



FCJ Refugee Centre
Welcoming the uprooted for 25 years!



Criminalization of Precarious Migrant Youth

Supported by



Precarious Migrant Youth

- FCJ Refugee Centre is unique in its capacity to serve anyone who needs assistance. We have a particular penchant for serving populations who we term as “precarious migrants”.
- *Precarious migrants* refers to those that hold some form of uncertain migration status – without work authorization, the right to remain here permanently and social citizen rights available to permanent residents...

Precarious Migrant Youth

More concretely, *precarious migrants* include:

- Refugee claimants
- Refused refugee claimants
- Temporary foreign workers
- Students
- Visitors
- Victims and survivors of human trafficking
- People involved in sponsorship breakdown
- Or anyone else without official immigration status



Pathways to Precarity

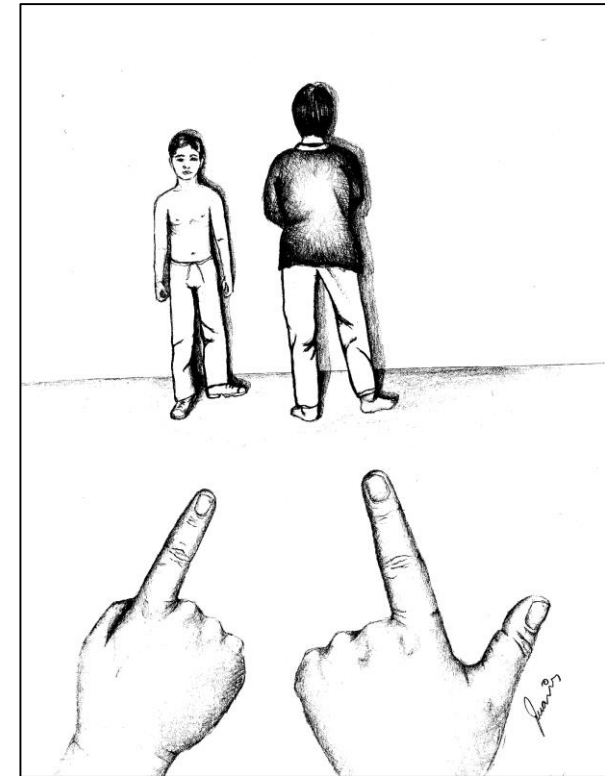


There are many factors that contribute to the number of non-status youth in Toronto:

- Inferior level of participation in the refugee claim process
- Delayed removals
- Lack of appropriate support leading to incomplete or inferior claims
- Disconnect between labour demands and type of immigrants who qualify for acceptance

Invisibility of Non-Status Youth

- Lack of sensitivity among general population
- Burdened by myths and misconceptions
- Encouraged to mask this aspect of their identity
- Often don't fully understand the intricacies and impacts of their own situation
- Face various disparities, including exclusion, marginalization, fear of deportation/detention, etc...



Access Without Fear

On February 20th and 21st 2013, Toronto City Council adopted the following:

1. City Council re-affirms its commitment to ensuring access to services without fear to immigrants without full status or full status documents.



Access Without Fear



2. City Council requests the different sectors of the city to conduct an internal review, with community consultation of City divisions, agencies and corporations, and to report on the following:

- Confidentiality
- Municipal Identification Card
- Staff Training
- Service Complaints without Fear
- Public Education
- Work with provincial and federal governments to increase access

The title is centered between two decorative horizontal bars. Each bar consists of three parallel lines: a top cyan line, a middle white line, and a bottom orange line.

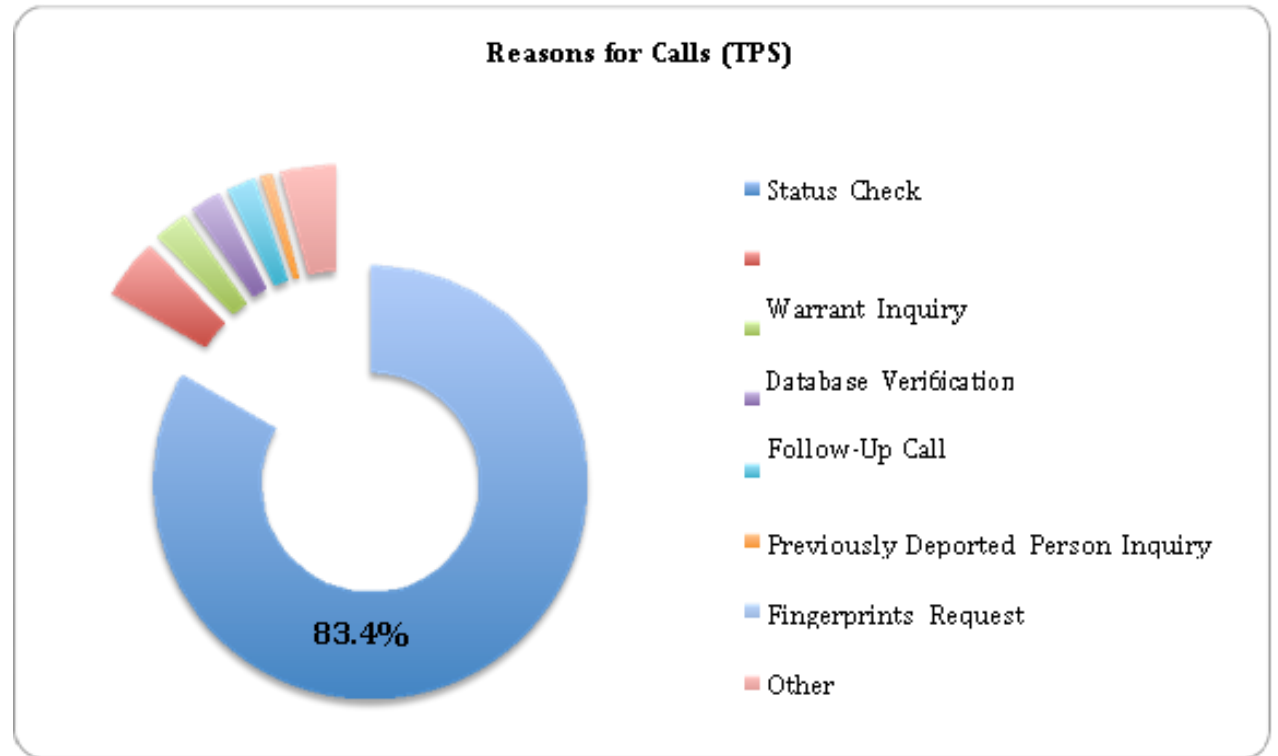
Access Without Fear

According to the Immigration Legal Committee (ILC):

- Police have no legal duty to disclose immigration status to federal officials;
- In most cases, police disclosure of immigration status likely conflicts with certain duties under the *Police Services Act, (PSA)* as well as with provisions of the *Victim's Bill of Rights*, the *Ontario Human Rights Code*, the *Canadian Charter of Rights and Freedoms*, and a number of international legal instruments

WHY IS TORONTO STILL NOT A SAFE SPACE FOR NON-STATUS?

- No One is Illegal collected data over 8 months that showed: 10,700 calls were made by all Canadian law enforcement agencies to the CBSA. The TPS made 75% (3,278) of all calls from the GTA.
- Calls made by the TPS to the CBSA constitute 31% of the total calls made by all law enforcement and transit agencies *across the country*.
- “*Status check*” is the reason for 72% the calls, a proportion that rises to 83.35% in the case of the TPS. This shows the consistent practice of “asking,” that is, inquiring about the immigration status on an individual even when no immigration warrant appears on the CPIC.





WHY IS TORONTO STILL NOT A SAFE SPACE FOR NON-STATUS?



- Neglect/misinterpretation of “Don’t Ask, Don’t Tell” policies
- Failure to appropriately respond to status as it intersects with other aspects of identity



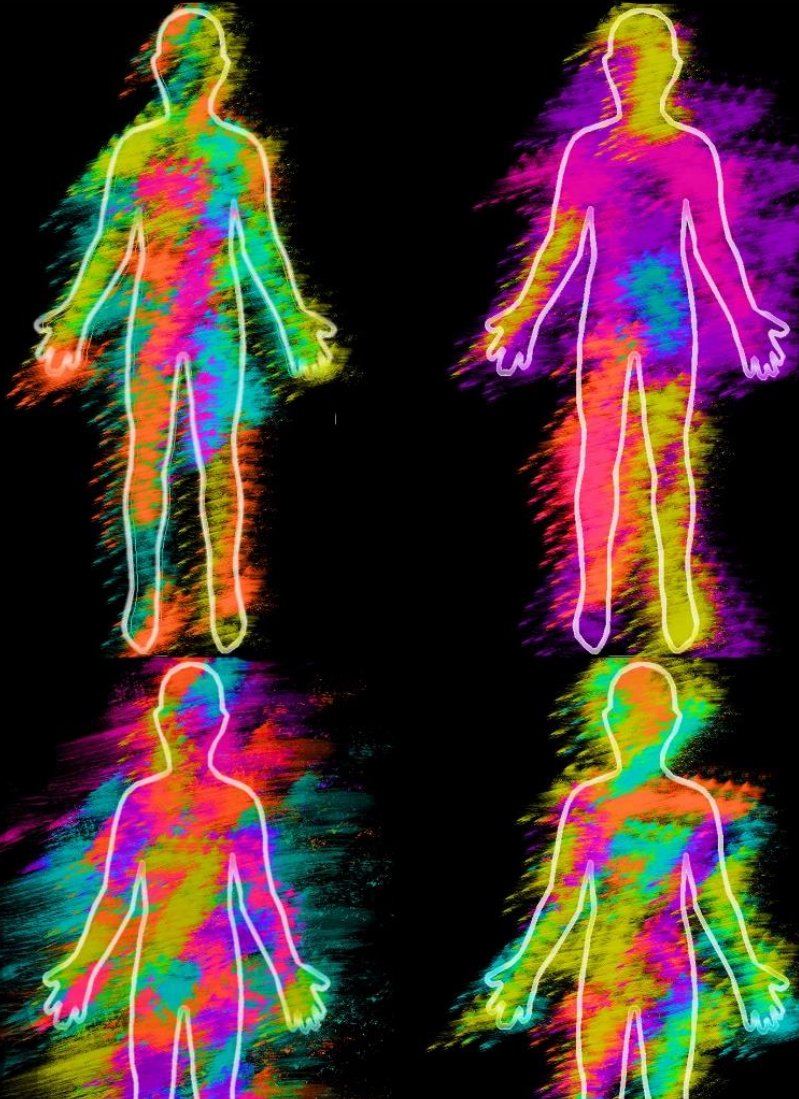
WHY IS TORONTO STILL NOT A SAFE SPACE FOR NON-STATUS?



- Furthermore, the FCJ conducted a series of surveys across the City of Toronto to evaluate the accessibilities of services. When auditors were requested to approach the police the overall response was fear as they would rather not approach the police at all. There is a lack of trust and many feel that if they request policing services their status will be requested.

in·ter·sec·tion·al·i·ty

noun - intersecting social identities such as age, gender, gender identity, ethnicity, social class, immigration status, sexual identity, experiences with authority, violence, etc. that invite us not to assume the identities of people that we coexists with, but to acknowledge and value each person's uniqueness.



Intersecting Identities

Non-status youth often face greater discrimination compounded by other intersecting aspects of their identities, such as:

Skin Colour

Gender (Identity)

Language Ability

Sexual Identity

Experiences with
violence

Socio-Economic
Status



Recommendations



- REGULARIZATION PROGRAM
 - The FCJ Refugee Centre is proposing a program aimed at providing a new avenue for regularization for many migrant populations that find themselves in various states of immigration status limbo
 - This program involves the development of a new immigration class through which individuals will be assessed on various criteria surrounding their time in Canada, including their involvement in different institutions and community groups, economic integration, as well as social and familial ties