

Immigrant Sector Council of Calgary

Report: Roundtable on Inland
Refugee Claimants

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Background

Refugee claimants are individuals who make a claim to the Government of Canada for refugee protection after arriving in Canada or at a Canadian port-of-entry. There is a considerable amount of time between making a claim and finalizing a claim. During this period of time, inland refugee claimants have no legal status in Canada and therefore, in many cases, have limited ability to appease basic human needs. Until refugee claimants are granted protected person status by the Government of Canada, they have no ability to independently sustain themselves and their families while in Calgary. Although refugee claimants are able to work while their claim is being processed, their eligibility for support services, such as childcare, is limited. Complicated processes and delays in receiving government income support often prolong their vulnerability. These highly vulnerable at-risk persons coming to Calgary for refuge find themselves caught in a difficult situation due to their immigration status. They have fled their country traumatized, often arriving with no means of support, and struggle to survive while their claim is being processed.

After receiving a hearing from the Immigration and Refugee Board, their claim is either accepted or rejected. If accepted, they receive protected persons status and may apply for permanent residency in Canada. If their claim is rejected, the individual is given a deportation order. It can take years before a refused claimant is removed from Canada. (See Appendix D).

Although many factors can affect how fast a claim is heard by the Immigration and Refugee Board (IRB), currently, a claimant might be waiting for up to 18 months. Calgary's local non-profit and government service providers assist them to the best of their abilities. However, the absence of a coordinated community action plan and a lack of dedicated resources strain the capacity of this support system.

In order to raise awareness and address this need, Immigrant Sector Council of Calgary (ISCC) convened a roundtable with local stakeholders. The purpose of this roundtable was to: 1) collaboratively examine the context and issues pertaining to refugee claimants in the Calgary area, 2) identify current support systems and resources, and 3) develop a coordinated community response plan to support refugee claimants in the Calgary area.

Situational Context

Citizenship and Immigration Canada (2009), indicates that the Calgary area has experienced a significant increase in the number of inland refugee claimants in the past few years. In the April 2006 to March 2007 fiscal year 74 refugee claims were processed in the Calgary area. Since April 2009, the number of claims processed to the end of October 2009 is 294 and is forecasted to be 525 by the end of this fiscal year; this represents a 750%

increase in just 3 years. The projections are that this number will continue to grow rapidly. (See appendix E).

The rapid increase in the number of inland refugee claimants has put a large burden on the local support infrastructure. This trend is expected to grow substantially with the current Alberta economic advantage and world economic situation.

Meeting Conduct

A cross-section of representatives from three levels of government and an array of non-profit organizations providing services to refugee claimants in the Calgary area were invited to the roundtable.

To give background and context, relevant federal and provincial government departments and local non-profit service providers working closely with refugees provided 15 minute presentations:

- Vanessa Bissonnette, Supervisor of Admissions from the Calgary office of Citizenship and Immigration Canada, explained the current process for making a claim to the Government of Canada for refugee protection.
- Brenda Barager, Frontline Supervisor from the East Calgary office of Alberta Works, presented on the current processes and challenges of supplying income support to refugee claimants in the current economy.
- Rob Bray, representing the Calgary Catholic Immigration Society, the Canadian Council for Refugees and the Immigrant Housing Sector, presented on the genuine needs and dilemmas that refugee claimants face in Calgary; and the challenges that non-profit agencies face in dealing with assisting these refugee claimants.

Following these presentations, the roundtable participants moved into breakout groups and discussed the following questions (See appendix B): 1) a strong support system for refugee claimants is lacking in Calgary. What is at the core of this problem? 2) Reviewing the Key Issues document in your package, where does your organization tie into the issues impacting refugee claimants? 3) How has this issue affected your organization or community? 4) Could your organization do more to support refugee claimants? What? Are you currently working with other organizations to meet the needs of refugee claimants? 5) Where do you think refugee claimants need the most support? 6) What are some first steps to improve the support system for refugee claimants that are relatively achievable now? And, 7) what long-term strategies would improve the support system for refugee claimants?

After approximately 45 minutes of examining the key issues (see Appendix 1) and responding to the discussion questions, an individual from each table presented the highlights of their discussion back to the entire group.

Findings

The major findings and recommendations of the session were:

Core of problem:

- Number of refugee claimants in Calgary is growing at increasing rates due to world economy, Alberta advantage and expansion of Temporary Foreign Worker Program
- No coordinated community plan exists
- Claimants not informed of support structures
- No coordination of resources and information between the local support agencies
- Agency resources and administration are overwhelmed due to unforeseen increase in refugee claimant numbers (750% increase in 3 years)
- Refugee claimants can have no legal status for up to 18 months (current projection)
- A high sense of frustration from all stake holder groups
- Need to provide necessities to claimants for this gap period. Need not only felt by claimants but for service providers at all levels.
- Language barriers and lack of interpreters exacerbate problems
- Local image: 60% of these claimants will be successful in becoming new Canadians; how they are treated reflects on us, our espoused commitments and agreements
- Need to continue dialogue between agencies of stakeholders in the Calgary area for awareness, coordination and efficiency

Recommendations:

- Create a unified voice for stakeholders to lobby on behalf of claimants
- Examine existing community action plans from other communities with similar challenges, Montreal, Toronto and Vancouver to find current practices and evolve a plan to deal with Calgary specific needs
- Provide refugee claimants and service providers with coordinated information and understanding of issues and resources in this scope
- Examine systems in Calgary to find synergies and efficiencies in supporting refugee claimants' needs
- Provide a forum for discussion between all stakeholders
- Through the Immigrant Sector Council of Calgary, form a community action team to work on these recommendations

Moving forward

The formation of an ad hoc community action team developed under the auspice of the ISCC was agreed upon, and the initial membership of this team was formed. The team will initially consist of the following members, who were in attendance:

Cheryl Blunden- Legal Aid Alberta

Rob Bray - Calgary Catholic Immigration Society/ Canadian Council for Refugees

Fariborz Brijandian- Calgary Catholic Immigration Society

Doug Chudleigh - Human-Core Developments Inc

Victoria Coffin - Coffin Law

Victor Lantion – Centre for Newcomers

Katelyn Lucas – Inn from the Cold

The purpose of this team will be to 1) Identify resources and services for refugee claimants in the Calgary area, 2) Develop a coordinated community action plan for refugee claimants in the Calgary area, 3) Develop a communication plan to inform all stakeholders of the committees outcomes, 4) Address other issues that may arise from awareness caused through examination and analysis of the current context and issues, and 5) Set its own charter: mission, vision, structure, boundaries and schedule.

It is the expressed intention of the participants of this roundtable discussion that this team investigate the practices of other communities that have been dealing with substantial numbers of inland refugee claimants for a longer period of time in order to make use of the learnings and maximize the efficiency of this team. Work done by agencies such as the Canadian Red Cross (2008), Vancouver Refugee Services Alliance (2006), and the Canadian Council for Refugees (2009), in addition to the services already being provided by immigrant serving agencies in the Calgary area, should be examined. Through awareness of the issues and current supports, and through analysis and synthesis of the recommendations, this team will develop and communicate a city-wide plan for serving the needs of inland refugee claimants in the Calgary area.

Summary

A pronounced increase in the volume of inland refugee claimants is occurring in Calgary. Due to this rapid increase, community organizations and government departments in Calgary have been overwhelmed in trying to supply the basic needs of these vulnerable people while their claims are being processed.

The ISCC conducted a roundtable discussion with government departments and non-profit stakeholders from the Calgary area to: 1) collaboratively examine the context and issues dealing with inland refugee claimants in the Calgary area, 2) identify current support systems and resources, and 3) develop a coordinated community response plan to support refugee claimants in the Calgary area.

This body identified the need to enhance support for claimants by developing a coordinated community action plan. To accomplish this task, stakeholders recommended the establishment of a community action team to develop and communicate the plan. Initial members of the team were selected and all participants were informed they would be kept up-to-date on the team's progress.

References

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Appendix A**KEY ISSUES**

1. The number of inland refugee claimants in Calgary has significantly increased, including the number of women, children and seniors making claims
2. The system for making a claim is complex and difficult to navigate (see flow chart)
3. Claimant families often speak no English and are dealing with traumatic experiences
4. Many refugee claimants are without shelter and food upon arrival and cannot afford accommodation
5. There are considerable delays in getting Alberta Works financial support, and claimants can experience utter destitution for a period of months
6. Calgary Catholic Immigration Society has limited amenities; homeless/women's shelters are inadequate for the unique circumstances of refugee claimants
7. Many health care providers are not familiar with Interim Federal Health (see Glossary) .
8. The IRB faces a backlog of approximately 60,000 people; it can take up to 18 months for a refugee claimant to get a hearing
9. Legal Aid in Alberta is sufficiently generous that virtually every claimant has competent counsel; however, if successful, they will be burdened with a large debt in the future to repay this support
10. It can take up to eight years, and an average of four to six years, for a refused claimant to be removed from Canada; in the meantime they are only entitled to one-month of income support from Alberta Works and cannot collect many supports (see below)
11. Claimants awaiting a hearing or decision are not eligible to receive many supports, including Calgary Housing, the Alberta Child Health Tax Credit, the Child Tax Credit, and Child Care Subsidy
12. Claimants who have been accepted as Protected Persons still face a prolonged wait to get Permanent Residence status; during this time they become entitled to the Child Tax Credit, but no other supports
13. Claimants making a Humanitarian and Compassionate Grounds Application (see Glossary) may compromise their application if they accept public support; not collecting support may put them and their families in very difficult financial situations (Immigrant Sector Council of Calgary, 2009a)

Appendix B

DISCUSSION QUESTIONS

1. A strong support system for refugee claimants is lacking in Calgary. What is at the core of this problem?
2. Reviewing the Key Issues document in your package, where does your organization tie into the issues impacting refugee claimants?
3. How has this issue affected your organization or community?
4. Could your organization do more to support refugee claimants? What? Are you currently working with other organizations to meet the needs of refugee claimants?
5. Where do you think refugee claimants need the most support?
6. What are some first steps to improve the support system for refugee claimants that are relatively achievable now?
7. What long-term strategies would improve the support system for refugee claimants?

(Immigrant Sector Council of Calgary, 2009a)

Appendix C

GLOSSARY

Refugee: According to the United Nations Convention relating to the Status of Refugees, a refugee is someone who has a well-founded fear of persecution due to their race, religion, nationality, political opinion or particular social group. Canada signed this Convention in 1969, agreeing not to deport or expel a person to a country where they will face persecution. Canada supplements the Convention by way of protecting those who are in danger of torture, risk of death, or cruel or unusual punishment.

Sponsored Refugee: Canada's Overseas Sponsorship Program selects refugees, primarily from refugee camps, and brings them to Canada. They are considered permanent residents upon their arrival and receive support from either the government or private groups.

Inland Refugee Claimant: Inland Refugee Claimants arrive in Canada or at a Canadian port-of-entry without sponsorship and claim to need protection. Upon completion of the claim process within Canada, successful claimants receive protected person status and may then apply to become permanent residents of Canada. Unsuccessful claimants are issued a removal order. Claimants are not eligible for a hearing if he or she:

- made a previous refugee claim in Canada
- has refugee status in another country
- arrived through a safe third country
- is inadmissible on certain security and criminality grounds

Immigration and Refugee Board (IRB): The IRB was created in 1989 to determine whether or not a refugee claimant should be granted protected person status. The IRB is a quasi-judicial tribunal made up of government appointed members who hear and make decisions on claims.

Pre-Removal Risk Assessment: If a claim is unsuccessful, the claimant can apply for a pre-removal risk assessment. If eligible, an officer will review the case and determine whether or not the claimant will face persecution, risk of torture, death, or cruelty or unusual punishment. If accepted, the claimant will receive protected person status and may remain in Canada and apply for permanent residency. If the claim is not accepted, the removal order will be placed into effect.

Humanitarian and Compassionate Grounds Application: At any time during the claim process, a claimant may apply for permanent residence on humanitarian and compassionate grounds. This is usually based on events that have occurred in Canada such

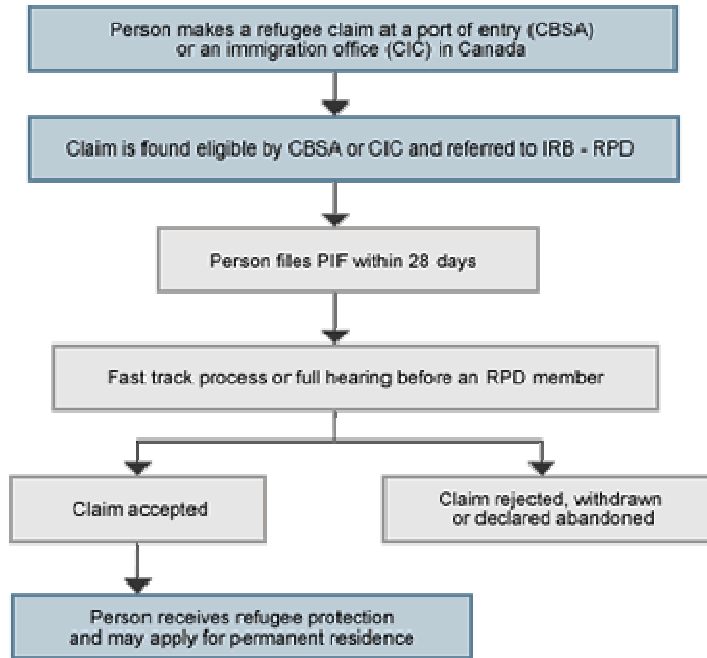
as marriage, children born and raised in Canada or long-lasting and sustaining links with their community.

Interim Federal Health (IFH): Provides temporary health insurance to refugees, protected persons and refugee claimants, as well as to their dependents, in Canada who are not yet covered by a provincial or territorial health insurance plan. IFH covers: only essential and emergency health services for the treatment and prevention of serious medical conditions and the treatment of emergency dental conditions; contraception, prenatal and obstetrical care; essential prescription medications; and costs related to the Immigration Medical Examination.

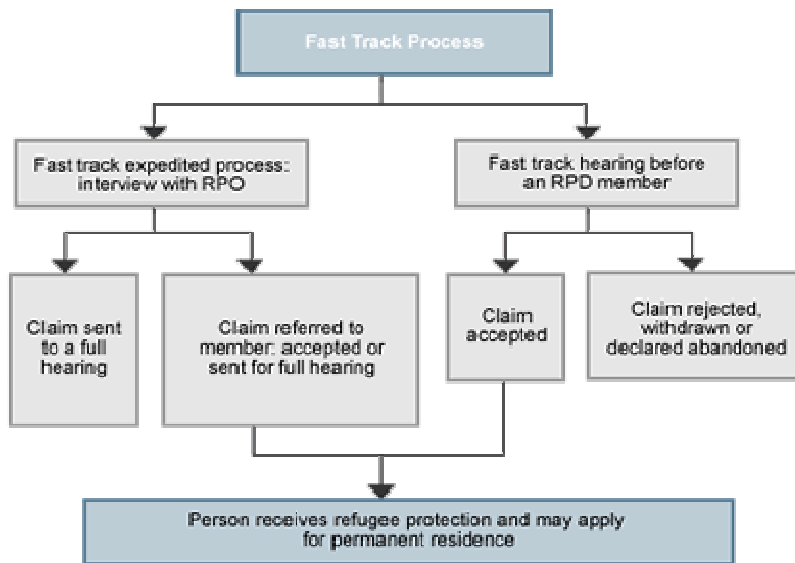
(Immigrant Sector Council of Calgary, 2009b)

Appendix D

Process for Making a Claim for Refugee Protection

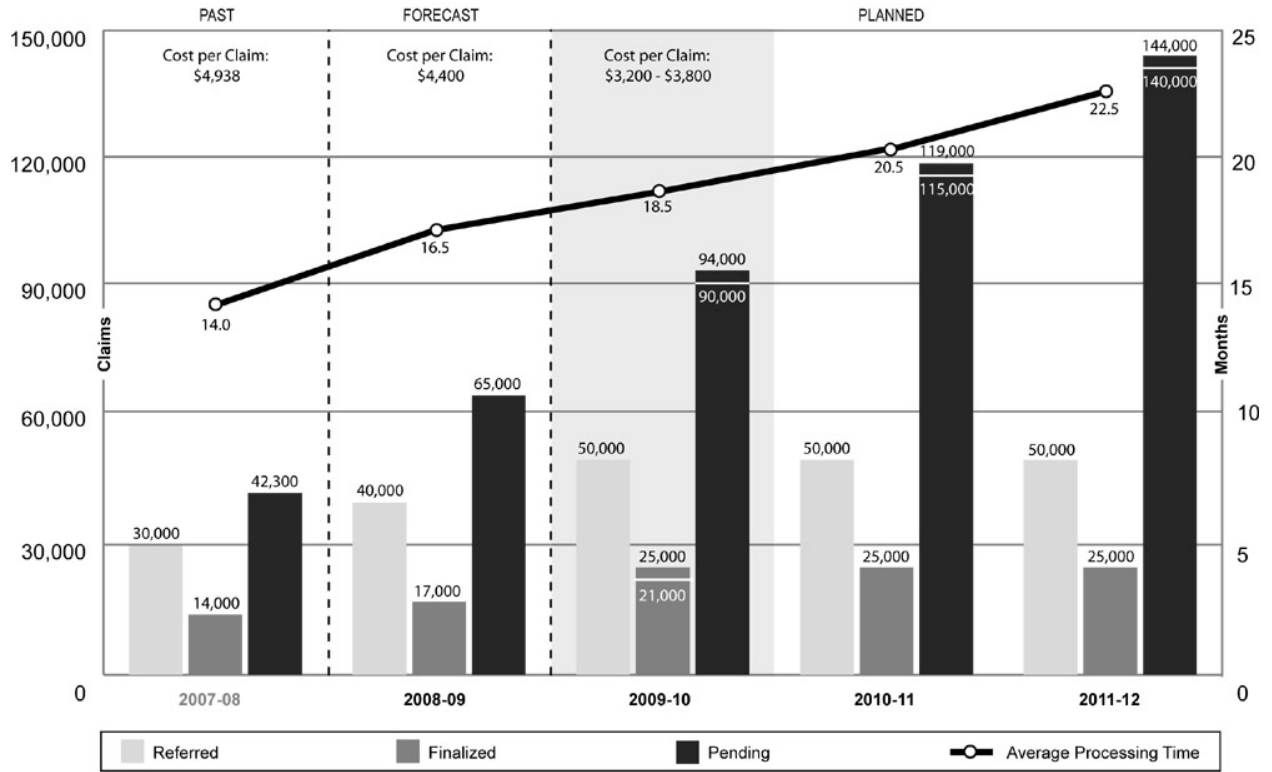


Fast-Track Expedited or Fast-Track Hearing Process



(Immigration and Refugee Board of Canada, 2009a)

Appendix E
Refugee Protection



(Immigration and Refugee Board of Canada, 2009b)