,000 applications which was 22,000 more than the level that year. If the number of applications received remains at around 70,000, an increase in levels to 64,000 would therefore reduce that backlog very slowly; if levels dip lower than the number of applications received (excluding applications that are refused), backlogs and processing times will start to grow again¹⁰⁰.

On their second strategy for reducing processing times—increasing resources—the Liberal manifesto promised to “nearly doubling the budget for family class immigration processing, in order to restore processing times to the levels achieved before the Harper decade” (Liberal Party of Canada, 2015, p. 2). Twenty-five million dollars was indeed added in 2016 to the “overall processing network” budget to reduce times but it is not clear how much of this went to family class, or where this was

¹⁰⁰ It all depends on the approval rates: levels represent the number of spouses and partners admitted rather than the total number of applications processed. To simplify, with an approval rate of 87% (Citizenship and Immigration Canada, 2015d) approximately 56,000 of 70,000 applications received would be admitted. A level of 64,000 would therefore allow for a backlog reduction of approximately 9,200 (of which approximately 8000 would be accepted). Assuming all other numbers stayed the same, if either the level was to dip under 56,000 or the number of applications received were to exceed 80,000, the backlog would start to grow.

targeted within family class (Immigration Refugees and Citizenship Canada, 2016j). Many of the differences identified by participants related to specific visa offices, suggesting that targeting of resources to offices where application processing is more time consuming or difficult would be the most effective way of using resources to reduce unequal outcomes based on country of residence.

The third strategy—increased efficiency—includes many of the changes in individual application processing discussed above. On a macro level it also includes an increased prioritization of “straightforward” cases (Keung, 2016g). Immigration, Refugees and Citizenship Canada (2016f) have been clear that they will return any incomplete applications, which confirms the need to better support applicants with preparation. The prioritization of ‘straightforward’ cases over more complicated ones, rather than treating each case equally, is concerning as it adds an additional opportunity for ‘othering’ certain applicants who may have experienced difficulties in preparation or have complex cases, and it could exacerbate differences in outcomes based on social location. It also allows Immigration, Refugees and Citizenship Canada to exclude applications deemed to be incomplete from published processing times and will obscure the length of family separation for families who find it difficult to assemble a complete application.

Concentrating on a target processing time of twelve months for 80% of applications will be welcomed by families that fall within that 80%, but is a good example of how a focus on the majority can obscure important experiences of the minority. In this case, the time families are separated while trying to put together a complete application—which was more complicated for some than others—are not included. Neither do published times for 80% include the time taken for the one fifth of applications that are more complicated and may be deprioritized in favour of ‘easy’ cases by bureaucrats wanting to achieve the targets. Transparent processing times for *all* cases would enable observers to hold the government to account and not disregard cases that are more difficult to process. Nor do published processing times include the time taken for appeals by families who are initially refused—another

processing time that in itself needs to be addressed—most of whom eventually win after an even longer separation. Observers following the Liberal government’s progress on processing times must take such limitations into account if and when the government claims ‘success’ in achieving their targets.

Other policies: Ability to be together during the process

Finally, there were recommendations for other policy areas that could improve the lives of applicants going through the process. That citizens are allowed to live outside Canada while applying to sponsor spouses or partners was another strength in Canadian policy compared with other countries. But it was not available to all applicants and when the sponsor had to remain in Canada several factors interacted to influence families’ experiences. Efforts to reduce processing times would minimise many impacts of separation, but other changes could also make a difference.

Most obvious were differences in separation that depended upon whether or not family members required a visa to visit Canada and for those who required visas (who were predominantly family members from the Global South), refusals based on the presence of a family member in Canada. I reiterate the call by the Canadian Bar Association (2016) to increase transparency and reduce unnecessary denials in visitor visa processing for family members with sponsorship applications in progress. It should not only be family members from a privileged class and nationality background who can visit their sponsor in Canada while they wait for an application to be processed, particularly as the mandate of Minister McCallum includes “lead[ing] efforts to facilitate the temporary entry of low risk travelers” (Trudeau, 2015) – those low-risk travellers should include family members who are prospective New Canadians.

For families who were applying inland, advocacy efforts for easier access to work permits—to reduce many of the pressures on family members forced to interrupt their careers and depend upon the sponsoring partner—were partly successful. Applicants put forward solid arguments about why they should be granted a work permit earlier in the process, given increased processing times for Stage 1 of

inland applications. In response, the Conservative government at the time introduced a pilot project in December 2014 allowing inland applicants a work permit prior to approval in principle (Citizenship and Immigration Canada 2014e). This pilot project was renewed by the new government in December 2015 and December 2016 (Immigration Refugees and Citizenship Canada, 2015; 2016p).

The work permit was highly appreciated by people who qualified (Canadian Bar Association, 2016), and according to Robert Orr (Immigration, Refugees and Citizenship Canada, assistant deputy minister, operations) take-up was “very high indeed” (quoted in Standing Committee on Citizenship and Immigration, 2016a, p. 15). It is not available to all inland applicants, however; people who are already out of status cannot apply. They, as well as family members who have submitted outside Canada applications would also benefit from a temporary work permit that would allow those family members to continue, or start, to integrate into Canadian society and the economy, and would reduce the stress associated with reliance on the sponsoring family member (Canadian Bar Association, 2016).

Finally, another recent change to family class policy as a result of concerted advocacy efforts affected settlement rather than the application process itself. This was the repeal of conditional permanent residency as “on balance, the program integrity benefits of conditional permanent residence have not been shown to outweigh the risks to vulnerable sponsored spouses and partners subject to the two-year cohabitation requirement” (Immigration Refugees and Citizenship Canada, 2016m). The change was welcomed by advocates who upon introduction of the measure, and as repeated by participants in this project, had argued that conditional permanent residency had dangerous consequences for already vulnerable immigrants.

In summary, the Canadian system for family reunification has several strengths in comparison to other countries. For many participants *who were able to apply* it was manageable and ultimately resulted in family reunification. Nevertheless, weaknesses were identified that, if addressed, could minimize difficulties identified during the process and lead to more equal outcomes for applicants.

Recent changes made by the Liberal government directly reflect recommendations suggested by the findings. In theory, these changes are most welcome, but attention should be paid to whether the government follows through on promises and whether changes are effective in achieving their stated goals. Findings also suggest further areas in which the government has yet to take action, in which I have identified changes to policy design and implementation that could improve the experience for applicants.

The research process

In this final section, in accordance with a critical policy studies approach, I reflect on the contributions of this research project in terms of the usefulness of critical policy studies and a mixed methods approach, and I return to my own role as a researcher. I reflect on newly identified limitations and areas in which knowledge needs to be expanded through future research. I conclude with a brief summary of key points.

The power of critical policy studies

Critical policy studies, as I described in Chapter 1, call on policy researchers to deconstruct locations of power at different levels. In the previous chapter I discussed power in the policy process as it related directly to applicants' experiences. Here I expose the power of knowledge in relation to the topic as a whole; that is, who has defined knowledge on family reunification and what has been included or excluded. Situating the findings in the context of other research demonstrates how important a critical policy studies approach can be for uncovering gaps in the knowledge, for exposing "daily struggles at the grassroots level" (Foucault, 1976b, p. 58).

Most knowledge of family class was previously generated by the government itself. Government evaluations and reports have focused more on the narrow definition of success than the broader outcomes outlined in these findings. They have involved primarily numeric overviews, of, for example,

the number of families reunited, or the processing times for 80% of applications. The single more substantive recent report was the internal evaluation of the Family Reunification Program in 2014.

As I presented the findings I highlighted several points of overlap between that report and this research, but there was also much that diverged. That report, for example, included data from a huge number of participants but, though data was collected on ease of navigating the process, attitudes towards processing times and the impact of the wait on their lives (Citizenship and Immigration Canada, 2014g), the report focussed on macro outcomes with an emphasis on economic aspects of the policy, deprioritizing the daily lives of applicants. Using a critical policy studies approach enabled a refocussing in this project towards those daily lives, to expose the importance of experiences throughout the process.

When foci of the internal evaluation and this research did overlap, the opinions of applicants in that evaluation were generally more favourable towards the experience than those of participants in this project. That may be due to the sampling limitations in this project described in Chapter 2—Citizenship and Immigration Canada had access to the full population of applicants¹⁰¹ so was able to carry out random sampling—or differences may have been a result of methods used and the design of questions in either study. The power that Citizenship and Immigration Canada continued to hold over their participants (as permanent residents waiting for citizenship), or my social location as a university researcher, may also have influenced answers in the respective projects.

Finally, the timing may have played a role in two ways. First, applicants' views may be different as they go through the process (the status of many participants in this research) compared to some time after they have finished it (the status of participants in the Citizenship and Immigration Canada study). Second, the experience may simply have been better for applicants during the period studied by

¹⁰¹ Those who would like to apply but could not were not included in that study.

Citizenship and Immigration Canada, which was slightly earlier than the period during which most of my participants applied. This, in particular, supports the need for ongoing evaluation.

Another relevant internal Citizenship and Immigration Canada evaluation that overlaps with the findings on the ability to be together during the process, is a 2012 internal evaluation of the visitor visa program (Citizenship and Immigration Canada, 2012f). That report stated the goal of the visitor visa program was “to protect the health, safety and security of Canadians” (Citizenship and Immigration Canada, 2012f). Demonstrating again how the generation of certain knowledge can marginalize other experiences, that report recognized that international travel has the social benefit of “strengthened family linkages” (Citizenship and Immigration Canada, 2012f, p. 9), yet it failed to discuss either refusal of visitor visas when the potential visitor has family members in Canada, or the effect of such refusals on Canadians who remain forcibly separated from their family members.

Other knowledge has been generated by Parliament and towards the end of 2016 the Standing Committee on Citizenship and Immigration was in the process of completing a study on family reunification. They did not release the report before this dissertation was finished, but there was a great deal of overlap (to which I have referred in previous chapters) between the evidence witnesses presented to the committee and the findings in this research. That in the month after the Committee finished taking statements, the bureaucracy (Immigration, Refugees and Citizenship Canada) addressed several of the issues discussed in Standing Committee meetings, such as online applications and quota management, suggests a potential disconnect between Parliament and bureaucracy. It also reflects the role of bureaucrats in forming policy through implementation, while those responsible for legislating are still considering potential changes to policy design.

The gap in academically produced knowledge of family reunification was described and analyzed in Chapter 1; only a handful of research has been published on recent family class policy in Canada. As demonstrated by the literature against which I compared findings, that which does exist on immigration

application or family reunification experiences is either from a top-down perspective focusing on Canadian policy and people who implement it rather than the outcomes for the policy beneficiaries, or it is parallel literature from different countries and/or in relation to different immigration streams. It is clear that policies on family reunification across borders—policies that dictate ‘private’ lives—fall into a disciplinary “borderland” (Allen & Kitch, 1998, p. 277) that continues to be marginalized in policy implementation research (see Saetran, 2005).

The critical policy studies approach was crucial for addressing this bias in knowledge production on family reunification policy as it provided space to expose subjugated knowledges. This study showed that there was more to the experience than whether the family was ultimately reunited, although that was, of course, a huge component. Using a critical policy studies approach, I aimed to challenge assumptions and help people who design and implement policy to understand the impact on families whose lives are decided by this policy (Evans, 2008). I showed that the experiences of the minority should not be overlooked just because the majority of applicants are ultimately able to reunite. And I hoped to show how the disciplinary basis of much academic literature is biased in favour of certain knowledge, leaving gaps through which important aspects of separated families’ experiences disappear.

Generating knowledge for advocacy purposes was particularly relevant in this topic; given its status as a current focus for a new government that seems to be open to policy change. Looking at findings through a critical lens exposed the many ways in which macro-level policies control and limit the agency of micro-level individuals. It enabled identification of many potential improvements that, while often previously presented by advocacy organizations, had not yet been detailed in academic literature.

Critical policy studies directly address this limited discussion between academics and the policy community, “there is seldom the kind of determined follow-through that is necessary to promote the application and ongoing refinement of research findings” (Fielding, 2008 p. 48). The findings of this

research have already been turned into a submission to the Standing Committee study (Martin, 2016a) and conference presentations aimed directly at policy makers (Martin, 2015, 2016b). The next step is to publish findings not only academically, but also to disseminate them with, and to, applicants¹⁰², advocates and policy makers.

The power of mixed methods

Using a mixed methods research design—also part of the critical policy studies approach—provided advantages over using a single method in deconstructing a phenomenon as complex as experiences of family class policy. Attempts to “genuinely integrate” (Bryman, 2007, p. 8) the qualitative and quantitative data from applicant families and key informants exposed the complexity and difficulties of generalizing the experience. Qualitative data allowed great insight into individual families’ experiences and their perspectives on policy, demonstrating the need for intersectional analysis; in each case a complex combination of different factors affected the experience. The use of key informant data uncovered the experiences of families who were unable to apply and of marginalized populations I was unable to recruit.

Quantitative data allowed more breadth and gave a voice to many more applicants. They also complicated analysis by adding nuance to my understanding. For example, when asked directly whether they thought different aspects of their identity had an effect on their experience, many survey respondents responded in the affirmative, providing qualitative answers that supported these opinions and reflected the experiences of interviewees. Yet when bivariate analyses were carried out of demographic data and reported experiences, results were less conclusive. The limited number of statistically significant relationships may have been due to limitations with the survey instrument and sample, as discussed in the methodology chapter. It is also consistent, though, with the intersectionality

¹⁰² As described in Chapter 2, presentations of preliminary findings were already shared with all participants who expressed an interest.

theory that informed the critical policy studies approach; qualitative findings suggested complex intersectional experiences, so it is not surprising that bivariate analyses on a small sample of basic survey data would fail to capture nuances.

This again underscores the importance of using both types of data. Had I collected only qualitative data, I may have been tempted to think that intersectionality suggested by the findings reflected the experiences of all family class applicants. Had I collected only quantitative data, I may have thought there were only a limited number of links between social location and experiences of the process. By adding the *quantitative* to *qualitative*, I learned that the experience was complex and that it was impossible to generalize based on individual aspects of social location. By adding the *qualitative* to the *quantitative*, I learned that the majority experience only represents “one part of the story” (Nightingale, quoted in Hesse-Biber, 2012, p. 140) and that a particular problem may be experienced by only a small number of applicants, but for those applicants the implications can be very serious.

Lastly, by starting with qualitative data collection, precisely because of the understudied nature of this topic, I was able to remain open to any aspects of the experience that may contribute to the ‘success’ of the program. This allowed identification of problems during implementation, subsequently confirmed by survey data, that had been previously overlooked in literature with a focus on a narrow and cross-sectional definition of success that does not take into account the process.

Revisiting my role as a researcher

I first came to this topic because I saw first-hand some separated families reuniting with ease while others struggled against family reunification policy, and I realized there was a lack of academic research documenting the experience from their perspectives. Trained as a structural social worker, and similar to other policy research that has often focused on failure (Saetran, 2005), I was already biased towards critiquing aspects of policy that have a negative impact on people to whom it is targeted with the goal of advocating for change. The critical policy studies approach demanded a conscious effort on

my part as I deconstructed experiences to include not only areas where improvements could be made, but also acknowledge aspects of the experience that were positive for many applicants.

Throughout the data collection and analysis process, as I described in Chapter 2, it was important for me to recognize my privilege as a white, middle-class researcher, who gained Canadian citizenship in the middle of data collection¹⁰³. In retrospect, one of the clearest limitations was my inability to access potential participants who were unable to apply for the survey, which was likely due to the recruitment methods used, including the networks to which I am connected, and the languages I was able to employ in recruitment. Similarly, while doing interviews in person enabled me to establish a much better rapport with participants and collect more in-depth data, I do not know how my position as a researcher may have influenced what interviewees told me, although it certainly did; at times interviewees would mention something briefly, that when probed, turned out to be very interesting¹⁰⁴.

Being consistently mindful of the intersectional aspect of the approach was also important during analysis as it again forced me to expand my horizons of understanding; to code not only for those aspects of identity about which I am used to thinking and writing (and to question my construction of such categories), but also those such as age and education with which I have less experience¹⁰⁵. I also had to recognize gaps in my own knowledge of family reunification policy that emerged over the course of the study and assumptions I had made about how the program is designed and implemented, such as my initial confusion over family reunification for live-in caregivers. I similarly struggled with

¹⁰³ In one example of aspects of my own immigration experiences mirroring those of applicants, my life, and therefore recruitment for this research, were put 'on-hold' for several weeks as I waited for an invitation to travel to my imminent citizenship ceremony that, due to correspondence between offices going missing, was ultimately confirmed only 24 hours in advance.

¹⁰⁴ One example of this was Dieudonne's sister who had been dropped from the application: he had understood initially that as a researcher I wanted to be narrow and focus on only family members who had arrived.

¹⁰⁵ In another example of my privilege, spending time working with separated families in the Democratic Republic of Congo as I was analysing data for this project expanded my understanding of the diverse realities of applicants from different backgrounds, including challenges related to infrastructure and different conceptions of family.

inconsistently used definitions as I tried to decide what labels to use for many aspects of the immigration process, including 'Family Class/family class' itself.

Research limitations and future directions

I identified several limitations to the research design in advance as outlined in Chapter 2. Further limitations emerged upon reflection after having completed the process. In hindsight, the sheer breadth of experiences that I was trying to capture, precisely because the study was exploratory and I wanted to minimize exclusion, limited the results I could present in a dissertation. In trying to capture as wide a variety of lived experiences as possible, I was unable in the survey to dig as deep with particular sub-groups to enable the analysis I would have liked to complete. This must wait for future projects.

Most of the constructs measured in the survey relied on perception, such as those on ease of an aspect of the process or helpfulness of a particular part of Citizenship and Immigration Canada. Even answers on processing times may have been based on participants' memories, rather than records. All survey questions were a product of a double hermeneutic (Giddens, 1984)—my interpretations of interviewees' interpretations of their experiences—and the language I used would have inevitably influenced participants' understandings. When survey questions asked the sponsor (the respondent) about impacts on the sponsored person, yet another layer of interpretation—a triple hermeneutic—was introduced.

The use of two sources of data also exposed differences in perception. This was clear in questions where applicants consistently rated something as easier or more helpful than key informants. Differences could have been because key informants were more likely to work with applicants who experienced difficulties while applicants who did not experience difficulties managed their applications independently. In the case of questions about ease, differences may also have been linked to social desirability (Bryman, Teevan & Bell, 2009); applicants may have been inclined to think they were better

at something than in reality, while, conversely, key informants wanted to believe that they were needed by, and useful to, applicants.

Assumptions

Several underlying assumptions became clear as I progressed through the study. First, I assumed for the purposes of analysis that all applicant participants were in genuine relationships; I saw nothing to suggest otherwise. I do not deny that ‘fraud’ exists, but in the absence of any official data, I believed the multiple key informants who thought that it had been exaggerated to justify certain changes made by the previous government; changes that overly punished genuine families. I also agreed with key informants that there are provisions for misrepresentation that allow people who *are* found to have committed fraud in their applications to be dealt with after arrival. Giving applicants the benefit of the doubt in the knowledge that these provisions can be used if fraud is discovered would lead to far fewer genuine families remaining separated.

Second, I clearly assume, based on my understanding of the literature, that family reunification is inherently important, and I support the international recognition of family as a human right. With no data on how many Canadian citizens and permanent residents are separated across borders from family members, though, I focussed less on what overall levels of family reunification immigration should be, Rather I centred the experiences of families who do apply, or those who, for identifiable reasons, are prevented from applying; and specifically on advocacy to equalize experiences and reduce discriminatory outcomes. As I mentioned above, clearer data are required to determine what levels would be appropriate for reuniting all families who wish to do so in Canada, whether limited to the family relationships that are currently eligible or broadened to include other types of family member.

Future directions for research

Future research should both build on this study, compensating for the limitations and weaknesses outlined, and address gaps that remain in the literature. Research on family reunification

will only become more important; with the increased mobility and interconnectivity that globalization brings for an increasing proportion of the world's population, the existence of transnational families who would like to reunite is likely to do nothing but grow (Heikkilä, 2011a; Leinonen, 2011; Östh, van Ham, & Niedomysl, 2011). One of the first gaps that I argue should be addressed is therefore the lack of data on global levels of separated families and of transnational family formation (Williams, 2012).

This study is only a beginning in terms of family reunification experiences in Canada and it reflected a particular moment in time. Further research needs to be carried out both on a broader range of family class applicants, and more in-depth on specific subsets of immigrants. An example of the former would be larger scale studies that would allow for better statistical exploration of relationships between experiences of the process and aspects of social location. An example of the latter would be focussed qualitative and quantitative studies that would start to fill in gaps on smaller populations within the family class applicant pool, such as parents trying to bring in dependent children—who were neither well represented amongst the applicants in this project, nor in existing literature that focuses primarily on the (re)unification of spouses and partners. Future research should also, of course, assess the impact of recent changes. The constantly changing nature of policy design and implementation necessitates a constant review of applicants' experiences, as possibly seen in the differences in findings between the internal evaluation of the Family Reunification Program (Citizenship and Immigration Canada, 2014b) and this research.

Stepping back to consider family reunification that falls outside the family class stream, I was, as I described in Chapter 2, very conscious that I was excluding some of the most vulnerable families from this project; those of refugees and caregivers. Many aspects of those policies, such as the definition of family and proof required of a genuine relationship are the same as for family class¹⁰⁶ and there is no

¹⁰⁶ Indeed, the same criteria apply to accompanying family members of economic immigrants and resettled refugees. It would be interesting to compare experiences within and between each of these groups in terms of having to prove the relationships between the principal applicant and the sponsored family member.

reason to suspect that refugees and caregivers do not experience similar problems to participants in this project in those areas and with the call centre and other means of communication.

Other aspects of their experiences, however, are different and need to be studied separately. Processing times for refugees and caregivers, for example, are even longer than for the majority of family class applications and are experienced *in addition to* separation that has already occurred while going through the asylum process or meeting the requirements of the caregiver program. This study also only touched upon (as those unable to apply) the experiences of undocumented migrants or people with temporary status who have no official rights to family reunification. Future research should centre family reunification options (or the lack thereof) for all those populations, to reduce the well-documented and considerable impacts of family separation.

Taking a final step back to consider family immigration as a whole, if we reframe immigrant numbers in terms of who qualifies as a principal applicant and who qualifies based on a family relationship the significance of policy definitions of ‘family’ becomes obvious. In 2014, for example, at least 62% of all immigrants gained permanent residency due to a family relationship with either a principal applicant or someone already in Canada (Citizenship and Immigration Canada, 2015a)¹⁰⁷. Research into the relationship between definition and proof of a genuine family relationship and the ability of families to be together is clearly relevant to all streams of immigration. Lastly, all future research should work to bridge the gaps between the academic, policy and advocacy communities while improving efforts to include those for whom the policy is designed—the separated families.

Conclusion: Reuniting families in Canada

Immigration policies remain very obvious boundaries that restrict people’s ability to move around the globe. They form a policy area in which the ‘personal’ (the very geography of life) and the

¹⁰⁷ The numbers for families resettled as refugees are not broken down into principal applicant and accompanying family members and are therefore not included in the 62%.

‘political’ (the power over the parameters of that geography) are incredibly closely intertwined.

Nowhere is this intersection of the personal and the political clearer than in immigration policies that dictate which families are allowed to be together. This subject has been a regular feature in the news media; Macleans claims that “in the paradox of the contemporary immigration couple, while it’s easier than ever to hook up across distances, it’s becoming more difficult to actually be together” (Belluz & Alini, 2011). Yet academic research has generally ignored policy that dictates who can be a family and who cannot.

I was, and still am, concerned by this gap in the literature. I strongly believe in the importance and benefits of positive relationships and the harm that can be caused by enforced separation from loved ones—many, though not all of whom, are located within the context of ‘family’, however defined. Participants demonstrated this importance time and again to me as they discussed their transnational efforts to sustain relationships with partners or fulfil obligations towards parents. I believe that people should not be separated from their loved ones simply because a powerful white man many decades or centuries ago drew an arbitrary line on a map, but I recognise that as long as borders continue to exist, states will have the power over families’ abilities to reunite.

This project therefore asked the question: How successful is family class policy design and implementation in achieving the objective of ‘reuniting families in Canada’? After collecting and analyzing the data I would now reply that it is ‘successful’ to a certain extent and for certain people. I would qualify this by adding that policy could be doing a little better for a lot of people, and a lot better for a smaller number of people. In the former category, most people *who apply* are ultimately able to reunite in Canada though some of them have a much more difficult application process than others. In the latter, a smaller number of families—who apply and are refused, or who do not apply in the first place—remain separated. For these families, family class is anything but successful in seeing they are reunited.

Further, differences in outcomes were a result of interactions between structural factors, most notably policy design and implementation, and aspects of social location. I have argued that power was fluid and individuals could simultaneously be advantaged by one identity while disadvantaged by another. Yet while applicants were not powerless—they demonstrated many ways in which they worked together or individually to empower themselves—this was always within the constraints of the state.

The Canadian immigration system is supposed to value “universalism, fairness and transparency” (Satzewich, 2014b, p. 1455), but these findings have exposed serious limitations on all three counts. I have detailed many ways in which policy implementers could make it easier and fairer for applicants who are trying their best to submit easy-to-process applications, to be less of a ‘burden’ on the system. The government needs to address *universalism* by eliminating exclusions of immediate family members that result not from a lack of a genuine relationship, but for other unnecessary reasons.

Applicants understood the need for immigration policy and that they would be ‘examined’ before being granted permanent residency. What they found more difficult to cope with, notwithstanding the remarkable levels of resiliency demonstrated, were arbitrary differences in policy and processing that resulted in *unfair* and discriminatory outcomes. Combined with an unjustified amount of uncertainty and a *lack of transparency* in the process, this could—and often did—lead to a seemingly never-ending loop of second-guessing, worrying, hoping and panicking. As Guofeng (a sponsor) so eloquently described this experience; “it’s like throwing a stone in the ocean, you don’t know and can’t influence anything, you can only pray.”

This is an exciting time for people who follow family reunification issues. The new Liberal government has made promising recent announcements that have the potential to greatly improve the experience for applicants. We need to both hold them to account for changes already made and encourage them to go further, so that the Canadian immigration system can work equally well for all families who wish to reunite.

Appendices

Appendix A: Interview consent form (Applicant families)

An examination of Canada's family class immigration stream

Information Sheet and Consent Agreement: Individual interviews with program applicants

You are being asked to participate in a research study. Before you agree to participate in it, it is important that you read the following information carefully and ask as many questions as necessary to be sure you understand what you will be asked to do.

Investigator:

Beth Martin
PhD Candidate Policy Studies
Ryerson University
b22marti@ryerson.ca

Supervised by:

Mehrunnisa Ahmad Ali Ph.D.
Graduate Program Director
Early Childhood Studies
979-5000 x 6330
maali@ryerson.ca

Purpose

The purpose of this study is to examine the Canadian family class immigration stream. Interviews will be carried out with individuals from 30 different families who are applying for reunification, or who completed the process in the last five years, through the Canadian family class stream of immigration about their experiences of the application process. The goal is to determine which aspects of the family class immigration stream work well and which aspects need improvement.

Description of the Study

These interviews are the first stage of a larger study with people in Canada who are applying for family reunification through the family class stream and people who support the applicants.

If you agree to participate I will ask you to talk to me about the processes you have already gone through (e.g. approval as a sponsor, approval of family members as permanent residents) and your opinions about different aspects of the family class program. I will also ask you for basic demographic information about you (the sponsor) and the family member(s) being sponsored (e.g. age range, country of origin, gender).

The interview will take 30-60 minutes and can be in English, French or Spanish, depending on your choice. We will decide upon a location, date and time together. The place we choose should be somewhere where you cannot be seen or heard by other people, but it should not be in a family home. I can also interview you via Skype.

Benefits and Risks

You will not benefit directly as a result of your participation in this project. However, the information you provide may be used for advocating for improvements to the family class immigration program in the future.

I am not affiliated with Citizenship and Immigration Canada and your participation in my study will have no effect on your application for family reunification. I am also not affiliated with any immigrant services organization through which you may have found out about this study, and your participation in it will have no effect on the services it provides.

In talking about your experiences, you may remember something that upsets you. I will give you a list of counseling services with the copy of this consent form in case you need it

During the interview if you feel uncomfortable at any time you can ask to skip any question, or stop the interview for a short time, or stop it completely, without giving me any reason. You can also ask at any time during or within two weeks after the interview, that anything you said be deleted from my notes or the recording and not used in analysis.

Confidentiality

If you agree, your interviews will be audio-recorded. If you do not agree, I will take detailed notes during the interview. Any information you give which can identify you personally will be treated as confidential and will be disclosed only with your permission or if required by law. Neither your name nor other identifying information will appear in any written or verbal reports associated with the study. Fictitious or false names will be used instead.

Audio records, field notes, transcripts, consent forms or any other identifying information will be kept in password protected computer files or locked cabinets and only I and my dissertation supervisor will have access to them. Five years after the completion of the research study, all the information will be erased / shredded.

Costs and Compensation

You may incur a small travel cost getting to the place where you have agreed to be interviewed. I cannot reimburse you for this cost. However, I will compensate you for the valuable time you spend talking to me about your experiences with a gift card of \$50 for a grocery store, as a small token of my appreciation for your contribution to this work.

Voluntary Nature of Participation

Your participation is entirely voluntary. Even after you agree to take part in the study, you can refuse to answer any specific question or withdraw from the study at any time. If you decide to withdraw from the study I will ask you for permission to use the information you have already provided and will respect your choice.

Ethical Review

This study has undergone ethics review and has been approved by the Ryerson Research Ethics Board.

Questions or Concerns

If you have any questions about the research now, please ask. If you have questions later about the research, you may contact me; Beth Martin, b22marti@ryerson.ca or 613 618 5572.

If you have questions regarding your rights as a human subject and participant in this study, you may

contact the Ryerson University Research Ethics Board for information.
Research Ethics Board
c/o Office of the Vice President, Research and Innovation
Ryerson University
350 Victoria Street
Toronto, ON M5B 2K3
416-979-5042

Agreement

Your signature below indicates that you have read the information in this agreement and have had a chance to ask any questions you have about the study. Your signature also indicates that you agree to participate in the study and have been told that you can change your mind and withdraw your consent at any time. You have been given a copy of this agreement.

You have also been told that by signing this consent agreement you are not giving up any of your legal rights.

Name of Participant

Signature of Participant

Date

Do you agree to be audio-recorded, understanding that you can speak off the record at any point and that the recordings will be destroyed five years after completion of the project?

Yes ☐ No ☐

Name of Participant

Signature of Participant

Date

I, the undersigned, have fully explained the research to the above participant. In my judgment, the participant is voluntarily and knowingly giving informed consent and possesses the legal capacity to give informed consent to participate in this research study.

Signature of Investigator

Date

Appendix B: Interview consent form (Key informants)

An examination of Canada's family class immigration stream

Information Sheet and Consent Agreement: Individual interviews with key informants

You are being asked to participate in a research study. Before you agree to participate in it, it is important that you read the following information and ask as many questions as necessary to be sure you understand what you will be asked to do.

Investigator:

Beth Martin
PhD Candidate Policy Studies
Ryerson University
b22marti@ryerson.ca

Supervised by:

Mehrunnisa Ahmad Ali Ph.D.
Graduate Program Director
Early Childhood Studies
979-5000 x 6330
maali@ryerson.ca

Purpose

The purpose of this study is to examine the Canadian family class immigration stream. Interviews will be carried out with 15 people who support families that apply for reunification in Canada. The goal is to determine which aspects of the family class immigration stream work well and which aspects need improvement.

Description of the Study

These interviews are the first stage of a larger study with people who are applying for immigration through the family class and people who support the applicants.

If you agree to participate I will ask you to talk to me about your experiences of working with those who apply through the family class programs. This will include the kinds of clients you support and the kinds of family class applications they make, issues that they experience during the application process, and your opinions about different aspects of the family class immigration process.

The interviews will take 45 minutes – 1 hour and can be completed in English or French, depending on your choice. It will take place in a location and at a date and time that suits both of us. The place you choose should be somewhere where you cannot be seen or heard by other people, but it should not be in a family home. For example, it could be in your office at work, if this provides aural and visual privacy.

Benefits and Risks

You will not benefit directly as a result of your participation in this project. However, the information you provide may be used for advocating for improvements to the family class immigration program in the future.

I am not affiliated to Citizenship and Immigration Canada in any way and your participation will have no effect on your professional relationship with CIC.

You can ask to skip any question, or stop the interview for a short time, or stop it completely, without

giving me any reason. You can also ask at any time during or within two weeks after the interview, that anything you said be deleted from my notes or the recording and not used in analysis.

Confidentiality

If you agree, your interviews will be audio-recorded. If you do not agree, I will take detailed notes during the interview. Any information you give, which can identify you personally will be treated as confidential and will be disclosed only with your permission or if required by law. Neither your name nor other identifying information will appear in any written or verbal reports associated with the study. Fictitious or false names will be used instead.

Audio records, field notes, transcripts, consent forms or any other identifying information will be kept in password protected computer files or locked cabinets and only I and my dissertation supervisor will have access to them. Five years after the completion of the research study, all the information will be erased / shredded.

Costs and Compensation

You may incur a small travel cost getting to the place where you have agreed to be interviewed. I cannot reimburse you for this cost. However, as a small token of my appreciation for your contribution to this work and the valuable time you spend talking to me about your experiences, I will give you a coffee gift card of \$15.

Voluntary Nature of Participation

Your participation is entirely voluntary. Even after you agree to take part in the study, you can refuse to answer any specific question or withdraw from the study at any time. If you decide to withdraw from the study I will ask you for permission to use the information you have already provided and will respect your choice.

Ethical Review

This study has undergone ethics review and has been approved by the Ryerson Research Ethics Board.

Questions or Concerns

If you have any questions about the research now, please ask. If you have questions later about the research, you may contact me; Beth Martin, b22marti@ryerson.ca or *Telephone Number*

If you have questions regarding your rights as a human subject and participant in this study, you may contact the Ryerson University Research Ethics Board for information.

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c/o Office of the Vice President, Research and Innovation
Ryerson University
350 Victoria Street
Toronto, ON M5B 2K3
416-979-5042

Agreement

Your signature below indicates that you have read the information in this agreement and have had a

chance to ask any questions you have about the study. Your signature also indicates that you agree to participate in the study and have been told that you can change your mind and withdraw your consent to participate at any time. You have been given a copy of this agreement.

You have also been told that by signing this consent agreement you are not giving up any of your legal rights.

Name of Participant

Signature of Participant

Date

Do you agree to be audio-recorded, understanding that you can speak off the record at any point and that the recordings will be destroyed five years after completion of the project?

Yes ☐ No ☐

Name of Participant

Signature of Participant

Date

I, the undersigned have fully explained the research to the above participant. In my judgment, the participant is voluntarily and knowingly giving informed consent and possesses the legal capacity to give informed consent to participate in this research study.

Signature of Investigator

Date

Appendix C: Interview guide: Applicant families

Interview Guidelines for Applicants

NB: The questions asked will be selected depending on the type of application (type of relationship, in-Canada/family abroad etc.) and the current stage of the application process as determined in the first block of questions.

The sponsor

- Are you an immigrant yourself? If so, which country have you come from? When did you immigrate to Canada? Under what circumstances, and in which immigration category? Did you come by yourself, or with some members of your family? Who was left behind and what were your plans for them once you had emigrated? What did you know about family reunification in Canada? How did anyone else help you/advise you?
- (*If the person was not an immigrant*) How did you become the sponsor of a family member through the family class immigration stream?

The person/s sponsored:

- Who are you sponsoring/ have you sponsored to come to Canada? How is this person related to you? (*For immigrant sponsors only*): Was s/he already part of your family when you came to Canada, or did s/he become a family member since you arrived in Canada?
- (*For new relationships*): Were you inside/outside Canada when you met him/her? For how long has s/he been a family member?
- What is the current status of your application? *Probes (as applicable)*: Have you been approved to sponsor? Has/Have the person/people you are sponsoring been approved as permanent residents? Have they arrived in Canada?

Stage 1: The application to sponsor:

- Tell me about your experiences of applying to be a sponsor of someone for immigration through the family class. *Probes*: When and how did you learn about the family class program? How did you come to the decision to apply? What did you have to do? Did you find it easy/difficult? Why? When / where did you apply? How long did it take? Did you get any help/advice? From whom? Did you face any difficulties getting this help/advice?

Stage 2: The application to be sponsored for permanent residency

- Tell me about the(ir) experience of applying to be approved for permanent residency through the family class. *Probes*: What did they/you have to do? How did you know what they/you had to do? What kind of documents did you have to provide? Did you find it easy/difficult? Why? When / where did they/you apply? How long did it take? Did you get any help/advice? From whom? Did you face any difficulties getting this help/advice?

The family class program in general

- What do you think about the program and the application process based on your experiences? *Probes*: Are you pleased or dissatisfied with the way the process went for you? Why? How could your experience have been better? Do you think that there are ways in which the system could be improved for people in your position? How?

Demographic Questions (please circle)

The sponsor

1. How old was the sponsor when the application was approved? _____
2. Is the sponsor female or male?
Female Male

If the sponsor came to Canada as an immigrant:

3. When did the sponsor become a permanent resident in Canada? _____
4. What was the annual income of the sponsor and any co-signer when the application was approved?

<\$20 000	\$60 001 – 100 000
\$20 001 – 40 000	\$100 001+
\$40 001 – 60 000	

Family members being sponsored

5. How many family members are being/were sponsored? _____
6. How old are/were these family members when the application was approved?

7. Are these family members male or female?

8. Which country are they from? _____

Appendix D: Interview guide: Key informants

Interview Guidelines for Key Informants

1. Background information

Who does your organisation/office help? *Probes:* How would you characterize people who ask your organization for information / advice? (gender / country or region of origin etc.) What do they typically ask for?

What does your organisation do to support people who are applying to sponsor family members through family class immigration?

2. The application process

Which kinds of application do you see most often at your organisation? *Probes:* Do you help more often with applications to sponsor spouses/partners, children or other family members such as parents and grandparents? Do you help with applications to sponsor family members from certain regions of the world more often than others?

Do you see any weaknesses in the system? *Probes:* Are there certain problems that seem to recur frequently? Why do you think these happen? Are problems experienced more by particular populations? Do clients have problems with particular stages or requirements?

3. The family class immigration system overall

Given your experiences working with applicants, what do you of the Canadian family class immigration stream? *Probes:* Are there particular programs within family class that work better than others (e.g. partner in Canada, partner/child abroad/ parents and grandparents)? Why? Are there some kinds of sponsors who are more successful than others? Why? Are some types of sponsored person more successful than others? Why? Are there stages or aspects of the process that work well?

Do you think there are ways in which the system could be improved so that your clients would have a better experience? How? And who should make these changes?

Appendix E: Survey consent form and questions (Applicant sponsors)

Experiences of Family Class immigration to Canada

An examination of Canada's Family Class Immigration Stream: Survey of applicants

Information and Consent Agreement

This is to invite you to participate in a research study. Before you agree to do so, it is important that you fully understand what you will be asked to do.

Researcher / Investigator:

Beth Martin
PhD Candidate Policy Studies
Ryerson University
613 618 5572
b22marti@ryerson.ca

Supervised by:

Mehrunnisa Ahmad Ali Ph.D.
Graduate Program Director
Early Childhood Studies
979-5000 x 6330
maali@ryerson.ca

Purpose

The purpose of this study is to examine the Canadian Family Class immigration stream. As a part of the study I want to learn about the opinions and experiences of individuals who have sponsored, or have tried to, or who would like to sponsor their family members to immigrate to Canada. I am looking at all types of experiences related to Family Class sponsorship, including spouses or partners (inland or outside Canada), dependent children, parents and grandparents, and other family members.

This survey is for people who are currently in the process of sponsoring a family member(s) through Family Class or who received a decision on an application in the last 3 years, and for people who would like to apply to sponsor family members to Canada but believe they cannot. My goal is to determine which aspects of Family Class work well and which aspects need improvement.

Description of the Study

I have already conducted one-on-one interviews with 33 families who applied to reunite in Canada (*if you participated in an interview for this project in 2014 I would like to thank you again, but ask that you please do not complete the survey, as I will be comparing the findings from the interviews with the results of the survey*). I am now interested in gathering information from a larger number of applicants and potential applicants.

If you have applied to sponsor family member(s) you will be asked about the parts of the process you have already gone through and your opinions about different aspects of the program. If you would like to sponsor family member(s) but think you cannot, you will be asked about what is preventing you from applying.

You will also be asked for basic demographic information about you and the person(s) you have sponsored or wish to sponsor (e.g. age, gender, country of origin).

The survey will take between 15-30 minutes depending on how much of the process you have completed. It may take a little longer if you add further comments where space is provided. The survey is available in English or French (pour le sondage en français, veuillez [cliquer ici](#)).

Benefits and Risks

You will not benefit directly from your participation in this project. Your participation in this study will help me complete my Ph.D. dissertation and present the findings in public forums. The information you provide will thus help me and those who use my work to advocate for improvements to the Family Class stream.

Please note that I am not affiliated with Citizenship and Immigration Canada in any way. Your participation in my study will have no effect on either your application for family reunification, or on any services you receive from any organization through which you may learn about this survey.

In thinking about your experiences, you may remember something that upsets you. You can stop the survey temporarily or permanently at any time and for any reason. You may also skip any question that you do not wish to answer in the survey and still submit it. However, please remember that accurate and detailed information will improve the quality of this work.

Once you submit the survey, you cannot take back the information and I cannot trace it back to you.

Privacy and Confidentiality

This is an anonymous survey. You will be asked questions about your application to sponsor a family member(s), but you will not have to provide your name or any other personally identifying information. If you provide information for the draw (see below), this will be stored separately and will not be linked to your responses.

All data will be kept in password protected computer files and only I and my dissertation supervisor will have access to them. Five years after the completion of the research study, all the information will be erased.

Costs and Compensation/Incentives

There are no costs for participation other than your time.

Unfortunately, I cannot compensate you for your time. However, at the end of the survey you will be offered the chance to enter a draw for one of six “President's Choice” gift cards of \$25. The information that you provide for this draw will not be connected to your responses.

Voluntary Nature of Participation

Your participation is entirely voluntary. Even after you have started the survey you can stop any time by simply exiting it and your answers up to that point will be deleted. Your information will only be included in the data after you hit the ‘Submit’ button at the end of the survey.

If you would like to, you can save your responses and return to the survey at a later time. To do so, you will need to provide your email address. An email will be sent to you with a link that will return you to your partially completed survey. Your email address will not be stored with your responses.

Ethical Review

This study has undergone ethics review and has been approved by the Ryerson University Research Ethics Board.

Questions or Concerns

If you have any questions or comments about the research you may contact me: Beth Martin, b22marti@ryerson.ca or 613 618 5572. If you are not satisfied with my response you may also contact my supervisor at maali@ryerson.ca

If you have questions regarding your rights as a human subject and participant in this study, you may contact the Ryerson University Research Ethics Board for information.

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Electronic Consent

Clicking on the “I agree” button indicates that

- you have read the information in this agreement
- you are an adult over 18 years of age
- you are in the process of sponsoring a family member to immigrate to Canada, you received a decision on an application within the last three years *and/or* you would like to sponsor a family member to Canada but you believe you are unable to.
- you did not participate in an interview for this project in 2014.
- you agree to participate in the study and have been told that you can change your mind and withdraw your consent at any time.

By clicking on “I agree” below you are not giving up any of your legal rights.

Yes I agree. Start survey (“next button”)

Experiences of Family Class immigration to Canada

Experiences of Family Class immigration to Canada

Background

This first section asks some background questions about who you have applied to sponsor, or would like to sponsor. It will help to decide which questions to include in the following sections.

1. Which of the following best describes your situation? *Please check all that apply.*

- I submitted an application to sponsor a family member to Canada through Family Class. I received a decision in the last three years or I am still waiting for the application to be processed.
- I want to sponsor one or more family member(s) to come to Canada but I cannot apply.

Branching:

- *If did not choose submitted an application: skip 2-82 and 90-114*
- *If did not choose cannot apply: skip 83-86 and 115-123*
- *If chose both skip 115-119*

----- page break -----

Background (continued)

2. In your most recent application who did you try to sponsor to Canada?

If more than one person was on the application, one person applied as the 'principal applicant' and others were listed as their dependents.. This question is asking about the principal applicant.

- Spouse/Partner – through the 'In Canada' process
- Spouse/Partner – through the 'Outside Canada' process
- Dependent child only; my child was the principal applicant (not a dependent of a spouse/partner or parent/grandparent).
- Parent or Grandparent
- Other family member (please specify)

Branching:

- *If SP in Canada: Skip 5-8, 64-69, 92-94, 111*
- *If SP outside Canada: Skip 2,3,8, 68-69, 92-94*
- *If DC only: Skip 3-7, 68-69, 74-77, 92-93*
- *If PGP: Skip 2-8, 74-77*
- *If Other: Skip 2-8, 68-69, 74-77*
- *If no answer: Skip 2-8, 68-69*

----- page break -----

Background (continued)

3. Was the application to sponsor your spouse or common-law partner?

- Spouse
- Common-law partner

----- page break -----

4. How many years had you been together as a couple when you submitted the application?

_____years

----- page break -----

Background (continued)

5. Was the application to sponsor your spouse, common-law partner or conjugal partner?

- Spouse
- Common-law partner
- Conjugal partner

----- page break -----

Background (continued)

6. How many years had you been together as a couple when you submitted the application?

_____years

----- page break -----

Background (continued)

7. When you submitted the application where were you both living?

- We were living together in Canada.
- We were living together outside Canada.
- I was living in Canada and my spouse/partner was living outside Canada.
- Other (please specify)

Branching:

- *If together in Canada: Skip 64-67*
- *If partner outside Canada: Skip 110*

----- page break -----

Background (continued)

8. Is your child biological or adopted?

- Biological
- Adopted
- Other (please specify)

----- page break -----

Background (continued)

9. In the most recent application how many people were you applying to sponsor? *This should include the principal applicant and any dependents, but not you (the sponsor).*

_____people

Branching:

- *If 1: Skip 57-58, 112-114*

----- page break -----

Background (continued)

10. Was this the first time you have sent an application to sponsor this family member to Citizenship and Immigration Canada (CIC)?

- Yes
- No - I had sent the application before

Branching:

- *If Yes or no answer: Skip 16-21*

----- page break -----

Background - previous submission(s)

11. What happened to the previous application(s) that you sent to CIC? *Please check all that apply.*

- The application package was returned without being processed.
- The application was processed and then refused.
- We withdrew the application.
- Other (please specify)

Branching:

- *If... Returned not chosen: Skip 12-16*
- *If... Refused not chosen: Skip 17-19*
- *If... Withdrawn not chosen: Skip 20-21*

----- page break -----

Background - previous submission(s)

12. Why was the application returned without being processed? *Please check all that apply.*

- We were ineligible to apply.
- We submitted forms that were out of date.
- The application was incomplete (e.g. a form, signature or fee payment etc. was missing).
- We submitted a package for the wrong Family Class program (e.g. we submitted the 'In Canada' application package when we wanted to submit an 'Outside Canada' application).
- We submitted the package to the wrong place.
- The quota for Parent and Grandparent applications was already full.
- Other (please specify)

Branching:

- *If... Ineligible not chosen: Skip 13-15*
- *If... Incomplete not chosen: Skip 16*

----- page break -----

Background - previous submission(s)

13. Why were you ineligible to apply? *Please check all that apply.*

That type of family member cannot be sponsored to come to Canada.

I did not meet the sponsor requirements.

The family member I wanted to sponsor did not meet the eligibility requirements for permanent residency.

Other (please specify)

Branching:

- *If... Sponsor requirements not chosen: Skip 14*
- *If... PR requirements not chosen: Skip 15*

----- page break -----

Background - previous submission(s)

14. Why did you not meet the sponsor requirements? *Please check all that apply.*

- I was not a Canadian citizen or permanent resident.
- I was a permanent resident but I did not live in Canada.
- I was sponsored to come to Canada by a spouse or partner less than 5 years previously.
- I was in default of a previous sponsorship undertaking, immigration loan or family support payment.
- I did not meet the minimum income requirements for this type of application.

- I was on social assistance.
- I was convicted of an offence that disqualified me.
- Other (please specify)

----- page break -----

Background - previous submission(s)

15. Why did your family member not meet the requirements? *Please check all that apply.*

- My child was not classed as dependent.
- The child was not my biological child or formally adopted in a way that is recognised by Canada.
- My family member did not meet the medical requirements.
- My family member did not meet the security requirements.
- Other (please specify)

----- page break -----

Background - previous submission(s)

16. How was the application incomplete? *Please check all that apply.*

- A form was missing from the package.
- Information or an answer was missing from a form(s).
- The proof of fee payment was missing.
- Other documentation was missing.
- A signature was missing from a form.
- Other (please specify)

----- page break -----

Background - previous submission(s)

17. Why was it refused? *Please check all that apply.*

- I was not approved to be a sponsor.
- The relationship was not considered genuine.
- My family member was not approved for permanent residency.
- Other (please specify)

Branching:

- *If... Sponsor refusal not chosen: Skip 18*
- *If... PR not approved: Skip 19*

----- page break -----

Background - previous submission(s)

18. Why were you not approved to be a sponsor? *Please check all that apply.*

- I was not a Canadian citizen or permanent resident.
- I was a permanent resident but I did not live in Canada.
- I was sponsored to come to Canada by a spouse or partner less than 5 years previously.
- I was in default of a previous sponsorship undertaking, immigration loan or family support payment.
- I did not meet the minimum income requirements for this type of application.
- I was on social assistance.
- I was convicted of an offence that disqualified me.
- Other (please specify)

----- page break -----

Background - previous submission(s)

19. Why was your family member not approved for permanent residency? *Please check all that apply.*

- My child was not classed as dependent.
- The child was not my biological child or formally adopted in a way that is recognised by Canada.
- My family member was refused for medical reasons.
- My family member was refused for security (criminality) reasons.
- Other reason (please specify)

----- page break -----

Background - previous submission(s)

20. Why did you withdraw the application?

- We had submitted an 'In-Canada' (inland) application and we decided to submit an 'Outside Canada' application.
- We had submitted an 'Outside Canada' application and we decided to submit an 'In Canada' (inland) application.
- We decided we did not want to submit an application at that time.
- Other (please specify)

21. Why did you decide to do this?

- _____ (Open)

----- page break -----

Background (continued)

22. Was your most recent application an application to sponsor a family member to immigrate to Quebec?

This means you had to/will have to apply for and submit the 'Certificat de Sélection' from the Quebec government.

- No
- Yes

----- page break -----

Background (continued)

23. What year did you submit your most recent application to sponsor family member(s)?

This helps me to understand which policies were in place when you submitted your application.

- _____ (Drop down list of years)

----- page break -----

Prior knowledge and expectations

24. Before you started looking into the application process, what did you know about family reunification in Canada (if anything)?

- _____ (Open)

25. How did you know that? *Please check all that apply.*

- Through my own experience of immigration to Canada within the last 10 years
- Through my own experience of immigration to Canada more than 10 years ago
- Through the experience of relatives or friends who immigrated to Canada within the last 10 years
- Through the experience of relatives or friends who immigrated to Canada more than 10 years ago
- Through working with immigrants in Canada
- Through studying immigration to Canada at college or university
- Through what I've heard in the media
- Other (please specify)

----- page break -----

Prior knowledge and expectations (continued)

26. Before you started looking into the application process, how easy did you think it would be to sponsor a family member to Canada?

Very difficult Difficult Easy Very easy Didn't know

27. Do you have any comments about your expectations before you started looking into the application process?

- _____ (Open)

----- page break -----

Support from others

28. Did you get help with your application from any of the following sources? *Please check all that apply.*

	Help with preparing the application	Help after submitting the application
CIC (call centre or office)		
Lawyer		
Immigration consultant		
Organisation for immigrants, community organisation or religious group/organisation		
MP constituency office		
Friends or colleagues		
Online forum		

Branching:

- *If... No external help: Skip 62-63*

----- page break -----

Preparing the application

The next questions ask about your experience as you worked out what you needed to do, filled in the forms and collected together the documents for the application.

29. How easy or difficult were the following aspects of preparing the application?

	Very difficult	Difficult	Neither difficult nor easy	Easy	Very easy
Finding instructions on how to submit an application					
Understanding the instructions on how to submit an application					
Understanding the questions on the forms					
Answering the questions in the forms					

Branching:

- *If... Forms not difficult: Skip 31-32,*

30. Would you like to say anything to expand on your answer?

- _____ (Open)

----- page break -----

Preparing the application (continued)

31. Were any of the following forms particularly difficult to fill in? *Please check all that apply.*

For a reminder, to see what the current versions of the forms look like click on the link below

- Spouse/partner in Canada
 - Spouse/partner or dependent children outside Canada
 - Parents or grandparents
 - Adopted children or other relatives
-
- IMM5491/ IMM5443/ IMM 5571 Document checklists
 - IMM1344 Application to sponsor, Sponsorship Agreement and Undertaking
 - IMM0008 Generic Application form for Canada
 - IMM0008DEP Additional dependents declaration
 - IMM5669 Schedule A – Background / Declaration
 - IMM 5406 Additional Family Information
 - Receipt for fee payment
 - IMM5476 Use of a Representative (where applicable)
 - IMM5481 Sponsorship Evaluation or IMM1283 Financial Evaluation (only for sponsor of spouse/partner/child)
 - IMM5768 Financial Evaluation (only for sponsor of parent/grandparent)
 - IMM5540 Sponsor Questionnaire (Spouse/partner outside Canada only)
 - IMM5490 Spouse/Partner Questionnaire (Spouse/partner outside Canada only)
 - IMM5285 Spouse/Common-law partner questionnaire (Spouse/partner inside Canada only)
 - IMM5409 Statutory Declaration of a Common-Law Union (for co-signers)
 - Other

32. What was difficult about filling in these forms?

- _____ (Open)

----- page break -----

Preparing the application - Understanding supporting requirements

33. How easy or difficult was it to **understand** the following requirements?

*(The next page asks how easy it was to **meet** the requirements)*

	Very difficult	Difficult	Neither difficult nor easy	Easy	Very easy	Not applicable/ not yet done
Which documents I had to submit to prove I was eligible to sponsor						
Which documents I had to submit to prove the relationship was genuine						
Which ID documents my family member(s) had to submit						
How to get the medical certificate(s) for my family member(s)						
How to get the police check(s) for my family member(s)						
How to get the 'Certificat de Sélection de Québec' (where applicable)						
What supporting documents we had to submit to prove my (the sponsor's) intent to return to Canada (where applicable)						
What types of translations we had to submit (where applicable)						

34. Was there anything in particular that was difficult to understand and/or would you like to say anything to clarify your answers?

- _____ (Open)

----- page break -----

Preparing the application - Providing supporting requirements

35. How easy or difficult was it to **provide** the following parts of the application?

	Very difficult	Difficult	Neither easy nor difficult	Easy	Very easy	Not applicable/ not yet done
The documents to prove I was eligible to sponsor						
The documents to prove the relationship was genuine						
ID documents for my family member(s)						
The medical certificate(s) for my family member(s)						
The police check(s) for my family member(s)						
The 'Certificat de Sélection de Québec' (where applicable)						
The documents to prove my (the sponsor's) intent to return to Canada (where applicable)						
Translations of documents (where applicable)						

36. Was there anything in particular that was difficult, and/or would you like to say anything to clarify your answers?

- _____ (Open)

----- page break -----

Application processing

The next questions ask about what happened after you submitted your application to CIC.

37. Is your Family Class application still being processed or is the process already complete?

- The application is still being processed by Citizenship and Immigration Canada (CIC).
- The application process is already complete – we received a (positive or negative) decision from Citizenship and Immigration Canada (CIC).

Branching:

- *If... Application complete: Skip 44, 49*

----- page break -----

Application processing – Requests from CIC

38. Did you receive (yet) a request from Citizenship and Immigration Canada (CIC) for any of the following, at any point during the processing of your application? *Please check all that apply.*

- We did not receive any follow up requests.
- CIC asked us to submit the Right of Permanent Residency Fee.
- CIC asked for a new police check(s).
- CIC asked for a new medical check(s).
- CIC asked us to do a DNA test to prove the relationship.
- CIC asked my family member(s) to go to an interview.
- CIC asked for other documentation.
- CIC asked about information that was missing from the forms.
- Other (please specify)

Branching:

- *If... No follow up requests: Skip 39-43*
- *If... No answer: Skip 39-43*
- *If... Request was not for other doc or info: Skip 39*

----- page break -----

Follow up requests (continued)

39. What documentation or information did CIC request?

- _____ (Open)

----- page break -----

Follow up requests (continued)

40. How did CIC make the follow up request? *Please check all that apply.*

- Mail (letter)
- Email
- Through a designated representative (lawyer/consultant etc.)
- Telephone
- Other (please specify)

----- page break -----

Follow up requests (continued)

41. Were there any problems receiving or responding to the follow up request?

- No
- Yes

Branching:

- *If no problems with follow up request: Skip 42-43*

----- page break -----

Follow up requests (continued)

42. What problems did you have? *Please check all that apply.*

- CIC sent the follow up request to the wrong address/email address.
- We didn't receive the follow up request.
- The follow up request was not relevant or appropriate (please explain below).
- We didn't understand what CIC was asking for (please explain below).
- It was difficult to produce the information/documentation CIC wanted (please explain below).
- The time CIC gave us to respond was too short.
- It was difficult to get to the interview (please explain below).
- Other (please specify)

43. Please explain the problem.

- _____ (Open)

----- page break -----

Application processing - Sponsor approval/Approval in principle

44. Did you receive a decision yet on the first part of the application: sponsor approval or approval in principle, either positive or negative?

- Yes
- No, we have not yet received a decision on my approval as a sponsor/approval in principle.

Branching:

- *If... No decision on sponsor approval: Skip 45-58*

----- page break -----

Sponsor approval/Approval in principle (continued)

45. How many months did it take from when you submitted the application, to when you received the decision on sponsor approval or approval in principle?

This question (and those that follow) is asking about the first stage (sponsor approval/approval in principle) only. The next section will ask about the second stage (permanent residency approval for your family member).

_____ (months)

----- page break -----

Sponsor approval/Approval in principle (continued)

46. Were you approved as a sponsor or did you get approval in principle?

- Yes
- No

Branching:

- *If... Approved as sponsor: Skip 47-48*
- *If... No answer: Skip 47-48*

----- page break -----

Sponsor approval/Approval in principle (continued)

47. Why were you refused sponsor approval/approval in principle? *Please check all that apply.*

- I was not a Canadian citizen or permanent resident.
- I was a permanent resident but I did not live in Canada.
- I was sponsored to come to Canada by a spouse or partner less than 5 years previously.
- I was in default of a previous sponsorship undertaking, immigration loan or family support payment.
- I did not meet the minimum income requirements for this type of application.
- I was on social assistance.
- I was convicted of an offence that disqualified me.
- Other (please specify)

----- page break -----

Sponsor approval/Approval in principle (continued)

48. Even though you were refused as a sponsor, did CIC still process the application for permanent residency?

- Yes - they processed my family member's application for permanent residency.
- No - they did not process the application for permanent residency.

Branching:

- *If... Sponsor refused PR application not forwarded: Skip 49-58*
- *If... No answer: Skip 49-58*

----- page break -----

Application processing: Permanent residency approval for family members

49. Did you receive a decision yet on the permanent residency of the family member(s) you applied to sponsor, either positive or negative?

- Yes, we received a decision.
- No, we have not yet received a decision on the permanent residency of the family member(s) I applied to sponsor.

Branching:

- *If... No decision on PR approval: Skip 50-56*

----- page break -----

Permanent residency approval (continued)

50. How many months did it take from getting approval to sponsor or approval in principle, to receiving a decision on the application for permanent residency?

This question (and those that follow) is asking about the second stage (approval of your family member(s) for permanent residency) only.

_____ (months)

----- page break -----

Permanent residency approval (continued)

51. Was your family member (the principal applicant) approved for permanent residency?

- Yes - they were approved for permanent residency.
- No - they were not approved for permanent residency.

Branching:

- *If... PR approved: Skip 52-56*
- *If... No answer: Skip 52-56*

----- page break -----

Permanent residency approval (continued)

52. Why was your family member refused permanent residency? *Please check all that apply.*

- The relationship was not considered genuine
- My child was not classed as dependent.
- The child was not my biological child or formally adopted in a way that is recognised by Canada.
- My family member was refused for medical reasons.
- My family member was refused for security (criminality) reasons.
- I was not approved as a sponsor.
- Other reason (please specify)

----- page break -----

Application processing - Appealing negative decisions

53. Did you appeal the negative decision?

- Yes
- No

Branching:

- *If... Appealed refusal: Skip 54*
- *If... Did not appeal: Skip 55-58*
- *No answer: Skip 54-56*

----- page break -----

Appealing negative decisions (continued)

54. Why did you not appeal?

- _____ (Open)

----- page break -----

Appealing negative decisions (continued)

55. Was the appeal successful?

- Yes
- No
- Don't know - it is still in progress.

Branching:

- *If... Appeal unsuccessful: Skip 57-58*

56. Would you like to say anything about the appeal?

- _____ (Open)

----- page break -----

Application Processing - Removing dependents from the application

57. Did you have to remove any dependents of the Principal Applicant from the application while it was being processed?

- No, we did not have to remove any dependents of the Principal Applicant from the application.
- Yes, we had to remove one or more dependents from the application.

Branching:

- *If... No dependents removed: Skip 58*
- *If... No answer: Skip 58*

----- page break -----

Removing dependents from the application (continued)

58. Why did you have to remove the dependent(s) from the application? *Please check all that apply.*

- The relationship was not considered to be genuine.
- The child was not classed as dependent.
- The child was not a biological child of the principal applicant or formally adopted in a way that is recognised by Canada.
- The dependent was medically inadmissible.
- The dependent was inadmissible for security (criminality) reasons.
- Other (please specify)

----- page break -----

Information and help

The next questions ask what you think about the information and help that was available to you from CIC and other sources as you went through the process.

59. As your application was being processed, how easy was it to understand what was happening?

Very difficult Difficult Neither easy nor difficult Easy Very easy N/A

----- page break -----

Information and help - Citizenship and Immigration Canada

60. How useful were/are the following Citizenship and Immigration Canada (CIC) sources of help or information in helping you to understand the application process?

	Very unhelpful	Unhelpful	Neutral	Helpful	Very helpful	Not applicable/ Did not use
The CIC call centre						
The CIC processing centre in Canada						
The CIC visa office(s) outside Canada						
ECAS (the online system where you can log in to see the status of your application)						
Access To Information request for your case notes						

61. Is there anything you would like to say about communication with or from Citizenship and Immigration Canada?

- _____ (Open)

----- page break -----

Information and help – External Sources

62. How helpful were/are the following external sources of information or support during the process?

	Very unhelpful	Unhelpful	Neutral	Helpful	Very helpful	Not applicable/ Did not use
Lawyer						
Immigration consultant						
Organisation for immigrants/ community organisation/ religious community or organisation						
MP constituency office						
Friends or colleagues						
Online forum(s)						

63. Is there anything you want to say about external sources of information and help?

- _____ (Open)

----- page break -----

Life during the process - Ability to be together

The next question(s) are about your ability to be with the person(s) you were/are sponsoring during the application process.

64. How often on average were/are you able to see your family member(s) while waiting for a decision on your application?

- Less than one visit per year
- One visit per year
- More than one visit per year
- Other (please specify)

----- page break -----

Ability to be together (continued)

65. How happy were/are you with the length and frequency of visits?

Very unhappy Unhappy Neutral Happy Very happy N/A

----- page break -----

Ability to be together (continued)

66. Is there anything that restricted/restricts your ability to visit each other? *Please check all that apply.*

- Work commitments
- Family responsibilities
- Finance
- Education or school obligations
- Mental or physical health
- Access to visa for Canada
- Access to visa for other country/countries
- Other (please specify)

67. Would you like to say anything about your ability to be with each other?

- _____ (Open)

----- page break -----

Ability to be together - Access to visas for parents/grandparents

68. If there were a different system for long-term visas for parents and grandparents (e.g. visitor visa or supervisa), would you still apply to sponsor your parents or grandparents for permanent residency through Family Class?

- Yes I would still apply to sponsor them for permanent residency.
- No, I would not apply to sponsor them for permanent residency and would use the visa system instead.

Branching:

- *If... Would still apply for PGP: Skip 69*

----- page break -----

Access to visas for parents/grandparents (continued)

69. What would have to change about the visa system for you to decide not to sponsor your parents or grandparents for permanent residency?

- _____ (Open)

----- page break -----

Life during the process - Sponsor

The next questions ask about your lives during the application process.

70. Do you think the application process directly affected/is affecting any of the following aspects of **your** (the sponsor's) life, positively or negatively?

	Positive effect	Negative effect	No effect/Not applicable
Your work			
Your education			
Your financial situation			
Your housing situation			
Your physical health			
Your mental health			
Your relationship with the person(s) you were/are sponsoring			
Your relationships with other family members			

71. Please explain what these effects were/are on your life.

- _____ (Open)

----- page break -----

Life during the process - Sponsored family member

72. Do you think the application process directly affected/is affecting any of the following aspects of the life of **your family member** (the sponsored person), positively or negatively?

	Positive effect	Negative effect	No effect/Not applicable
Their work			
Their education			
Their financial situation			
Their housing situation			
Their physical health			
Their mental health			
Their attitude towards Canada			
Their ability to settle when they move(d) to Canada			

73. Please explain what these effects were/are on the life of your family member.

- _____ (Open)

----- page break -----

Life during the process - having a baby

74. Did you have a child with the person you were/are sponsoring during the processing of the application?

- No
- Yes

Branching:

- *If... No pregnancy: Skip 75-77*
- *If... No answer: Skip 75-77*

----- page break -----

Having a baby (continued)

75. Was the child born in Canada or outside Canada?

- Outside Canada
- Inside Canada
- Other (please specify)

76. Why did you decide to have the child there?

- _____ (Open)

----- page break -----

Having a baby (continued)

77. Is there anything else you would like to say about having a child during the application process?

- _____ (Open)

----- page break -----

Factors contributing to the experience - personal

The next questions ask whether you think anything about your identity or background or anything about the immigration system may have made/make your application process easier or more difficult.

78. Do you think any of the following characteristics about you and/or your family member(s) made/are making your application process easier or more difficult?

Please check all that apply. For example, if your age made it easier in some ways and more difficult in others you can check both boxes, and explain below.

	Made it easier	Made it more difficult	Did not make a difference
Age			
Nationality			
Racial or ethnic identity			
Religion			
Gender identity			
Level of education			
Language ability in English or French			
Income			
Professional status			
Disability			
Immigration status in Canada			
Knowledge/experience of immigration			
Sexual orientation			
Length of the relationship			

79. Please explain how this made/is making your experience easier or more difficult.

- _____ (Open)

----- page break -----

Factors contributing to the experience - external

80. Do you think any of the following factors made/are making your experience of the application process easier or more difficult? *Please check all that apply.*

	Made it easier	Made it more difficult	Did not make a difference
The way CIC in Canada interacted with me as the sponsor and my family member			
The way the visa office outside Canada interacted with my family member (where applicable)			
Central processing of the application in Canada (where applicable)			
The visa office that processed my family member's application outside Canada (where applicable)			
Individual decisions by the visa officer that processed our application			
The processing time			
Being together during the application process (where applicable)			
Being separated during the application process (where applicable)			
External issues in the country where my family member was/is living (where applicable)			

81. Please explain how this made/is making your experience easier or more difficult.

- _____ (Open)

----- page break -----

Factors contributing to the experience - other

82. Is there anything else that you think was/is helpful or unhelpful in your experience?

- _____ (Open)

----- page break -----

Unable to apply

The next questions ask about who you would like to sponsor to Canada and why you cannot.

83. Who would you like to sponsor to Canada, but believe you cannot? *Please check all that apply.*

- Spouse or partner
- Child(ren)
- Parent(s) or grandparent(s)
- Sibling(s)
- Other family member(s) (please specify)

----- page break -----

Unable to apply (continued)

84. Why are you unable to sponsor this person to come to Canada? *Please check all that apply.*

- That type of family member cannot be sponsored to come to Canada.
- I do not meet the sponsor requirements.
- The family member(s) I want to sponsor does not meet the eligibility requirements for permanent residency.
- Other (please specify)

Branching:

- *If... Does not meet sponsor requirements not chosen: Skip 85*
- *If... Does not meet PR requirements not chosen: Skip 86*

----- page break -----

Unable to apply (continued)

85. Why do you not meet the sponsor requirements? *Please check all that apply.*

- I am not a Canadian citizen or permanent resident.
- I am a permanent resident but I do not live in Canada.
- I was sponsored to come to Canada by a spouse or partner less than 5 years ago.
- I am in default of a previous sponsorship undertaking, immigration loan or family support payment.
- I do not meet the minimum income requirements for this type of application.
- I am on social assistance.
- I was convicted of an offence that disqualifies me.
- Other (please specify)

----- page break -----

Unable to apply (continued)

86. Why do they not meet the requirements? *Please check all that apply.*

- My child is not classed as dependent.
- My child is not biological and is not formally adopted in a way that is recognised by Canada.
- The person I want to sponsor is medically inadmissible.
- The person I want to sponsor has a criminal record.
- Other reason (please specify)

----- page break -----

Recommendations

The next questions ask if you have any suggestions for changes to the program that would make the experience better for people like you.

87. Based on your experiences, would you recommend changes to any of the following? *Please check all that apply.*

- Eligibility requirements
- Forms/documentation required
- Pre-application information and instructions, including the content and the language/terminology used
- The way CIC processes applications
- CIC transparency and the way it interacts with applicants
- Other (please specify)

88. Please explain what you would recommend.

- _____ (Open)

----- page break -----

Other comments

89. Is there anything else you would like to say about Family Class as a whole, or any part of it in particular?

- _____ (Open)

----- page break -----

Demographics

This final section asks for information about you and the sponsored person(s) **at the time you submitted the application.**

This information will be used to understand the characteristics of people who have responded. This will help to make sure a range of people respond. It will also help me to see whether different types of applicants (e.g. younger or older, people from different countries) report different experiences of the application process.

90. How old were you when you submitted the most recent application?

_____ years old

----- page break -----

Demographics - Sponsor (continued)

91. What is your gender?

- _____ (Open)

----- page break -----

Demographics - Sponsor (continued)

92. When you submitted the application, how many adults were living in your household, excluding those you applied to sponsor?

_____ adults

93. When you submitted the application, how many children under 18 lived in your household, excluding those you applied to sponsor?

_____ children

----- page break -----

Demographics - Sponsor (continued)

94. Was there a co-signer on the application?

- Yes

- No

----- page break -----

Demographics - Sponsor (continued)

95. When you submitted the application, what was your income (plus that of the co-signer if applicable) in Canadian dollars?

- 0-20,000
- 20,001-40,000
- 40,001-60,000
- 60,001-80,000
- 80,001-100,000
- 100,001-120,000
- 120,001-140,000
- 140,001-160,000
- 160,001-180,000
- 180,001-200,000
- 200,001+

----- page break -----

Demographics - Sponsor (continued)

96. When you submitted the application, what was your status in Canada?

- Canadian (by birth)
- Canadian (immigrated and then granted citizenship)
- Permanent Resident
- Other (please specify)

Branching:

- *If... Naturalised Canadian: Skip 98*
- *If... Canadian born: Skip 97 - 98*
- *If... Permanent resident: Skip 97*
- *If... No answer: Skip 97*

----- page break -----

Demographics - Sponsor (continued)

97. What was your other/previous nationality?

- _____ (Open)

----- page break -----

Demographics - Sponsor (continued)

98. What was your nationality?

- _____ (Open)

----- page break -----

Demographics - Sponsor (continued)

99. What is your religious background?

- Buddhist
- Christian
- Hindu
- Jewish
- Muslim
- Sikh
- Do not identify with a religion
- Other

----- page break -----

Demographics - Sponsor (continued)

100. How would you describe your racial and/or ethnic identity?

- _____ (Open)

----- page break -----

Demographics - Sponsor (continued)

101. What was your highest level of education when you submitted the application?

- Less than high school (or equivalent)
- High school (or equivalent)
- College diploma (or equivalent)
- Bachelor degree (or equivalent)
- Graduate degree (or equivalent)

----- page break -----

Demographics - Sponsor (continued)

102. How would you rate your English and/or French, when you submitted the application?

	Less than basic	Basic	Intermediate	Advanced or fluent
English				
French				

----- page break -----

Demographics - Principal Applicant

103. When you submitted the application, what was the age of the family member you applied to sponsor? (If the application included more than one family member, please answer for the principal applicant).

_____ years old

----- page break -----

Demographics - Principal Applicant (continued)

104. What was the principal applicant's gender?

- _____ (Open)

----- page break -----

Demographics - Principal Applicant (continued)

105. What was the principal applicant's nationality?

- _____ (Open)

----- page break -----

106. What was the principal applicant's religious background?

- Buddhist
- Christian
- Hindu
- Jewish
- Muslim
- Sikh
- Does not identify with a religion
- Other

----- page break -----

Demographics - Principal Applicant (continued)

107. How would you describe the racial and/or ethnic identity of the principal applicant?

- _____ (Open)

----- page break -----

Demographics - Principal Applicant (continued)

108. What was the principal applicant's highest level of education?

- Less than high school (or equivalent)
- High school (or equivalent)
- College diploma (or equivalent)
- Bachelor degree (or equivalent)
- Graduate degree (or equivalent)

----- page break -----

Demographics - Principal Applicant (continued)

109. How would you rate the English and/or French of the principal applicant, when you submitted the application?

	Less than basic	Basic	Intermediate	Advanced or fluent
English				
French				

----- page break -----

Demographics - Principal Applicant (continued)

110. When you submitted the application, what was the primary status of the principal applicant in Canada? *For example, if they were a full-time student with a permit to work part-time, answer student.*

- Student
- Temporary work permit
- Refugee claimant
- Visitor
- No status
- Other

----- page break -----

Demographics - Visa office outside Canada

111. Which visa office outside of Canada processed the application for your family member?

- _____ (Open)

----- page break -----

Demographics - Dependents of Principal Applicant

112. At the beginning of the survey you answered that you applied to sponsor more than one family member in your most recent application (or you did not answer that question).

If applicable, how were the dependents on the application related to the principal applicant?

	Number of dependents of principal applicant (PA)
Spouse or partner of PA (maximum 1)	
Dependent children of PA	
Children of dependent children of PA	
Other	

----- page break -----

Demographics - Dependents (continued)

113. What was the age(s) of the dependent(s) when you submitted the application? (If more than one dependent, please list)

- _____ (Open)

114. What are the genders of the dependents? (If more than one dependent, please list)

- _____ (Open)

----- page break -----

Demographics - Unable to sponsor

This final section asks for some demographic information about you and the family member(s) you would like to sponsor but cannot.

115. What is your age?

_____ years old

----- page break -----

Demographics - Unable to sponsor (continued)

116. What is your gender?

- _____ (Open)

----- page break -----

Demographics - Unable to sponsor (continued)

117. What is your status in Canada?

- Canadian (by birth)
- Canadian (immigrated and then granted citizenship)
- Permanent Resident
- Temporary resident
- No status
- Other (please specify)

----- page break -----

Demographics - Unable to sponsor (continued)

118. What is your highest level of education?

- Less than high school (or equivalent)
- High school (or equivalent)
- College diploma (or equivalent)
- Bachelor degree (or equivalent)
- Graduate degree (or equivalent)

----- page break -----

Demographics - Unable to sponsor (continued)

119. What is your income?

- 0-20,000
- 20,001-40,000
- 40,001-60,000
- 60,001-80,000
- 80,001-100,000
- 100,001-120,000
- 120,001-140,000
- 140,001-160,000
- 160,001-180,000
- 180,001-200,000
- 200,001+

----- page break -----

Demographics - Unable to be sponsored

120. What is the age of the family member(s) you would like to sponsor? *If more than one person, please list.*

- _____ (Open)

----- page break -----

Demographics - Unable to be sponsored (continued)

121. What is the gender of the family member(s) you would like to sponsor? *If more than one person, please list.*

- _____ (Open)

----- page break -----

Demographics - Unable to be sponsored (continued)

122. What is the nationality of the family member(s) you would like to sponsor?

- _____ (Open)

----- page break -----

Demographics - Unable to be sponsored (continued)

123. If the family member(s) you would like to sponsor is already in Canada, what is their primary status? *For example, if they are a full-time student with a permit to work part-time, answer student.*

- Not applicable (Not in Canada)
- Student
- Temporary work permit
- Refugee claimant
- Visitor
- No status
- Other

----- page break -----

Feedback on survey

124. Is there anything you would like to say about this survey?

- _____ (Open)

----- page break -----

Thank you for participating in this survey.

Please forward the link to this survey to anyone you know who may be interested in participating. Thank you.

En : <https://survey.ryerson.ca:443/s?s=4526>

Fr : <https://survey.ryerson.ca:443/s?s=4526&lang=fr>

If you have any questions or comments about the research, or if you would like me to let you know about papers or presentations based on the results you may contact me: Beth Martin,
b22marti@ryerson.ca

Entry into draw

If you would like to be entered into the draw for a President's Choice gift card of \$25 please [click here](#) to be directed to a separate website.

Separate survey:

Draw for gift cards: Experiences of Family Class survey

If you would like to be entered into the draw for one of six President's Choice supermarket gift cards of \$25, please enter your name and email address below.

Please note this page is **not** connected to the survey you just completed and your contact details **cannot** be linked to your survey responses.

1. Your name
_____ (Open)

2. Your email address
_____ (Open)

Thank you again for completing the survey.

Appendix F: Survey consent form and questions (Key informants)

An examination of Canada's Family Class Immigration Stream

Survey of Key Informants

Information and Consent Agreement:

This is to invite you to participate in a research study. Before you agree to do so, it is important that you fully understand what you will be asked to do.

Researcher / Investigator:

Beth Martin
PhD Candidate Policy Studies
Ryerson University
613 618 5572
b22marti@ryerson.ca

Supervised by:

Mehrunnisa Ahmad Ali Ph.D.
Graduate Program Director
Early Childhood Studies
416 979 5000 x 6330
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Purpose

The purpose of this study is to examine the Canadian Family Class immigration stream.

This survey is being carried out with people who support families that apply for reunification in Canada. The goal is to determine which aspects of the family class immigration stream work well and which aspects need improvement.

Description of the Study

I have already conducted one-on-one interviews with 33 families who applied to reunite in Canada and with 25 people who work with families trying to reunite in Canada (*if you participated in an interview for this project in 2014 I would like to thank you again, but ask that you please do not complete the survey, as I will be comparing the findings from the interviews with the results of the survey*). I am now interested in gathering information from a larger number of applicants and people who work with applicants.

If you agree to participate you will be asked to answer questions about your experiences of working with those who apply through the Canadian family class immigration stream. This will include the kinds of clients you support and the kinds of family class applications they make, their experiences during the application process, and your opinions about different aspects of the program.

The survey will take about 20 minutes. It may take a little longer if you add further comments where space is provided. The survey is available in English or French (pour le sondage en français, veuillez [cliquer ici](#)).

Benefits and Risks

You will not benefit directly from your participation in this project. Your participation in this study will help me complete my Ph.D. dissertation and present the findings in public forums. The information you provide will thus help me and those who use my work to advocate for improvements to the Family Class stream.

I am not affiliated to Citizenship and Immigration Canada in any way and your participation will have no effect on your professional relationship with CIC.

You can stop the survey temporarily or permanently at any time and for any reason. You may also skip any question that you do not wish to answer in the survey and still submit it. However, please remember that accurate and detailed information will improve the quality of this work.

Once you submit the survey, you cannot take back the information and I cannot trace it back to you.

Privacy and Confidentiality

This is an anonymous survey. You will be asked questions about your experiences supporting family class applicants, but you will not have to provide your name or any other personally identifying information.

All data will be kept in password protected computer files or locked cabinets and only I and my dissertation supervisor will have access to them. Five years after the completion of the research study, all the information will be erased.

Voluntary Nature of Participation

Your participation is entirely voluntary. Even after you have started the survey you can stop any time by simply exiting it and your answers up to that point will be deleted. Your information will only be included in the data after you hit the 'Submit' button at the end of the survey.

If you would like to, you can save your responses and return to the survey at a later time. To do so, you will need to provide your email address. An email will be sent to you with a link that will return you to your partially completed survey. Your email address will not be stored with your responses.

Ethical Review

This study has undergone ethics review and has been approved by the Ryerson University Research Ethics Board.

Questions or Concerns

If you have any questions or comments about the research you may contact me: Beth Martin,

b22marti@ryerson.ca or 613 618 5572. If you are not satisfied with my response you may also contact my supervisor at maali@ryerson.ca

If you have questions regarding your rights as a human subject and participant in this study, you may contact the Ryerson University Research Ethics Board for information.

Research Ethics Board
c/o Office of the Vice President, Research and Innovation
Ryerson University
350 Victoria Street
Toronto, ON M5B 2K3
416-979-5042

Electronic Consent

Clicking on the “agree” button below indicates that

- you have read the information in this agreement
- you are an adult over 18 years of age
- you work in a professional capacity to support people in Canada who apply to sponsor family members to immigrate to Canada
- you did not participate in an interview for this project in 2014.
- you agree to participate in the study and have been told that you can change your mind and withdraw your consent at any time.

By selecting “agree” below you are not giving up any of your legal rights.

Yes I agree. Start survey

----- page break -----

Client types and demographics

This first section asks some background questions about your work helping people to sponsor family members through family class.

1. Which of the following best describes your situation? *Please check all that apply.*

- I am an immigration lawyer
- I am an immigration consultant
- I work for a settlement organisation or community organisation
- I am a caseworker for an MP or Senator
- Other (please specify) _____

----- page break -----

Your work with applicants (continued)

2. How many years have you been supporting people with their applications to sponsor family members?

- _____ (Numeric) years

3. Where are you based?

- In Toronto, Montreal or Vancouver (or their surrounding metropolitan areas)
- In Edmonton, Calgary, Winnipeg, Hamilton, or Ottawa-Gatineau
- In Victoria, Saskatoon, Regina, Québec or Halifax
- Somewhere else in Canada

----- page break -----

The applicants you support - Type of application

4. How often do you work on the following types of sponsorship applications?

.

	At least once a week	At least once a month	At least once a year	Less than once a year
Spouse/Partner – through the inland process.				
Spouse/Partner – through the outside Canada process.				
Dependent children				
Parents or grandparents				
Other family members				

----- page break -----

The applicants you support - Stage of the process

5. What parts of the process do you help people with?

	Often (more than 67% of cases)	Sometimes (34-66% of cases)	Rarely (less than 33% of cases)
I help people from the beginning as they are thinking about sponsoring a family member to Canada and as they prepare the application			
People bring applications that they have already prepared to me and I check over the application for them.			
People come to me after they have submitted the application, for example if they encounter problems during the process.			

----- page break -----

The applicants you support - Client demographics

6. Do the applicant families you support generally represent particular countries, ethnic communities or religious communities (although you may sometimes support other clients too)?

- Yes
- No

7. Which countries and/or communities do they come from?

- _____ (Open)

8. Please describe any other demographics (e.g. low income or high income; particular age etc.) that are well-represented by your clients.

- _____ (Open)

----- page break -----

Applicant expectations

9. Do you think most applicants, before they start looking into the process, have realistic expectations of family reunification in Canada?

- Yes
- No

10. Why do you say this?

- _____ (Open)

----- page break -----

Preparing the application

This section asks about the preparation process.

Please answer in terms of what you think it is like for an applicant without help to prepare an application, rather than what it is like for you (with all your experience) to do it for them.

11. In general, how easy or difficult do you think the following aspects of preparing the application are for applicant families?

	Very difficult	Difficult	Neither difficult nor easy	Easy	Very easy
Finding instructions on how to submit an application					
Understanding the instructions on how to submit an application					
Understanding the questions on the forms					
Answering the questions in the forms					

12. Would you like to say anything to qualify or explain your answer? For example, is it more difficult or easier in different types of case (e.g. PGP, Inland etc.)?

- _____ (Open)

Branching: If forms not difficult or very difficult skip 13-14

----- page break -----

Preparing the application – Filling in the forms

13. Are any of the following forms particularly difficult to fill in for applicants? *Please check all that apply.*

- IMM5491/ IMM5443/ IMM 5571 Document checklists
- IMM1344 Application to sponsor, Sponsorship Agreement and Undertaking
- IMM0008 Generic Application form for Canada
- IMM0008DEP Additional dependents declaration
- IMM5669 Schedule A – Background / Declaration
- IMM 5406 Additional Family Information
- IMM5476 Use of a Representative (where applicable)
- IMM5481 Sponsorship Evaluation or IMM1283 Financial Evaluation (only for sponsor of spouse/partner/child)
- IMM5768 Financial Evaluation (only for sponsor of parent/grandparent)
- IMM5540 Sponsor Questionnaire (Spouse/partner outside Canada only)
- IMM5490 Spouse/Partner Questionnaire (Spouse/partner outside Canada only)
- IMM5285 Spouse/Common-law partner questionnaire (Spouse/partner inside Canada only)
- IMM5409 Statutory Declaration of a Common-Law Union (for co-signers)
- Other (please specify)

14. What is difficult about filling in these forms?

- _____ (Open)

----- page break -----

Preparing the application – meeting supporting requirements

15. In general, how easy or difficult is it for applicant families to provide or meet the following requirements of the application without the help of others?

	Very difficult	Difficult	Neither easy nor difficult	Easy	Very easy	Don't know
Documents to prove eligibility to sponsor						
Documents to prove the relationship is genuine						
ID documents for the family member(s) applying for permanent residency						
The medical certificate(s) for the family member(s) applying for permanent residency						
The police check(s) for the family members applying for permanent residency						
The 'Certificat de Sélection de Québec' (where applicable)						
The documents to prove the sponsor's intent to return to Canada (where applicable)						
Translations of documents (where applicable)						

16. Please explain anything in particular that is easy/difficult about meeting these requirements .

- _____ (Open)

----- page break -----

Application processing – Requests from CIC

The next pages ask about what happens after applications are submitted to CIC.

17. In how many of the cases that you work on, would you say CIC makes requests for the following?

	Rarely (Less than 33%)	Sometimes (34-66%)	Often (more than 67%)
Repeat police checks			
Repeat medical checks			
DNA tests to prove the relationship			
Information that is missing from the forms			
Other documentation			
For the family member(s) to go to an interview			

18. Please describe patterns (if any) you perceive in the characteristics of cases (e.g. types of relationship, countries of origin etc.) where requests are made.

- _____ Open

----- page break -----

CIC follow up requests (continued)

19. Have the people you support ever encountered the following problems receiving or responding to the requests? *Please check all that apply.*

- Requests are sent to the wrong address/email address.
- Applicants do not receive requests.
- The request is not relevant or appropriate.
- It is unclear what CIC is asking for.
- It is difficult to produce the information/documentation CIC wants.
- The time CIC gives applicants to respond is too short
- It is difficult to attend the interview.
- Other (please specify) _____

20. If necessary, please explain your answer above.

- _____ Open

----- page break -----

Application processing - Sponsor approval/Approval in principle

This page asks about the first stage: sponsor approval/approval in principle. Approval of family member(s) for permanent residency is dealt with on the next page.

21. In your experience, is the first stage of the process generally straightforward for clients in the different programs, or do they encounter delays or problems (e.g. returned application, request for further documentation etc.)?

	Generally straightforward	Delays or problems	Not applicable
Spouse/Partner - Inland			
Spouse/Partner – Outside Canada			
Dependent children			
Parents or grandparents			
Other family members			

22. Please describe patterns you see (if any) in the types of case or characteristics of clients that have certain experiences.

- _____ (Open)

----- page break -----

Application processing - Approval for permanent residency.

23. In your experience, is the second stage of the process (approval of permanent residency for family members) generally straightforward for clients in the different programs, or do they encounter delays or problems (e.g. request for further documentation, repeat medicals required)?

	Generally straightforward	Delays or problems	Not applicable
Spouse/Partner - Inland			
Spouse/Partner – Outside Canada			
Dependent children			
Parents or grandparents			
Other family members			

24. Please describe patterns you see (if any) in the types of case or characteristics of clients that have certain experiences.

- _____ (Open)

----- page break -----

Returns and refusals

25. How often have the cases you have dealt with been returned, or refused, or been required to remove dependents of principle applicants?

	Never	Rarely (1-33%)	Sometimes (34-66%)	Often (67-100%)	Don't know
Returned without being processed					
Refused by CIC					
Dependents had to be removed					

----- page break -----

Returns and refusals (continued)

26. What are the three most common reasons you have seen for cases to be returned or refused.

- The applicants submit a package for the wrong Family Class program (e.g. They submit the Inland forms when they want to apply outside of Canada)
- The applicants submit the package to the wrong visa office
- The PGP quota is already reached for that year
- The application is incomplete
- The person in Canada is ineligible to sponsor
- The relationship is not considered genuine
- The family member is considered ineligible for permanent residency
- Other (please specify)

----- page break -----

Returns and refusals – Incomplete applications

27. In your experience, what are the three most common reasons for CIC to return or refuse applications because they are incomplete?

- Not applicable/ Don't know
- A form is missing
- Information is missing from a form
- The proof of fee payment is missing
- Other documentation is missing
- A form or document is out of date
- A signature is missing from a form
- Other (please specify) _____

----- page break -----

Returns and refusals – Sponsor requirements not met

28. In your experience, what are the **three most common reasons** for an applicant not to meet the sponsor requirements?

- Not applicable/ Don't know
- They are not a Canadian citizen or permanent resident
- They are a permanent resident but do not live in Canada
- They are under 18 years old
- They were sponsored as a spouse or partner less than 5 years ago
- They are in default of a previous sponsorship undertaking, immigration loan or family support payment
- They do not meet the minimum income requirements for a particular type of application.
- They are on social assistance
- They are convicted of an offence that disqualifies them
- Other (please specify) _____

----- page break -----

Returns and refusals – Permanent residency requirements not met

29. In your experience, what are the **three most common reasons** for the person being sponsored or their dependents to be refused permanent residency?

- Not applicable/ Don't know
- A spouse/partner relationship is not considered genuine
- A child is not classed as dependent
- A child is not biological and is not formally adopted in a way that is recognised by Canada
- The family member is medically inadmissible
- The family member has a criminal record
- Other reason (please specify)_____

Returns and refusals – Relationship not genuine

30. What are the most common reasons (if any) for spousal/partner relationships not to be considered genuine?

----- page break -----

Appeals

31. How often do you support people in the appeals process?

- At least once a week
- At least once a month
- At least once a year
- Less than once a year
- Never

Branching: If Never skip 33-35

----- page break -----

Appeals (continued)

32. What proportion of appeals that you have dealt with have been successful?

0-33% 34-66% 67%+ Don't Know

33. What do you think **works well** about the appeal process?

- _____ Open

35. What do you think **could be improved** about the appeal process?

- _____ Open

----- page break -----

Application outcomes – other comments

35. Is there anything else you would like to say about (positive or negative) results of applications?

- _____ Open

----- page break -----

Information and help

This section asks what you think about the information and help that is available from CIC and other sources for applicant families during the process.

36. How would you rate the following CIC sources on helping applicants to understand the application process?

	Very unhelpful	Unhelpful	Neutra l	Helpful	Very helpful	Don't know
The CIC call centre						
The CIC processing centre in Canada						
The CIC visa offices outside Canada						
ECAS (the secure online system that applicants can log into for their application status)						
Access To Information requests for application case notes						

37. Is there anything you would like to say about communication between CIC and the applicant?

- _____ (Open)

38. Is there anything you would like to say about communication between CIC and you as a designated representative (if applicable)?

- _____ (Open)

----- page break -----

External support

39. How would you rate the helpfulness of the following external sources of support to applicants if they use them?

	Very unhelpful	Unhelpful	Neutra l	Helpful	Very helpful	Don't know
Lawyer						
Immigration consultant						
Organisation for immigrants/ community organisation/ religious community or organisation						
MP or Senator constituency office						
Friends or colleagues						
Online forum(s)						

40. Is there anything you want to say about external sources of information and help?

- _____ (Open)

----- page break -----

Life during the process

This section asks about what life is like for applicants as they go through the process.

41. Do you see the application process directly affecting (positively or negatively) any of the following aspects of the lives of sponsors or sponsored family members?

Please check all that apply. If you see both positive and negative effects, check both and explain below.

	Positive effect	Negative effect	No effect
Their work			
Their education			
Their financial situation			
Their housing situation			
Their physical health			
Their mental health			
Their relationship with each other			
Their relationships with other family members			

The family member's ability to settle once in Canada			
The attitude of the family member towards Canada			

42. Please explain what you see.

- _____ (Open)

----- page break -----

Factors contributing to experience - personal

The next two pages ask about personal and external factors that may have an effect on the experiences of clients as the application is processed

43. Based on your experience, do you think any of the following characteristics (of the sponsor or sponsored persons) can make the application process easier or more difficult? *Please check all that apply.*

- Age
- Nationality
- Racial or ethnic identity
- Religion
- Gender identity
- Level of education
- Language ability in English and / or French
- Income
- Professional status
- Disability
- Immigration status in Canada
- Knowledge/experience of immigration
- Sexual orientation
- Length of the relationship

44. Please explain how these characteristics can make it easier or more difficult for applicants.

- _____ (Open)

----- page break -----

Factors contributing to experience - external

45. In your experience, can the following factors make the application process easier or more difficult for an applicant? *Please check all that apply.*

- The way CIC in Canada interacts with the sponsor and the sponsored family member(s)
- The way the visa office outside Canada interacts with the sponsored family member(s) (where applicable)
- Central processing of the application in Canada (where applicable)
- The visa office that processes the family member's application outside Canada (where applicable)
- Individual decisions by a visa officer who processes an application
- The processing time
- Being together during the application process (where applicable)
- Being separated during the application process (where applicable)
- External issues in the country where the family member lives (where applicable)

46. Please explain how these factors can make the experience easier or more difficult.

- _____ (Open)

47. Is there anything else that has not been covered yet that you think is helpful or unhelpful to applicants during the process?

- _____ (Open)

----- page break -----

Unable to apply

48. How often do you come into contact with people who want to sponsor family members to Canada but believe (correctly or incorrectly) that they cannot?

- At least once a week
- At least once a month
- At least once a year
- Less than once a year
- Never

49. Please describe the most common reasons that people believe (correctly or incorrectly) that they cannot sponsor family members.

- _____ (Open)

----- page break -----

Recommendations

50. Based on your experiences working with applicants and people who would like to apply, would you recommend changes to any of the following? *Please check all that apply.*

Eligibility requirements

- Forms/documentation required
- Pre-application information and instructions, including the content and the language/terminology used
- The way CIC processes applications
- CIC transparency and the way it interacts with applicants
- Other (please specify) _____

51. Please explain what you would recommend.

- _____ (Open)

----- page break -----

Other comments

52. Is there anything else you would like to say about Family Class as a whole or any part of it in particular?

- _____ (Open)

Respondent demographics

53. What is your gender?

- _____ (Open)

54. What is your age?

- 18-30
- 31-40
- 41-50
- 51-60
- 61+

----- page break -----

Final page

55. Is there anything you would like to say about this survey?

- _____ (Open)

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Final page

Thank you for participating in this survey.

Please forward the link to this survey to anyone you know who may be interested in participating. Thank you.

En : <https://survey.ryerson.ca:443/s?s=4552>

Fr : <https://survey.ryerson.ca/s?s=4552&lang=fr>

If you have any questions or comments about the research, or if you would like me to let you know about papers or presentations based on the results you may contact me: Beth Martin, b22marti@ryerson.ca or 613 618 5572.

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