

A person is seen from behind, looking out a window at a scenic mountain landscape. The person's silhouette is dark against the lighter view outside. The landscape features rolling hills and mountains under a soft, hazy sky. The window frame is visible on the left and right sides of the view.

A Qualitative Look at Serious Legal Problems faced by Immigrants in Greater Victoria and Vancouver

Pathways to Prosperity - January 2022

“Canada, you need to feed my
soul, not just my eyes.”

The report is online available at:

<https://www.justice.gc.ca/eng/rp-pr/jr/ivvbc/index.html>



**Inter-Cultural
Association**
of Greater Victoria



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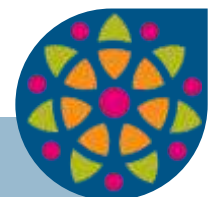


Land Acknowledgement

The *Inter-Cultural Association of Greater Victoria* is located on the traditional territories of the *WSÁNEĆ* and *Lək'wəḡən* speaking peoples.

As newcomers, settlers, and forcefully displaced people we are uninvited visitors on this land and we acknowledge with respect the Songhees, Esquimalt, Tsartlip, Tseycum, Tsawout, Pauquachin and T'sou-ke nations whose historical relationships with the land continue to this day.

We are grateful to live, work, and learn here, and we honour the Nations who have always cared for these lands, waters and air and continue to do so today.





The [Inter-Cultural Association of Greater Victoria \(ICA\)](#) offers services for immigrant and refugee newcomers, including settlement and integration services, translation and interpretation, English classes, mentoring, job search assistance and guidance, volunteer matching, and peer support.

We also provide outreach and education in the community through arts programming, the [Tools for Equity](#) training program, as well as community development workshops on anti-racism, diversity awareness, immigration, and human rights. The [Greater Victoria Local Immigration Partnership \(GVLIP\)](#) is a program of ICA. The GVLIP is a coalition of newcomers, community organizations, government agencies, institutions, businesses and business organizations focused on developing strategies for improving the participation, belonging, and inclusion of newcomers in Greater Victoria.



Vancouver & Victoria

- **Vancouver:** large metropolitan area on the mainland of British Columbia; 2.5 million residents, 41% of which are immigrants, most of which arrived from China; about 50% of residents in the Vancouver area are visible minorities (Statistics Canada, 2017).

10 participants were from Vancouver



- **Greater Victoria:** small urban core with rural margin on Vancouver Island; 360,000 residents, 18% of which are immigrants. Recently the top country of birth for immigrants has been the Philippines; about 14% of residents in Greater Victoria are visible minorities (Statistics Canada, 2017).

10 participants were from Victoria

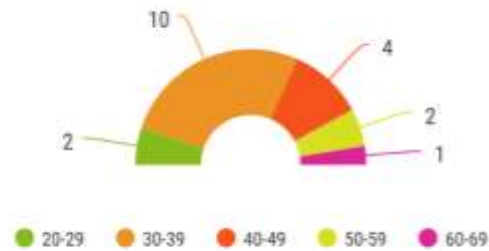


Demographic Profile of Participants

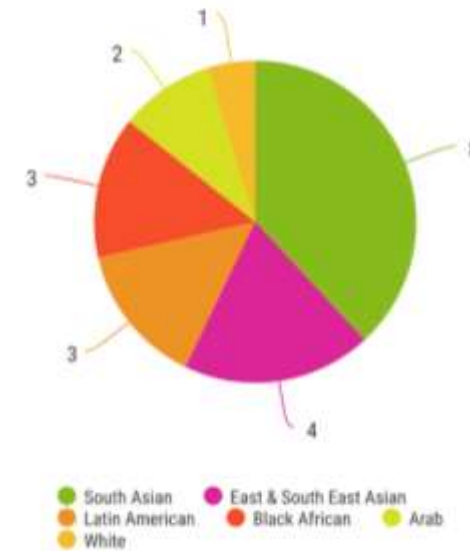
Gender



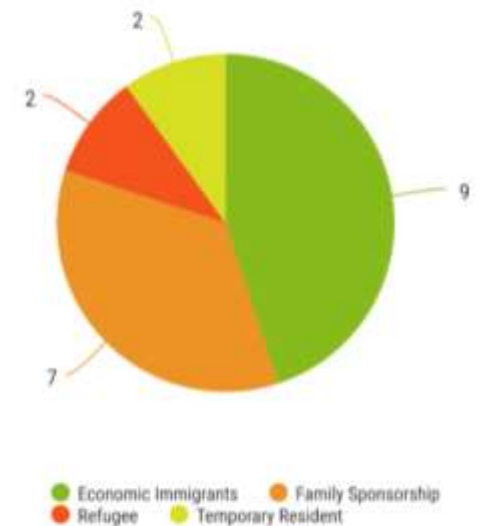
Age



Race



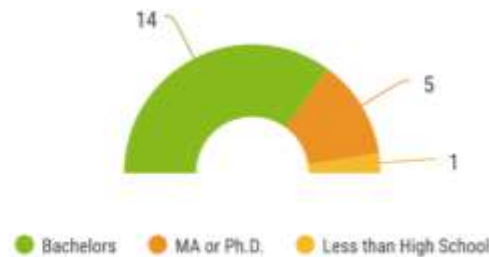
Immigration Category



Employment Status



Education



- 9 newcomers (0–5 years)
- 11 established immigrants (6+ years)



Types of Serious Legal Problems

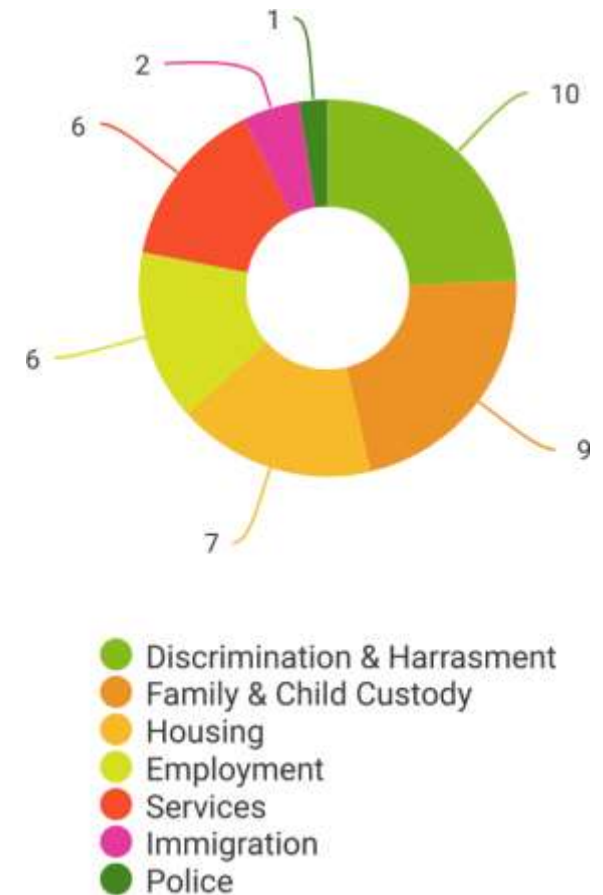
1. Discrimination (24%) & Bias

- In 60% of cases, discrimination concerns employment or housing.

“I feel that often I am only selected to increase the diversity ratio of their applicant pool, but never seriously considered for the job.”

- Discrimination is hard to prove, landlords and employers usually give other reasons for not giving the job or the house.
- Bias is described as a “latent bigotry” or as a subtle form of belittling:

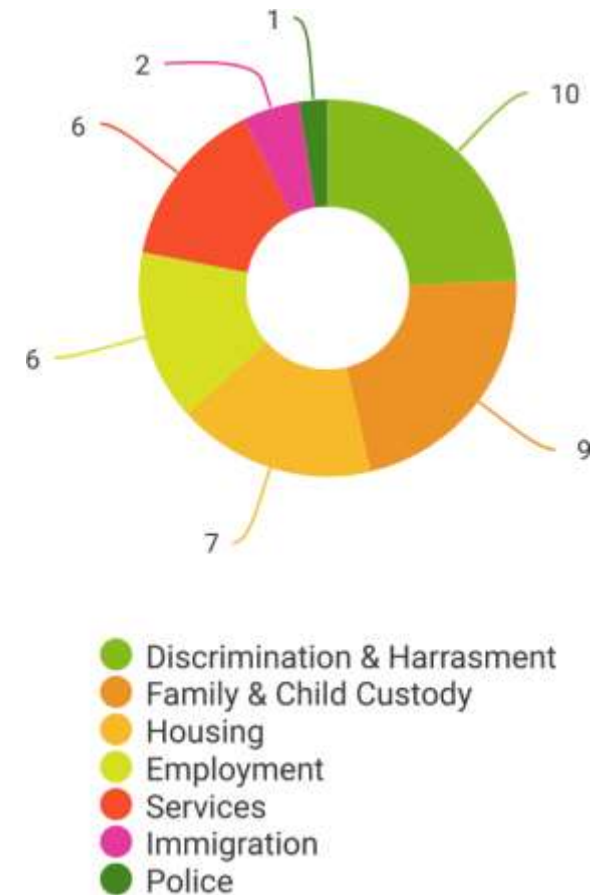
“Sometimes as immigrants we’re not very outspoken because of our language skills... but that does not mean that we don’t know anything.”



Types of Serious Legal Problems

2. Family-Related Problems (22%)

- Child custody and family issues were often complicated by other legal issues, such as losing access to a house, and losing jobs.
- Most of these are cases of profound loss: “I am losing all, to keep my child safe” said a mother who experienced food insecurity, housing insecurity, and trauma after escaping her situation.
- These kinds of cases with multiple layers of vulnerability, were by far the most complicated cases shared during this study. All of them, except one, went to court or are waiting for a court date in the future and most of them had legal aid.



Types of Serious Legal Problems

3. Housing Problems (17%)

- The majority of these cases happened in the first five years after arrival.

4. Employment-Related Problems (15%)

- Injury on the job or pay-related problems

5. Services and Government Assistance (15%)

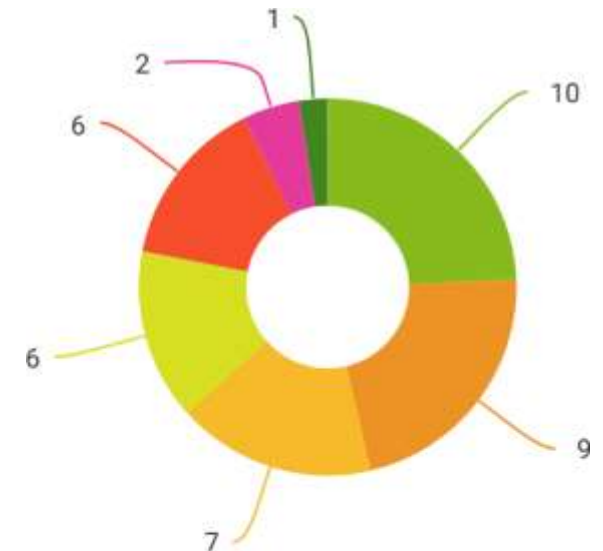
- Being denied a service or a service not being properly delivered

6. Immigration-Related Problems (5%)

- Access to information and online fraud

7. Police-Related Problems (2%)

- Involving a wellness check



Strategies for Resolving Legal problems

1. No response (28%)

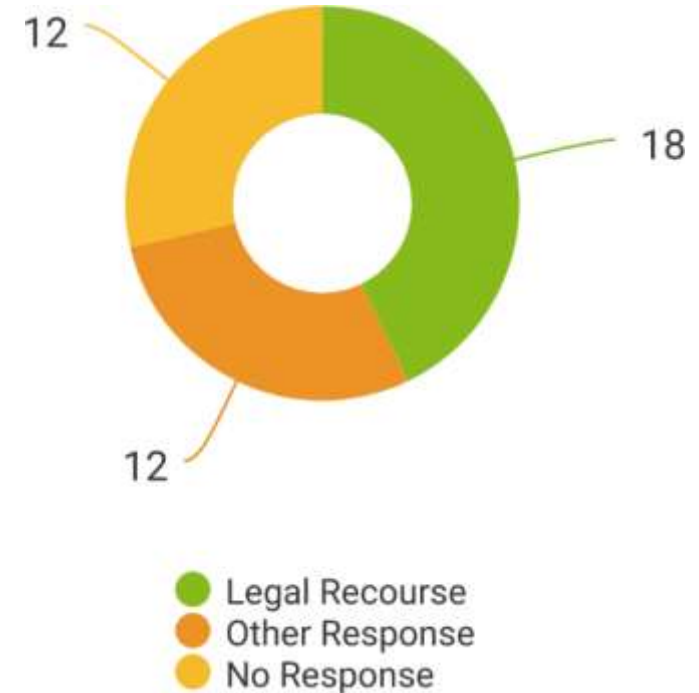
Discrimination was often not challenged because people needed to keep going, find jobs, look for housing. People worried about being perceived as trouble-makers. Only two of the 10 discrimination cases were pursued.

2. Legal recourse (43%)

In 78 % of the cases for which legal recourse was started, the issue was resolved.

3. Other responses (28%)

- Finding advice online
- Approaching personal networks
- Direct negotiation as an individual or as a group



“So, you know...all of us in the building got together...and we gave [the landlord] a call. And all of us spoke to him together on a conference call and he agreed to everything.”



Barriers to Justice

1. **Lack of information (90%).**
2. **Language and jargon on websites:** Many official government websites were not seen as helpful, professional advice given *in person or through email* was valuable and helpful.
3. **Time pressure** affected the ability to challenge an injustice: “I just need a job, I have no time to challenge this.”
4. **Cost:** participants were not able to hire lawyers other than through legal aid.
5. **Legal aid barriers:** Legal aid is perceived as slow, less experienced, with limited eligibility and hours available.
“The other lawyers...know how to eat up the hours...the other lawyers know how to play the game.”
6. **Perceived chance of success:** acting on a perceived injustice was simply not worth it:
“I have to be careful on which battles do I want to pick...I’m not sure when I’m going to get another job.”
7. **Fear of consequences:** many participants had a sense of powerlessness and being seen as trouble-makers. Some thought they might risk their ability to stay in Canada.
8. **Experiencing multiple complex problems** at the same time makes it harder to solve or settle them to satisfaction.



Health, Economic, and Social Impacts

1. **Health consequences:** 40% experienced serious health effects as a result of legal issues. Every participant described some level of being stressed, anxious, fearful, or sad.
1. **Economic consequences:** 85% reported some financial hardship in response to their legal problems: a loss of wages, assets like a house or lost savings, or a loss of being housed.
1. **Social consequences:** 75% felt that the legal problems affected their relationships with friends and their family. 50% reported feelings of isolation, saying:
“There are so many hoops and I am on my own,” and “after this problem I got to know that I don’t have anyone.”

Several participants expressed that it is difficult to quantify loss:

“it is unmeasurable,” and “it is stopping me from growing, from going or growing elsewhere.”

Connecting to community helps:
“We did not even know we could do something like this, we were kind of each other’s shrink and sounding board. We helped through everything.”



Six Trends

1. **Discrimination is an underlying problem** but few choose to challenge it. Discrimination affects both the development of the legal problem and the way the problem is arbitrated.
2. **The more complicated the legal issues, the more serious the consequences.** Women more often experienced multiple serious legal problems. Immigrant women of colour are at risk for housing and food insecurity in addition to experiencing health and social consequences.
3. **People who arrived as refugees and immigrants who entered Canada under the family category experienced more serious legal issues than economic immigrants.**

While arriving with somebody might make one less isolated (one's “**stronghold, the only person you got**”), having to rely on one other person creates extra risks if the relationship is abusive. Immigrant women are especially vulnerable to isolation in an abusive relationship.



Six Trends

4. Participants wish there was **better support for legal assistance** so that more people would be eligible, more hours would be available, and the process would be faster.
5. **Education levels are not a good predictor of being able to navigate legal issues in Canada.** Instead, participants requested:
 - better availability of experts and legal navigators
 - increasing the accessibility of information on government websites
 - better awareness of and access to community resources
6. **Legal problems during the first five years in Canada are more often related to finding and maintaining housing and employment.** Finding a sense of security through having a steady income, safe housing, and more time to spend on things that do not relate to one's basic survival, makes a great difference to one's ability to face a legal problem.



Concluding Thoughts: Community Connections

Challenge: Many participants turned to their personal networks or to online forums to discuss strategies for countering legal problems but peers do not always have correct information. In some cases, participants felt that these personal connections were all they could rely on because they were not aware that more reliable sources of information were accessible and available to them.

Benefit: Connecting with friends and peers in person (or on forums) often helped lessen feelings of isolation, of not being heard, and of powerlessness:

“everything is word of mouth...there are people who are just like me, so they told me about the process of filing this application, what are the stages, and what sort of documentation I will need...I was just browsing through forums...what’s happening, who got what sort of update?”

“Honestly, reaching out to my friends was the worst...I mean...your friends sometimes aren’t helpful with these issues because...they have different experiences”

“We did not even know we could do something like this...we helped through everything.”



Concluding Thoughts: Powerlessness & Strength

Powerlessness

Feelings of shame, self-doubt, inertia, hopelessness, vulnerability, worry, or powerlessness can stop someone from taking legal action and pursuing what is their right. Participants often felt powerless and not heard.

“So that thing is still oscillating,
where is my destination, where
am I going to finally settle?”
“It makes me feel less of myself.”

Strength

Their actions reflected a strong sense of strength and determination: trying to find one's way in a new country with a different and unfamiliar legal system while also taking care of family, finding jobs, finding housing, and keeping oneself and one's loved ones safe.

We need a similar type of determination on the side of people who have the power to create meaningful change – this would make it possible for immigrants to use their strength, determination, and courage for something much more rewarding: to create a good life for themselves and to help enrich the communities we live in.

“Don't give up just yet,
stay strong it takes a lot of effort
and courage to move here.
For the sake of that courage,
do not give up!”



Contact Information

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