



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Standing Committee on Citizenship and Immigration

CIMM • NUMBER 018 • 2nd SESSION • 41st PARLIAMENT

EVIDENCE

Tuesday, April 1, 2014

—
Chair

Mr. David Tilson

Standing Committee on Citizenship and Immigration

Tuesday, April 1, 2014

•(1535)

[English]

The Chair (Mr. David Tilson (Dufferin—Caledon, CPC)): Good afternoon. This is the Standing Committee on Citizenship and Immigration, meeting number 18, Tuesday, April 1, 2014. According to the orders of the day, we are studying a report on strengthening the protection of women in our immigration system. This meeting is televised.

As you know, or maybe you don't know, the bells are going to ring at 5:15, so we will cut short both the first and the second hour. The first hour will end at 4:20.

We have three witnesses.

Representing the Metro Toronto Chinese and Southeast Asian Legal Clinic, we have Ms. Go.

We have a professor from the University of Ottawa, Christine Strachle.

We have the president of the Muslim Canadian Congress, Mohammad Khan.

Good afternoon. You each have up to eight minutes to speak.

Mr. Khan, we will have you go first.

Mr. Mohammad Khan (President, Muslim Canadian Congress): Honourable members of the Standing Committee on Citizenship and Immigration, thank you for giving the Muslim Canadian Congress the opportunity to speak on a matter that affects many members of our community and has contributed to the rise of gender apartheid within many Muslim households.

We are deeply concerned that despite the advances made in ensuring gender equality in mainstream Canadian society, the values have not filtered down and at times have not been embraced by new Canadians who migrate here with deep-seated beliefs in the second-class status of women in society.

We are glad that your committee is looking into ways to rectify this situation. In view of this question, we have the following recommendations.

To ensure that sponsored spouses have the skills they need to succeed in Canada, it is imperative that they possess a working knowledge of one of Canada's official languages. It is our experience that spouses who arrive in Canada without the ability to speak either English or French find it very difficult to be productive members of society and therefore live at home at the mercy of their spouses.

In order to better prevent vulnerable women from being victimized by abusive sponsors, we recommend that each arriving spouse be properly debriefed as a new immigrant about their rights and duties, and about Canadian values. This would ideally be handled by government agencies. We strongly recommend that the government facilitate the creation of a volunteer network of second-generation Canadian women and not fall into the trap of creating NGOs or paid groups.

To ensure that vulnerable spouses are protected and have the skills they need to succeed independently, it is crucial that they have the necessary language skills, the social network, and a knowledge of their individual human rights.

If these prerequisites are not met, the task of protecting newly arrived spouses from abuse will become difficult.

With regard to forced marriages, forced marriage is a violation of fundamental rights and the right to self-determination. One of the under-reported tragedies of Canada's spousal sponsorship scheme is the issue of forced marriages of Canadian girls and young women by their parents, as was witnessed in the recent honour killing of Toronto's Shaher Bano Shahdady, who was murdered by her husband after being brought here following a forced marriage by her parents.

According to the report of the South Asian Legal Clinic of Ontario, which questioned 30 different social services agencies and found 219 cases of forced marriages between 2010 and 2012, parents, siblings, extended family, grandparents, and religious leaders were all involved in pushing individuals into forced marriage. In 66% of cases, there were cultural reasons, but honour, money, and immigration purposes were also behind some forced marriages.

Young girls are taken away from Canada by their parents under the excuse of a visit back home and are forced to marry cousins who are later sponsored to come to Canada. We recommend that in all such sponsorships, the young woman involved be interviewed in private and away from her parents or siblings to determine whether the marriage was forced on her against her will.

We recommend that forced marriage be considered a criminal offence for which the person responsible for such a conspiracy must face jail time.

•(1540)

The U.K. has established special units to provide a 24-hour hotline to the victims of forced marriages, and the UN has also taken initiatives to stop forced marriages.

On polygamy, we are concerned that despite polygamy being a criminal offence, it is gathering acceptance, mainly in Canada's Muslim community. The law is being blatantly ignored, with serious consequences for the second and in some cases third wives who come to Canada as maids and house workers.

Unless these men who are carrying out this medieval practice and flouting the law are brought to justice and convicted, this trend will gain strength and validation from the clerics in our mosques, who have already given their nod of approval to this horrendous practice.

Thank you.

The Chair: Thank you, Mr. Khan, for your presentation. After we hear from the other speakers, we'll probably have some questions for you.

Ms. Go, welcome. You, too, have up to eight minutes to make a presentation to the committee.

Ms. Avvy Yao-Yao Go (Clinic Director, Metro Toronto Chinese and Southeast Asian Legal Clinic): Thank you.

My name is Avvy Go. I'm the clinic director of the Metro Toronto Chinese and Southeast Asian Legal Clinic. We're a non-profit community organization that provides free legal services to low-income immigrants and refugees from the communities in Toronto.

We've been around since 1987, and over the 27 or so years, we have served tens of thousands of clients, many of whom are immigrant women, refugee women, and non-status women.

I would like to start by thanking the committee for giving me this opportunity to comment on this important issue as to how the government should strengthen the protection of women in our immigration system.

As mentioned in my written submission, I had the privilege of participating in a round table discussion that was hosted by Minister Alexander and Minister Leitch, so I'm somewhat familiar with some of the ideas they have proposed. I have only eight minutes to speak today, so I'm going to focus on just two of them. I will also add some recommendations of my own, which I would like you to consider.

I would like to start by giving an overview of the scope of the issue that we're talking about, which is violence against women in Canada. Obviously it's an issue that affects all women in Canada, whether they are Canadian-born or foreign-born.

Some of the stats I've cited—

The Chair: Ms. Go, if you could stick to new immigrants, we'd appreciate it.

Ms. Avvy Yao-Yao Go: Sure. I understand, but we need to understand the context in which violence against women happens.

The Chair: I know, but this is not a subject about violence against women; it's an issue of how we can help women who are moving to this country. I would appreciate your comments on that.

Ms. Avvy Yao-Yao Go: Yes, and to prevent violence from happening against these women. Right?

The Chair: Yes.

Ms. Avvy Yao-Yao Go: Violence is happening in Canada to all women, no matter if they are immigrants or if they are Canadian-

born, as some of the stats in my paper show, including the fact that every six days a woman in Canada is killed by her intimate partner.

The Chair: Ms. Go, I'm sorry, I want you to stick...

I appreciate your thoughts. They may be very valid, but what we're studying here is the issue of new immigrant women to Canada.

Ms. Avvy Yao-Yao Go: Right, and the study I'm quoting actually includes new immigrant women, as well.

The Chair: If you could stick to that, I'd appreciate it.

Ms. Avvy Yao-Yao Go: Yes, sure.

One of the studies I have included is a study from Statistics Canada which looked at measuring risks against women. They looked at aboriginal women, women who were born here, immigrant women, and women living in rural and urban areas. They found that education level and income have no bearing whatsoever on the risk faced by the women as to whether or not they will become victims of violence. They also found that actually immigrant women have a lower risk of facing violence. Of course, there is a debate as to why that may be the case, but those are the statistics that are in front of you.

Given that violence against women in Canada is a Canadian issue and that education level and income level have no bearing on the risk of whether violence will take place, I appreciate the concern about sponsored immigrant women, but I'm just not sure whether this is where the focus should be in terms of imposing language requirements or imposing income requirements on spousal sponsorship. In particular, imposing a financial requirement on spousal sponsorship is not going to stop violence from happening. Rather, it would just have a discriminatory impact on who can apply to sponsor a spouse. Only those who are rich enough will be able to sponsor a spouse, and those who are poor will not be able to do that.

As to the language requirement or the education requirement, again the study doesn't show that education level will have any impact whatsoever on whether violence will take place. Rather than helping women, probably this requirement would just simply mean that fewer women will be able to come to Canada under the spousal sponsorship program because they are not able to meet the language requirement. It also sends a wrong message as if somehow the women themselves are to be blamed because if they had more education, then perhaps they wouldn't be abused, or if they spoke English, perhaps they would not be abused when in fact it has nothing to do with whether or not the abuse would have taken place.

There are other viable options for the committee to consider, and I will just name some of them.

First of all, on the conditional permanent resident regulations that came into effect in October 2012, I'm sure the committee has heard others comment on this. It actually put the lives of sponsored women in danger. Notwithstanding the exemptions that exist for cases of abuse and neglect, the reality is that many women who are abused will still be forced to choose between coming forward and reporting the abuse or staying in the abusive relationship, so that should go. Repeal that requirement and that will reduce violence.

Second, many immigrant women experience isolation due to a lack of family support. Oftentimes, in my experience serving some of these clients, the only family member they have in Canada is the husband who sponsored them, and in some cases it is the husband who is abusing them. In order to reduce the isolation, I would suggest reducing or eliminating the LICO, low-income cutoff, requirement for sponsorship in cases where women are subject to abuse.

Third, we have also seen cases where women are being sponsored within Canada by the spouse under the inland spousal sponsorship program. A lot of times the sponsorship has been revoked by the husband or the sponsor when women went to the police to report abuse. In those cases, women can seek permanent residence status under agency application, but that is completely at the discretion of the immigration officer. Even though, in theory, officers are supposed to be sensitive to the issue of violence, we have seen cases where violence has been proven and yet the women are still being denied landing in those kinds of situations. I would recommend a special program be created to address these issues to allow these women to stay in Canada in those kinds of situations.

I also think that more funding should be provided to community organizations. I agree that education is important. Resources are important. Women need to know where they can get help, and if those services can be made available in the first language they speak, it will assist these women as well, so support and settlement services for immigrant women should be maintained and should be strengthened.

● (1545)

Finally, I also believe, and I agree with the ministers, that employment opportunities for immigrant women will also be one way of strengthening their resolve. Many of them, because they're racialized, face additional barriers in accessing employment.

Perhaps something the government could do is to strengthen the Employment Equity Act at the federal level, but also work with the provinces to make it easier for some of these women, immigrants in general, to get recognition for their foreign credentials.

In closing, we have many ways we can protect these women. It is important to protect women from violence by ensuring that these women have access to unconditional permanent residence status without fear of removal when they report abuse and by providing them with financial, social, and familial support when they find themselves victims of violence.

Thank you.

The Chair: Thank you, Ms. Go.

Professor Straehle, thank you for coming. You are last to speak. You do have up to eight minutes.

Prof. Christine Straehle (Professor, Faculty of Social Sciences, University of Ottawa, As an Individual): Thank you, Mr. Chair.

I'm a professor at the graduate school of public and international affairs at the University of Ottawa.

My comments today are based on my work on Canada's immigration system and its effect on women in general, and vulnerable women in particular.

The remit of the committee as formulated in the invitation I received is to, "Look at ways to ensure sponsored spouses have the skills they need to succeed in Canada; and to examine how to better prevent vulnerable women from being victimized by an abusive sponsor in Canada".

When looking at the situation of sponsored women in Canada, in particular those who fall under the provisions of the amendment to the Immigrant and Refugee Protection Act that stipulates conditional permanent residency for certain relationships, we have to distinguish three types of vulnerability to be able to articulate the measures necessary to protect women effectively.

The first kind of vulnerability is that of some women's lives in Canada. Many of your witnesses, including those who preceded me, so far have commented on the isolation and lack of integration many immigrant women experience, in particular those who lack language skills when coming to Canada. This vulnerability applies to women in forced marriages as much as it does to those women whose relationship status may be in question.

I believe it is fair to say that the NGOs invited so far, and no doubt those still come, have made a convincing case for the immediate measures that should be taken to address this specific kind of vulnerability. Such measures include access to immigration information in the language of origin, and ideally in the country of origin. They also include access to integration resources and skill development in Canada.

The second kind of vulnerability is that of women in general toward their sponsors. Here the fear is, as you have discussed before, that an abusive sponsor can exercise undue influence and power over a sponsored woman by threatening to cancel the sponsorship agreement. This situation is unrelated to the woman's language or professional skill level.

As one of your witnesses stated, educated women face this danger as much as those lacking in skills. The difference is, of course, that educated women will more likely have access to the kinds of resources that NGOs and the government provide to get out of abusive relationships. They will be able to report the abuse to the police, or find a network of support. Again, I refer here simply to the recommendations made so far to address this vulnerability.

The third kind of vulnerability is related to a woman's status as a permanent resident. This status may be put in jeopardy if the sponsor cancels the sponsorship agreement. This particular vulnerability is heightened by the fact that the onus lies on the woman to prove that, contrary to the sponsor's statement, the relationship was a bona fide one, or that the woman has been abused by the sponsor. If she's able to provide such proof, she will be entitled to the protection of the abuse clause in the conditional permanent residence amendment. She will be protected from being deported.

My concern is with this last kind of vulnerability. So far, many of your witnesses have underlined the difficulty of providing evidence of abuse, particularly, of course, if it is a case of psychological or financial abuse. Also, your witnesses from CIC and CBSA have testified that a lot of weight lies with the immigration officers who have to make a judgment call about whether or not abuse is actually taking place. I certainly believe that the officers in question will most often be sympathetic to the woman making the allegation of abuse; however, it remains that the burden of proof is on the individual woman.

Contrast this with the principles that have been adopted by the British forced marriage unit, FMU. This unit was put in place in 2005 to provide "practical support, information and advice to anyone who has been through or is at risk of a forced marriage."

It's worth noting that the FMU is a joint initiative between the foreign and Commonwealth office and the home office. The FMU relies on a network of civil society organizations in its work, much as is the case with CIC when dealing with cases of forced marriage here.

When interacting with a potential victim, the FMU follows three principles: first, the victim has the right to be believed; second, show empathy and give confidence; and third, place the victim at the heart of the process. These three principles are worth emulating in the Canadian context, not only for suspected victims of forced marriages but also for suspected victims of sponsor abuse.

• (1550)

There are three reasons that the burden of proof on the individual woman needs to be lightened, or ideally, abolished.

First, as a society we accept the principle that a suspect is innocent until found guilty. Yet the suggestion in cases of suspected abuse is that the sponsored woman has to prove her innocence, which is to say she has to prove she has been abused in order not to be penalized for leaving the sponsorship relationship, which is to say in order not to be deported.

Second, we need to enable women to apply for permanent resident status independently, if need be. I support the suggestion made by your earlier witness, Heather Neufeld. This is necessary to avoid the risk of women falling through the cracks of the system, since the humanitarian and compassionate route to access independent resident status is not likely to be successful for lack of evidence that the woman in question is well established and socially integrated in Canada. Again, recall here the accounts that you have received of the isolation many women experience.

In this instance, Canada should adopt a policy akin to the U.S. self-petition procedure under the Violence Against Women Act. This procedure allows immigrant women access to the labour market. I've provided a fact sheet to the clerk, in case there's a need for further information. Instead of making such headway into integrating women into Canada, we embroil women in lengthy procedures to prove that they have been abused and that they're innocent of violating Canadian immigration law and therefore should not be deported.

Finally, I believe that any immigration policy needs to keep in mind the issue of civic integration and social cohesion over time.

What signal are we sending as a community if we demand of an immigrant woman who aims to become a citizen of Canada that she has to prove her innocence to us to be allowed to join the social fabric? One of your earlier witnesses has warned of alienation of young people from immigrant backgrounds, but this is not the only alienation an undue burden of proof may generate.

Suspected victims of spousal abuse need to be given the benefit of the doubt of their innocence, and they need to be integrated into laws and policies that apply to Canadians, rather than being made to feel second class. The burden of proof that there was an attempt to circumvent Canadian immigration law needs to lie with CIC and CBSA.

Thank you.

• (1555)

The Chair: Thank you.

Those were excellent presentations from all three of you.

We have Mr. Leung as the first questioner. You have seven minutes.

Mr. Chungsen Leung (Willowdale, CPC): Thank you, witnesses, for appearing before us.

In Canada, a fairly modern state that has embraced multiculturalism and diversity, we have to deal with issues that are rooted in different cultures, different mores, and perhaps even practices that are foreign to us. We need to approach this by considering how we blend our society so we are a very successful modern state of diversity that can accommodate all these issues. The reason I'm saying this as a preamble is that I want to get into this issue of forced marriage as well as arranged marriage. As you know, in many societies around the world outside of North America, arranged marriages are quite common.

Given all of these differences and that very often a marriage of a woman from an immigrant culture is outside the traditional North American religions, mores, and cultural practices, should we treat this as an excluded marriage in our immigration system, so we do not subject a woman to abuse?

Should raising the age of consent be one solution? I'd like to hear your comments with respect to whether the forced marriage unit as adopted by the U.K. would be a solution for us to consider.

Let's hear from you first, Mr. Khan.

Mr. Mohammad Khan: First of all we need to understand the different cultural practices taking place in different countries. Under that shelter many people use forced marriage, which is socially sanctioned in those societies.

Even recently a bill was passed in the Pakistan national assembly by the Council of Islamic Ideology that anyone can marry a woman who is seven years of age and up. This recommendation has been made by the Pakistan Council of Islamic Ideology. In defence of this recommendation they took the position that our prophet married seven- or nine-year-old A'ishah, so why can't we marry women of 12 or 16 years of age, and determining any age limit is not Islamic or is not rational according to them.

Similarly, polygamy is common there as well, as it is in most Arabic countries. They are already married with two or three wives when they move to Canada. First they pretend that they have one wife but when they come here, they use a different means to bring other wives to Canada as well. No one can challenge them under those religious practices, which are a violation of human rights and all that.

I agree that conditional permanent residence, which has been introduced here in Canada, is not empowering the woman. It is making women further vulnerable because it strengthens the sponsor. It's not strengthening the woman because the sponsor can revoke the sponsorship at any time.

I have come across a few cases where a woman is educated and the spouse was abusive and she tried to get out. The problem is that the social network they have around them is mostly the community social network. They end up at religious centres or community centres which misdirect and mislead them about cultural and religious variances in order to scare them from approaching any social assistance or any kind of assistance.

There should be education to brief the women about their rights, and permanent residence should not be revoked. It should not be conditional about the woman....

Also the cultural practices that are common in the different countries which are socially sanctioned there, such as honour killings and female genital mutilation, these are taking place here. Even in Canada some doctors are performing female genital mutilation.

We should take all these practices into consideration and try to encourage the woman so that she does not feel vulnerable. If she approaches anyone her permanent residence should not be cancelled.

• (1600)

Mr. Chungsen Leung: How can the immigration officers take a proactive step in determining whether it is a forced marriage or not before they even land on our shores?

Mr. Mohammad Khan: If the woman can be separately interviewed away from her ethnic community, where she can easily communicate without being in the presence of her siblings, or spouse, or anyone, that could be one way to determine whether it is a forced marriage or not.

Also, in the U.K. they have introduced a practice that a woman can carry a spoon in her underwear and when she passes through the radar scanner, it starts buzzing. That would tell the immigration officers that the woman was taken from her country for forced marriage purposes.

There are different—

The Chair: We have to stop, Mr. Khan, and move on. I'm sorry.

Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP): Thank you to all of our witnesses who are here today.

Mr. Khan, I'm going to continue a little bit on what you just spoke about. I only have a very short time so I'm going to ask for brief answers.

You spoke of the conditional permanent residence—and I'd like all of our witnesses to respond. You said that conditional permanent residence makes the women more vulnerable. It doesn't actually help the situation for the immigrant women who are coming into this country under the spousal sponsorship program.

My question for all three of you is, do you recommend that it should be abolished, the conditional PR process?

• (1605)

Mr. Mohammad Khan: Yes.

Ms. Avvy Yao-Yao Go: Yes.

Prof. Christine Straehle: Yes.

Ms. Rathika Sitsabaiesan: So, all three of you. I just want to get on the record that all three of you just outright said that yes, the conditional PR should be abolished. Do any of you have anything you want to add?

Ms. Go, in the brief you sent in, you say that your organization believes that the proposals such as financial requirements to attack the issue of, of course, violence against women, "through the lens of immigration sponsorship while maybe well intended"—I'm reading from your brief actually—"is nevertheless wrong headed." You also mentioned that it has a discriminatory impact. Could you go further into detail as to why?

Professor Straehle, if you want, please add to it as well.

Ms. Avvy Yao-Yao Go: In terms of the discriminatory impact, you can look at it from two ways.

First of all, if there is an income requirement, it means that only those who will meet the income requirement will be able to sponsor their wife. Up to this point, the spousal sponsorship so far has not been subject to this requirement, I think because the Canadian government recognizes that spouses and dependent children are an integral part of our families, so they do not want to make a distinction between people who are rich enough to sponsor and those who are not. Having this become a requirement will have that impact on affecting some people who will no longer be able to sponsor.

The other side of this discriminatory impact is the language and education requirements. By and large, at least from the stats that I can see, the sponsored spouse, like those who are being sponsored to Canada, tend to be more women than men. I think with more and more people coming in as temporary foreign workers—different classes of labour, who then transition into permanent residents—I think you will see more and more men coming in than women. If they are then to sponsor the spouse, then women will still be the ones sponsored. It will be those women who will not be able to meet the requirement if they don't have the language and education requirements. It will be women who are being affected by those requirements.

In both ways, both the income requirement on the sponsor and the language and education requirements on the sponsored, it will have a discriminatory impact.

On the other hand, I think we could look at increasing the age of consent, the age of marriage. I think that people in general would agree that this is a good idea. The only thing I would say is that we certainly don't want forced marriages, but I don't know who will be the best person to make that decision about whether it is an arranged marriage or a forced marriage and what kind of training the immigration officer will need to be able to distinguish between the two. I think that's something we will need to consider.

Ms. Rathika Sitsabaiesan: Professor Straehle.

Prof. Christine Straehle: Yes, I would just like to add one point concerning the conditional residency requirement, which is that in your questioning of the people from CIC, what struck me when reading the evidence was that David Manicom said that if it's a question of deterring marriage of convenience, marriage of convenience isn't supposed to come into Canada.

He was quite clear that it is the task of the immigration officer in the visa offices to actually look at the documentation and find whether or not a sponsorship application is based on a marriage of convenience. He didn't deny there may be some cases that come in, but as he said, it's very difficult to have any statistics on this.

I think that the problem with the conditional permanent residency is that it ultimately creates a two-class system of permanent residents. Again, as I said, civic integration and social cohesion is one of the concerns that Canada will have to face. Canada has done very well until now in this domain, but we don't know if this is going to be the case.

Finally, just to follow up, I don't know if you're aware that the age of consent in Denmark is now 25 if a Danish citizen wants to marry somebody from outside the EU, which has created a lot of controversy but which the Danish government has imposed because of the concern about forced marriage.

• (1610)

Ms. Rathika Sitsabaiesan: If I remember, Ms. Straehle and Ms. Go, you both spoke about the financial requirements and the language and education requirements and how those are actually hindering women in their ability to be self-sustaining. We know that immigrant women who have been educated in Canada and can speak English also get violated and also are victims of violence in this country.

You spoke of the increased isolation of the women and the lack of integration because of some of the violence they go through. Do you want to expand on that a bit, please?

Ms. Avvy Yao-Yao Go: In our experience with respect to the isolation, we find that because they don't have a lot of family members in Canada, a lot of the time their family members are the spouse's family members or the spouse. That's the kind of isolation we see. That's why we think if there's a way of facilitating family sponsorship for those women who are victims of domestic violence, it will in fact allow them to have more family support.

I think having family support is important for someone who is being abused. If you at least have your siblings or your parents to go to, you can go to their house. You have someone to talk to. You have someone who is standing there with you by your side to facilitate

your fleeing the abuse, right? A lot of these women don't have any family member other than the spouse.

Ms. Rathika Sitsabaiesan: What else do you recommend?

The Chair: Thank you, Ms. Go.

I'm sorry, Ms. Sitsabaiesan. We'll have to move on to Mr. McCallum.

Hon. John McCallum (Markham—Unionville, Lib.): Welcome, all of you.

On this question of language test requirements for spouses, I made the point in the House on Wednesday that this was Orwellian and an unacceptable intrusion of government into the decisions of individuals on marriage. On Wednesday the minister didn't say much. On Thursday he said the government wouldn't do it. I think we can assume it's off the table unless he changes his mind. I didn't raise the subject of tests based on income or education, but I think that if he's ruled out language, one can assume that he has agreed that it's not the role of the state to dictate who one marries, except for issues of criminality or age.

On the question of the conditional permanent residence, I'm glad that all three of you have opposed this. The previous six witnesses—I asked all of them—all opposed it as well, so we're at nine out of nine, which is better than three out of three.

I think for me the big issue coming down in front of us is what we can do in a practical way about women being abused, and in an asymmetrical relationship, where the woman could be deported if she claims abuse or claims the marriage is not real or whatever. I think one idea is to get rid of this conditional permanent residence, because I think that puts power in the hands of the husband, shall we say.

The second thing is that I really liked your idea, Professor Straehle, of the forced marriage unit changing the terms of the onus on the person versus...not on the woman.

Last time, we also had a discussion about trying to expedite the process whereby a woman could become a landed immigrant if she was estranged from the marriage. I understand that right now the process is long and potentially expensive, and many of these women don't necessarily have the money, the resources, or the support to go through a lengthy process.

All of that is a bit of a preamble.

I'll start with Professor Straehle.

What do you think would be the primary tools that a government has in order to address this issue of asymmetrical power? Maybe that's the primary difference. You say that there is domestic abuse and there's immigrant abuse. Maybe the main difference is the asymmetrical power on the immigrant side, but not on the domestic side.

Prof. Christine Straehle: Thanks for the question.

Yes, I agree. I think it is problematic enough if a woman finds herself in an abusive relationship, but as I tried to make clear in my comments, I think it becomes even more problematic if their whole life in Canada is threatened because of the relationship and because of the vulnerability in the relationship. Anything we can do to address that is going to make a huge difference. This is why I think women should have independent access to the possibility of entering the labour force.

They also should be supported. But as many of your witnesses said, sometimes they deal with women who are so isolated they don't even know how to board a bus. There's a lot of work to be done.

I think this is exactly what we need to do. We need to give them the security of knowing that they are welcome in Canada, and if they want to become productive members of society, they should be allowed to do so, instead of their trying to prove that they are innocent and shouldn't be deported.

•(1615)

Hon. John McCallum: Ms. Go, are there ways to expedite this legal or bureaucratic process whereby a woman can achieve the right to permanent residence?

Ms. Avvy Yao-Yao Go: Let's say we get rid of conditional permanent residence. The women who are coming in as a sponsored spouse will be a permanent resident the minute they land, right? The only situation, I think, where a woman is in a spousal relationship and their status is conditional upon the marriage or somehow tied to the sponsor is when they're applying from within Canada. They are here under some kind of status, maybe as a visitor or a refugee, and their spouse, as a Canadian citizen or permanent resident, is sponsoring them. It's in those situations, I think, where they are the most vulnerable.

I think, yes, it's definitely facilitating the faster processing of these cases. But more importantly, when the sponsorship breaks down, don't automatically send the women back to wherever they come from. I guess somehow they still have the problem of proving that there is abuse. Unfortunately, I don't know if you can get around that. But if there are ways of showing that the sponsorship breaks down because of the abuse, then they should be landed, no matter what. I think that's where we see the system becoming problematic. Even where the women are able to prove there's abuse they are still being deported.

The Chair: Thank you.

Mr. Shory, you have a little under five minutes.

Mr. Devinder Shory (Calgary Northeast, CPC): Thank you, Mr. Chair.

Welcome to the witnesses. This chair is very tough, so I'd like short answers.

First I want to clarify one thing. In my riding office in Calgary Northeast, I have quite a few files dealing with this breach of spousal sponsorship. What that means is the sponsored spouse, in some of the cases, did not tell their sponsoring spouse that they got the visa and they were coming to Canada. I have some cases where they did not even land in the city where the sponsoring spouse lives. I have cases where they just waited for the permanent resident card. The moment that PR card was in their hands, within hours they left the

family. Those are the spousal sponsorship abuses. I believe that was the reason this conditional permanent residence provision was introduced, to counter those spousal abuses.

In my belief, I would say the elimination of this conditional permanent residence is not a true solution, because how would we deal with those files?

Mr. Khan, I would like you to make some comments on my question.

All of us know that many cultures have a history of arranged marriages. When we talk about these marriages of convenience, forced marriages, I want to stress that we are not referring to arranged marriages. We should be very careful not to stigmatize that.

Of course, some marriages of convenience do occur under the guise of arranged marriages. We know that. From the point of view of your organization, Mr. Khan, what can be done to stem the flow of fraudulent marriages without damaging the image of legitimate arranged marriages?

Mr. Mohammad Khan: First of all, I do understand there is a main culture of arranged marriages, which is common in India and Pakistan and the Southeast Asian region, so I do not call those arranged marriages forced marriages. What I'm referring to is forced marriages.

We have a lot of cases in the U.K., and it's the second or third immigrant generation living in the U.K. They are born there, and their parents are taking those girls back home and forcing them to marry, bringing along their brothers, sons, relatives, and others. There is no consent or understanding between husband and wife. They force the girl not to open her mouth until he gets the landed papers.

I'm not referring to those kinds of arranged marriages, but the forced marriages are a problem. Honour killing is a problem, and fraudulent marriages. I have come across some cases where, if I have three sons, I arrange the marriage. I bring my nieces.... But that's not a real marriage. Once they are here, they get the paper. They divorce them. Then those girls get married again and sponsor others. These kinds of things are happening.

The thing is if you impose conditional residency on the women, it makes women further vulnerable, because it makes them more dependent on the sponsor spouse. I don't think it's right to see—

•(1620)

The Chair: I'm sorry I had to cut you off, but there are time limits.

I want to thank the three of you for taking the time. I'm sorry we have to cut it short, but we're going to have to vote. On behalf of the committee, I thank you for coming and giving us your views on this very important subject.

We will suspend.

- _____ (Pause) _____
- _____

The Chair: I'm going to call the meeting to order.

One of our guests is not here.

We have with us Talat Muinuddin who is president of the Reh'ma Community Services here in Ottawa. Good afternoon to you. We have Shirin Mandani who is the executive director. Good afternoon to you, too.

All the way from Burnaby, British Columbia, we have Katie Rosenberger who is the manager of counselling services of the DIVERSEcity Community Resources Society. We also have Swarandee Virk who is a counsellor and she is with you.

Ms. Rosenberger, I'm going to let you go first. You have up to eight minutes.

•(1625)

Ms. Katie Rosenberger (Manager, Counselling Services, DIVERSEcity Community Resources Society): Good afternoon. My name is Katie Rosenberger and I'm presenting with my colleague Swarandee Virk. I'm the manager of counselling services at DIVERSEcity Community Resources Society and I'm an active member of the Network to Eliminate Violence in Relationships.

Swarandee is a counsellor for programs that address violence against women as well as children who witness the abuse.

We work primarily with immigrant families. I oversee all programs related to violence in relationships, which are facilitated by counsellors in our clients' first language.

The perspective that we will share today is through our work with clients from many countries, including India, Pakistan, Iran, Iraq, Syria, Colombia, Mexico, Korea, Vietnam, China, and Afghanistan. Our information is based primarily on client testimony of their experience, as well as our work with offenders in our court-mandated offender program.

I will speak to the issues as we see them. The issue of forced marriage still plays a dominant role in violent relationships. In many cases women report they are not aware of who they are marrying and many details remain unknown about their future spouses until after the marriage. In some cases women do not know that their spouses have issues, such as mental health concerns, alcoholism, anger issues, and financial debts. The women report that in some cases once the marriage has happened, their in-laws and spouse will keep secrets and ensure the woman's isolation to prevent her from leaving and accessing support.

Isolation can lead to the most severe cases of violence as the women have no support, no way of leaving the house, and have little to no understanding of the laws and supports available to them. Leaving the house or making a phone call can cause severe beatings. The very presence of the woman in the home is often unknown to neighbours.

This type of isolation is often done with the consent and participation of the spouse and his family, including the mother and sisters-in-law. Isolation may include being accompanied to all appointments, such as the doctor, grocery store, and even educational programming. These women will not be allowed to work nor will they have access to a phone. If they are working, it's often in the family business or within constant view of another family member.

There are also issues around adoption and forced marriage. Some women report that they were adopted from India or other countries at a young age, only to come to Canada to provide domestic services to the adopted family. Sometimes they are used for the purposes of marriage to enhance the family's status by marrying the young woman to someone wishing to be sponsored for monetary gain.

The marriage may end quickly and they are expected to remarry another man in order to sponsor him. The adopted child is required to marry as dictated by the adopting family. If these women disagree, their families in India are often threatened; the woman is humiliated and disowned by her village and extended family, so the option of returning is no longer there.

In most cases, women have little or no access to finances or banking. The women report that in some cases they are financially abused through debts and lines of credit taken out in their names and used for the abuser's benefit. In other cases, the spouse will put everything under his parent's name and show no income or property.

The women feel trapped as they have no means to support their children or themselves if they were to leave. Some women report that their abusers will have extramarital affairs on a continual basis. In some cases the women report that their abusers will have a common-law partner living in the home at the same time.

Some women report that their partners have additional relationships in their home country. The women report that their partner will maintain both marriages and abuse will occur when this notion is challenged and if the woman tries to leave.

Women report that once arriving in Canada, despite being educated in their country of origin, their spouses do not encourage them to pursue their education or career. These women report that they are encouraged to seek labour-related jobs or often are not even allowed to work. Many women become pregnant shortly after marriage or are forced to become pregnant in order to ensure a quick immigration process. Women who become pregnant feel trapped as they worry about their child's future and their own inability to care for the needs of their child.

Some women report that they are forced to work in menial conditions and then hand over their paycheques to the spouses. Some workers reported that they were at risk in the workplace for sexual harassment and abuse from their employers.

Women report being sexually assaulted by their employer, and due to financial constraint, shame, and lack of support from their spouse, they do not report the assault. Live-in caregivers have been reporting that they are being abused and sexually assaulted by their employers, but will not report the abuse or leave the home because they don't want to lose their job.

I will now turn to our recommendations.

•(1630)

Our experience with our clients is that they are not given the information they need when they arrive in Canada. To validate this feedback, we did a brief survey of our staff, who are mostly educated immigrant women, and learned that only 30% were given sufficient information regarding domestic violence when they arrived in Canada. Many clients are not aware of their rights and they do not have faith that their complaints will be taken seriously because of past experiences with police and law enforcement in their own countries. Although there are services, women with children or women in isolation are riddled with fear based on their past experiences and then the lies that are told to them by their spouses and the extended family. Finances and loss of parental rights are two of the most common concerns reported.

The other issue is that when violence is not extreme, and even sometimes when it is, some families do not want to be forcibly separated. Women will stay in an abusive marriage because they want the marriage to work. They want their spouse to stop the violence, but not to leave altogether. This is where there is some serious work that needs to be done, as supports that do currently exist are mostly there once an altercation has occurred.

Women will come to see us, Swarandeeep and others, for counselling on stopping the violence, their children will come for children who witness abuse counselling, or the men will come for court-ordered relationship violence prevention and counselling, which are all services that take place after the fact.

We do have a family counselling program for couples who wish to address the issues before they result in violence, but the funds are so limited and the wait-list is so long that many do not even make it for a session before the tensions take over, and then there's violence in the family. Wait-lists for services are causing a lack of trust among the community, as they've been told that there are options, that there are things they can do in order to seek help, but then they have to sit on a wait-list and indefinitely wait for it.

Our view is that prevention is the key to successfully reducing violence in all relationships. The difference is that our immigrant families sometimes do not share the Canadian value or cultural systems and don't know what constitutes violence or abuse in Canada. To many of our client offenders, their behaviour would not have been questioned in their home country, and they claim that had they known they were breaking Canadian law, they would not have abused their wives. That's the claim.

Many women feel that the abuse they face is normal and it is not something to share outside the home. We are nervous of challenging the cultures of newcomers to Canada to protect our own values of multiculturalism, but in that process we're not challenging the elements of newcomers' cultural values that must be challenged in order to protect women and children.

We believe there should be a mandatory service, such as workshops, training sessions, and counselling sessions, where all immigrants are expected to attend a compulsory orientation regarding the laws, the services, and their rights in Canada. This service could also involve screening or supportive services to

identify abused women prior to entry into Canada or once they arrive here.

The Chair: Ms. Rosenberger, I'm afraid your time has expired. Perhaps you could wind up, please, maybe move to the last—

Ms. Katie Rosenberger: I could. Let me just get to my last point then.

We recently completed a focus group to address why immigrant women do not reach out to the police. Some suggestions included that there be a centralized phone number, something similar to 911, that women can call to reach someone who can advocate for them. These women also suggested having insurance or mandatory contributions on a regular basis to an account from people who are sponsoring and that those women could have access to that money should there be a breakdown in the sponsorship.

I think we can leave it at that.

We thank you for allowing us to share our experience.

The Chair: Thank you for your presentation.

Our second speaker is from Espace féminin arabe. Khadija Darid is the director general. Thank you for coming. You have up to eight minutes to make a presentation.

[*Translation*]

Mrs. Khadija Darid (Director General, Espace féminin arabe): Thank you, Mr. Chair.

Good afternoon, ladies and gentlemen.

I represent Espace féminin arabe, an organization whose mission is the social and economic integration of immigrant women of Arab origin.

•(1635)

Our mandate is to support women from the Maghreb, the Near East and the Middle East, whatever their religion, be they Muslim, Christian or Jewish. We try to offer a space where women can talk and help each other out. Basically, we want to help women join the work force because we consider that depriving them of the possibility of working with dignity is an act of social violence against women.

The current statistics indicate a high rate of unemployment in the Arab community, at 33%. It seems to us that steps need to be taken urgently to counter this problem. Women of Arab origin are one of the two ethnocultural groups that have particular trouble finding employment because of direct discrimination. I'm referring here to Muslim Arabs and black persons. This is a conclusion taken from a study done by the Table de concertation des organismes au service des personnes réfugiées et immigrantes.

The discrimination against them takes the following forms: people refuse to accept the resumes of persons of Arab origin, or those of Islamic people; there are threats and negative comments about symbols of Islam, such as the headscarf, for instance; people are fired for having expressed a political opinion, most often on some issue regarding the Middle East, or for having refused to remove some article of clothing that is a visible sign of their religion.

And yet, when they arrive, the women are looking forward to the opportunities for social and economic advancement promised by Quebec society, a feeling that is reinforced by a society that promotes values of equality between men and women, democratic openness and multiculturalism. The ensuing frustration is very acute and they have a burning desire to have their own work. To deprive them of the opportunity to work and earn a living with dignity is a serious instance of violence against women.

Indeed, in the heading of my presentation I included a quote from Simone de Beauvoir, taken from her book *The Second Sex*: she says this: “It is through work that women have in large measure bridged the gap that separated them from men; only work can guarantee their concrete freedom.”

And yet, these women have work experience. Often they are criticized for their attitude regarding the workplace. They are considered docile and passive. Even when immigrant women, especially of Arab origin, have a job, a sort of sexual imagination means that they are perceived as sexual objects, even by people in the host society. They are considered docile and ignorant. They are victims of harassment from employers and colleagues. Even in mixed marriages, the immigrant man or woman, the spouse of a Canadian man or woman, is considered minor, and abused.

Moreover, intervenors generally do not understand the issues these women are dealing with. They make it their mission to liberate them, with a very feminist vision in mind, rather than working with them from an intercultural perspective. Women of Arab origin reject this perspective intervenors have, one that puts them in a miserable, abused light. They feel strong. They were often the ones who initiated immigration. They are independent and ambitious. They have real employment possibilities in some sectors, basically in the service and support fields. They have to meet the needs of their families, especially when their husband is looking for a job that corresponds to his training, because the women will often accept jobs that are more menial than the ones that their training and skills would qualify them for.

This leads them to experience the same difficulties that men do in integrating the workplace, and leads to a critical perspective on the intervention, and the same goes for men as well. Many intervenors adopt a negative representation of these women. To them, their unemployment is proof that they cannot adapt to the workplace, and they conclude that the women are responsible for the fact that they don't have jobs.

● (1640)

There is thus a considerable disconnect in the representation of the characteristics and needs of both the male and female clientele. This influences both the perception of these women who are looking for a job, and the explanations about their issues around joining the workforce; and one has to wonder about the relevance of the feminist

approach systematically adopted by intervenors, to the detriment of an intercultural approach. That approach adds to the discrimination against these women.

The government has to act quickly to put an end to this social violence toward Arab communities, and respond to the imminent labour shortage in this country.

I would also like to remind you that the unemployment rate in populations from Arab countries is 33%, whereas it is 40% among women from Arab countries. These are very high numbers.

Nor should we forget the consequences of unemployment and the non-employability of women. This causes family tensions and mental health problems. After the elderly, immigrant populations are the most affected by mental health issues.

The women from Arab countries are highly educated, as compared to the host society.

Moreover, there is family violence, but also social violence. I talked about social violence. We have to find ways of giving women back their dignity because that is where the solution lies. When they do not have an income, it is the spouse who holds all the economic power and can demand certain behaviours from them. There are some quite significant consequences on the health of these women and on their suffering. They come here with high hopes of living in a country where equality between men and women is a given. They think that they will be able to express themselves here and realize their potential freely and with dignity.

I am going to go from soup to nuts, and I apologize. I wonder about young veiled girls and young Hasidic Jewish boys who wear very visible religious symbols—conspicuous is the word that is very popular in Quebec right now. Would it be possible to prohibit wearing these religious symbols before the age of 16? Is that realistic? To my mind, this is equivalent to mistreating minors.

Thank you.

[*English*]

The Chair: Thank you.

Last but not least, we have Ms. Mandani who is going to give an eight-minute speech. Thank you for coming.

Ms. Shirin Mandani (Executive Director, Reh'ma Community Services): Mr. Chair, and honourable members of the committee, thank you for inviting us today.

We would like to focus on two aspects. We would like to highlight the common barriers faced by newcomer women, and I'm sure many witnesses have mentioned similar aspects, and present recommendations for protecting spousal sponsored women.

Reh'ma Community Services was established in 1999 to provide linguistically and culturally relevant services for seniors, women, and newcomers. Over the past decade, we have done many projects on domestic violence that inform our position for this submission. I will briefly mention specific areas that are relevant.

We have realized that to assist women to come out of domestic violence, it is equally important to empower them to become financially independent. Through our skills training program, Reh'ma Food Enterprises, a one-year certification program, we focused on culinary skills development and business management, enabling many women to break the barriers of employment and join the workforce.

However, we find there are continuous challenges which many of our clients face. These include language barriers. Women do not find employment because of language barriers. Most of our clients shared that ESL and LINC classes are not sufficient for employment. They fear using public transportation, which can restrict their mobility and access to resources and services, making them socially isolated. The language barrier brings greater dependency on their sponsors. Women with good spoken English interact well with others and have greater understanding about their rights and the services available.

In a foreign land without English, they may become vulnerable to abuse. We recommend that specialized English classes that are tailored to immigrants' vocations are needed. Publications, web-based portals, and a helpline number on reporting abuse and where to seek assistance should be in diverse languages. With the help of ethnic print and television media, women should be given information about their rights.

Next are economic barriers. Newcomer women find it difficult to get employment because of lack of accreditation and lack of Canadian education and work experience. The skills they come with are not enough or relevant to the labour market needs. Without employment, they are financially dependent on their sponsors. Women who have sponsored their husbands may face further vulnerability if their husbands leave them and seek social assistance.

We recommend that before their arrival, they be given information on skills and jobs that are in demand. We also recommend that after they arrive, they be given information and access to skills development programs that are in accord with labour market needs.

There are also settlement difficulties. Women find it very hard to settle down if they do not have a family or a support system. There is an ongoing need to give them relevant information and referral services. Newcomer women find it difficult to live in a legal limbo as they are often worried about their permanent residence status. Family separation brings several emotional problems.

We recommend that settlement funding for organizations should be reconsidered. Free access to legal services with interpretations should be available for them, and the focus should be towards family unification with less processing time.

I would like our president, Mrs. Talat Muinuddin, to brief the committee about cultural barriers.

• (1645)

Ms. Talat Muinuddin (President, Reh'ma Community Services): Mr. Chair, honourable members, thank you for this opportunity to appear before the committee today.

My submission will focus on the cultural barriers faced by immigrant women.

My family, along with community leaders from diverse cultures, established organizations to address the needs of new immigrants: Urban Alliance on Race Relations, Canadian Council of Muslim Women, International Development and Relief Foundation, Vision TV, Women's Intercultural Network, and Reh'ma Community Services.

At Reh'ma, our projects on domestic violence reach out to marginalized, isolated, impoverished immigrant women. We link them with services and community organizations. They initiate and design projects to inform men and women about Canadian laws and develop tools to prevent violence against women.

In every project, we emphasize community education by designing workshops, seminars, campaigns, and information sessions to bring awareness, self-help, and leadership. Our grassroots work informs us about cultural barriers, such as women are expected to maintain and uphold the honour of her and her husband's family; therefore, reporting family violence is perceived as disrespectful and shameful. Women are afraid to report to the police, as in their home country they distrust the police. Women fear deportation, and the abuser may threaten her with deportation in such cases. Women who are abused fear family alienation when they go back to their home country.

Women are unwilling to disobey or divorce their abusive husband because they believe marriages are for a lifetime, and patriarchy is always practised. Families or religious leaders instruct women to make every effort to be with their abusive husbands, whether it is in their best interests or not. Many women would rather suffer in silence instead of speaking up for their rights. We recommend that during both pre- and post-arrival, women should be made aware of their legal rights in the language they understand. They should be given helpline numbers of the agencies and shelters.

We recommend increasing cultural sensitivity training for police and service providers in dealing with women from diverse cultures. As an advocate for gender equity, equality, and empowerment of women, I believe a system needs to support and protect the rights of women who are in abusive situations. Let us not make the mistake of making abused new immigrant women suffer twice by causing them to become unintended victims of new regulations targeting spousal immigration.

I'm glad and thankful that the Government of Canada is taking measures to protect the rights of vulnerable women and not letting them be further abused by their sponsors.

• (1650)

The Chair: Thank you. I'm afraid we have to move on.

Mr. Opitz has some questions for all of you.

Mr. Ted Opitz (Etobicoke Centre, CPC): Thank you, Mr. Chair, and through you to our witnesses.

First of all, I want to read something from the “Discover Canada” guide. It's under the rights and responsibilities of Canadian citizenship, and the subheading is, “The Equality of Women and Men”. The guide states:

In Canada, men and women are equal under the law. Canada's openness and generosity do not extend to barbaric cultural practices that tolerate spousal abuse, “honour killings”, female genital mutilation, forced marriage or other gender-based violence. Those guilty of these crimes are severely punished under Canada's criminal laws.

This is something that has been put into all the guides that we have updated in most recent years, especially over the last three or four years.

Ms. Rosenberger, I tell you, you had steam coming out of my ears, but only because of what you said, not how you said it. The way you described these things at the beginning to me sounded very much like human trafficking, or a form of slavery. I didn't serve 33 years in the military to allow anybody to come to my shores and have to endure the conditions that may be worse than where they came from. To me, that is something that is intolerable, absolutely intolerable.

For example, since we just talked about the “Discover Canada” guide, do you have any suggestions on how it could be altered to reflect information that would help vulnerable women most? It's written down here already, but clearly it's not always reaching all the ears, or else it's concealed from the people who actually need to see it. If they don't speak English or French and are unable to understand what's there, they can't act on their rights.

Could I have your comments?

Ms. Katie Rosenberger: I think taking it one step further, what came to mind for me, when you just read that out, was the definition of spousal abuse. My perception of spousal abuse, as a born and bred Canadian, is different from somebody's perception of spousal abuse when they may come from a country where it is not considered abuse to hit your wife, or it is not considered abuse to use physical violence in order to discipline your children.

One of the suggestions that actually one of our team members came up with was why isn't there some sort of declaration out there? I said to them that there most likely is a declaration, but is it in the language that people can understand? It's not just the language of literal translation, verbatim; it's the language that defines what is spousal abuse. Can you physically take your hand and put it to another person's body?

That would be my suggestion as the first place to start on that.

•(1655)

Mr. Ted Opitz: Go ahead, Ms. Virk.

Ms. Swarandee Virk (Counsellor, DIVERSEcity Community Resources Society): Another thing, since you're talking about recommendations, is that when a woman comes here and is taken straight from the airport to the home, she does not access any settlement services. It's only when the abuse becomes extreme that the police get involved, and victims services gets involved, and she

gets to these services. These women come to us and tell us that they didn't even know these services existed.

We recently did a focus group at DIVERSEcity, where women told us that before you come to Canada, you know there's a 911 number, but when you go to access services at one place, you're given another number. There should be one centralized number, such as 222 or 333, where people know that this is where they can learn about the rights and laws in Canada.

Mr. Ted Opitz: I'm very short on time—we only get about seven minutes to ask questions—but you hit on a point. I was going to ask you about the 911 thing. I'm delighted you got into that.

If I heard you right just now, one of your suggestions is that, for example, if 911 is general emergencies, fire emergencies, violence, robberies, or whatever, perhaps a 222 number could be for spousal abuse or something like this. I think that's interesting.

Ms. Swarandee Virk: These are families who are coming here. People don't want to break up their families. There should be something where family or friends can say to them, “Hey, when we have problems, this is the number we call.” There should be a key advocate who will not take you straight to the police, but who will understand your problems.

Ms. Katie Rosenberger: That also helps to address the issues that many families face towards a lack of trust of the authorities. The stigma of calling 911 and having police come to the house with lights flashing and sirens blaring can be a massive deterrent for many of our clients.

Mr. Ted Opitz: Understood.

Ms. Swarandee Virk: Here we're talking about the preventive—

Mr. Ted Opitz: Ms. Virk, I'm going to stop you there. I'm short on time, and I want to give Ms. Mandani an opportunity.

Ms. Mandani, how do you reach out to women pre-arrival?

Ms. Shirin Mandani: I would suggest that at the embassy in their home country, when they are issued a visa, at that time they be given something in their language about their rights.

Also, any husbands who sponsor their spouse should be made aware at that time that when they bring a wife into Canada, they are supposed to abide by Canadian laws.

Mr. Ted Opitz: Ms. Darid, I'll ask you the same thing.

How would one reach out pre-arrival?

[Translation]

Mrs. Khadija Darid: There should be a Canadian guide that explains Canadian law to newcomers, and also lets them know what barbaric laws are not accepted in Canada. Newcomers, both men and women, should sign a document and be subject to deportation if they do not respect the rules.

Rather than simply offering language courses, community organizations should also offer information sessions to newcomers, both women and men, on the equality between men and women in Canada. Community organizations should inform them that in Canada you cannot use excessive force on children, for instance.

[English]

The Chair: Do you have a closing statement, Mr. Opitz?

Mr. Ted Opitz: Sure.

Absolutely, I think the rights and responsibilities have to be respected.

Ms. Rosenberger, I have just one last question for you regarding defining and allowing women to understand what their rights are. Would you agree there might be a program to fully brief them upon arrival without any family members around?

Ms. Katie Rosenberger: Yes, most definitely. That is something we would like to see happen, some sort of mandatory training on the rights and responsibilities of individuals in Canada as Canadians. That would be something put in place in order to even obtain a permanent resident card. You couldn't do it until you had some sort of training on the laws and rights and responsibilities of people here in Canada.

• (1700)

The Chair: Thank you.

Mr. Sandhu.

Mr. Jasbir Sandhu (Surrey North, NDP): Thank you to all the witnesses, in particular Ms. Rosenberger and Ms. Virk.

I know about DIVERSEcity. I'm from Surrey, and they provide numerous services to new immigrants in our community, so thank you for doing all that work. I know you work very hard with the limited resources you have to provide that service.

I have some questions, and I'll start with DIVERSEcity.

What impact does having to wait two years to get their permanent residency have on women? Does that increase risks of violence, or does it decrease risks of violence if they have to wait in that relationship?

Ms. Swarandeeep Virk: The conditional permanent residence for the spousal sponsorship—is that the question?

Mr. Jasbir Sandhu: That's the question.

Ms. Swarandeeep Virk: It's the same thing, however the information is given to the woman that these are her rights and responsibilities. If abuse is there, this will not be enforced on them. There is a lack of trust, because the PR card and their status are so important to them. They feel that when they go out this abuse will go out, and then they will report it and they will be deported.

Mr. Jasbir Sandhu: Ms. Mandani, I have the same question for you.

Does this increase the risk to women in violent relationships or does it decrease it?

Ms. Shirin Mandani: There has not necessarily been any evidence-based research conducted to say how many cases of sponsored spouses being abused, being victims of violence, have

been reported. However, it makes the position of women weaker and there is not equality, and then a woman is always under the threat of being deported if she does not obey or listen to her husband.

Mr. Jasbir Sandhu: Ms. Darid.

[Translation]

Mrs. Khadija Darid: In fact, that is valid both for women and men who are being sponsored. There are cases of abuse in both instances.

Today I would like to give you the example of a problem we are currently trying to solve. There is an Algerian woman who was sponsored by a Canadian man. She settled here in Canada with her husband. Afterwards, the husband came to the realization that the Canadian mentality did not correspond to his wife's mentality. So they went on a so-called vacation to the woman's country. He took her papers, her passport and her permanent residency card, and left his wife in Algeria. For her part, she did everything she could to get back into Canada. There really are abuses. We have to find solutions so as not to create a category of second-tier citizens. Sponsored immigrants do not seem to have the same rights as those who have their permanent resident status.

[English]

Mr. Jasbir Sandhu: Ms. Rosenberger, I have a question for you.

Do you currently get federal funding for spousal abuse victims? Also, is that funding on a long-term basis, or is it on an ad hoc basis?

Ms. Katie Rosenberger: No, we don't receive any federal funding for our spousal abuse counselling at this time. Our funding for our stopping the violence counselling is currently provincial.

Mr. Jasbir Sandhu: Would you like more funding from the federal government or more programs to help address this issue?

Voices: Oh, oh!

Ms. Katie Rosenberger: Oh my goodness, yes sir, I would.

One of the stories that stands out the most for me is we run the relationship violence prevention program. This is a program where men who offend are mandated through the court system to come for a 17-week counselling program. This program has a really low recidivism rate and has been very, very successful, and it's something that we would definitely like to see pursued further.

However, it has a massive wait-list. At this time, I have 54 men sitting on the wait-list for my April program. Now, this past summer we had a man who was sitting on that wait-list, and unfortunately he murdered his wife in a basement suite in Surrey and then took his own life. It wasn't until we got around to attacking that wait-list that we saw that, yes, he in fact was the gentleman who had been involved in that murder-suicide.

These are the things we're starting to see. It's scary, and we're doing everything we can with the little funding that we have, but it's few and far between. We're having to scrape for every cent we get.

Mr. Jasbir Sandhu: We've also heard in this committee, and I've had numerous conversations with other organizations.... We talk about credentialing, the ability of immigrant men and women coming to this country to transfer their skills into what is considered to be equal to Canadian standards. Is that a difficulty? Does it diminish their ability to integrate into Canadian society? Is that something the government should be working on to help immigrant women?

• (1705)

Ms. Shirin Mandani: Yes, definitely I agree, because we have many, many cases where after four years, five years, they are not even able to find employment. Forget underemployment; they are not able to find the jobs. That creates significant mental health issues. In fact, a lot of tax dollars go towards their health. If you do not give them employment, then there is an increase in their mental health issues. Then what are you doing? You are trying to spend more money to address the mental health issues. That's why it's imperative and very important that accreditation be considered.

Mr. Jasbir Sandhu: Ms. Darid, do you want to comment on that? [Translation]

Mrs. Khadija Darid: Indeed, diplomas obtained elsewhere are not recognized. I am from Quebec, personally. The studies I did elsewhere than in Quebec are not recognized at all. For someone to be hired, he or she must absolutely have Quebec experience. But when you arrive, you do not have any. In order to be able to acquire that Quebec experience, someone has to hire you first.

There are many professional associations in Quebec, and they are very protectionist, and apply a lot of policies in that regard. And yet, women in the Maghreb countries are encouraged to come to Quebec because they speak very good French; once they are here, they must also speak English in order to find a job.

[English]

The Chair: Thank you.

Mr. McCallum.

Hon. John McCallum: Thank you to all of the witnesses for being here.

I think that's about the best argument I've heard for federal funding: the person on the waiting list killed his wife and then himself. It's quite compelling.

I want to begin with a simple question I've asked all the other witnesses. In terms of this conditional permanent residence program, do you think it's a good thing or do you think it should be abolished?

May I ask each of you to respond quickly, starting with Ms. Rosenberger.

Ms. Katie Rosenberger: Sure. I'll let Ms. Virk answer that.

Ms. Swarandeep Virk: There are pros and cons—

Hon. John McCallum: No, no—

Ms. Swarandeep Virk: You want a yes or no?

Hon. John McCallum: Yes.

Ms. Swarandeep Virk: If I'm talking about women being abused, no.

Hon. John McCallum: No what?

Ms. Swarandeep Virk: If the women are being abused, no, it should not be there.

Hon. John McCallum: It should not be there.

Ms. Swarandeep Virk: Another thing is that when men are coming here and running away from the airports, then yes.

Hon. John McCallum: I'm sorry. I don't mean to rush you, but I have so little time that I want to get on to other things, yet I want to go through this because I have done it with other witnesses.

Do you think that program should stay or go?

Ms. Shirin Mandani: It should certainly go.

Hon. John McCallum: It should go.

[Translation]

What is your opinion, madam?

Mrs. Khadija Darid: Are you talking about a temporary resident visa?

Hon. John McCallum: People have to live together. I think the period in question is two years.

Mrs. Khadija Darid: That is the condition to grant them permanent residency?

Hon. John McCallum: Yes.

Mrs. Khadija Darid: That is quite a delicate situation. If you decide you do not want the other person around, it is easy to create conditions that will lead to their expulsion. So I think that matter has to be considered with great care. I would personally bring in more criteria, for instance mandatory training and information sessions that would have to be taken, somewhat comparable to a program of courses in school.

Hon. John McCallum: Okay. We have two “no's” and one “maybe”.

[English]

The point I really want to get at is that I agree with Mr. Opitz that the conditions of abuse you describe are horrendous. I'm not quite sure how common it is, but to the extent that it exists, it's terrible. I totally agree with Mr. Opitz.

That brings me to Ms. Mandani and Ms. Muinuddin. You put a lot of weight upon training and the teaching of skills. Now, if the women are living in the conditions they describe, they won't even be allowed to go out to learn those skills. It sounds as though they are living like slaves.

Is that an issue for you, that some of the women you want to teach finance and skills to are unable because of their family situation to take those lessons, or are they generally free to do so?

• (1710)

Ms. Shirin Mandani: We feel that there are cultural and language barriers, and there are employment issues as well. Definitely there have to be training programs relevant to the job market, because our goal is to get them financially independent.

Again there is a catch-22 situation, which is, if they do not have permanent resident status, then how do they work? How do they become financially independent?

Hon. John McCallum: But that's a different issue. I think we all agree—or at least I do, speaking for myself—that it's a good idea to teach them skills and financial independence, for all of the reasons you give. But if they are living in a state of near slavery, they might not be able to participate in that training.

My question is, is this an issue you confront with any frequency in your training programs, or is it not a major issue?

Ms. Shirin Mandani: It is an issue when culture plays a role, when women feel that the man is a breadwinner, that's an issue. Again, we can't say that all the women who are sponsored by their spouses are living in slavery. We will not make that statement. We have not seen that. There are pretty liberal husbands also, who believe in equality, so....

Hon. John McCallum: Okay. I certainly wasn't making that statement either.

Ms. Rosenberger, you paint such a dire picture. I'm wondering how common it is. Of the women you see, would there be a substantial proportion who would not be allowed to take training programs because their husbands don't let them? How bad is it, or how frequent is the badness?

Ms. Katie Rosenberger: Keep in mind that we're sharing with you experiences from our counselling programs, which are called stopping the violence and children who witness abuse. The only women we are seeing are the ones who have been through this process. We're not seeing those who are coming for language classes or those who are coming to our skills training centres. We have those services at DIVERSEcity, but in our department, what we see are the women and the families who are in crisis.

Among the experiences we share, this is quite common for our clients. As to whether it's the norm in these communities and cultures, I would say most definitely not. I agree that the majority of women and the majority of marriages are based on mutual respect and a mutual equality, but what we're looking at are those in which there is serious danger to the woman and she does not have the resources, the language, or the cultural understanding or cultural support to get herself out of that situation into either a transition house—

The Chair: Thank you, Ms. Rosenberger.

Hon. John McCallum: That provides me with some comfort.

Thank you.

The Chair: Thank you very much.

Mr. Daniel, assuming the bells are ringing at 5:15, you have until the bells ring.

Mr. Joe Daniel (Don Valley East, CPC): Thank you, Chair, and thank you, witnesses. I appreciate the opportunity to ask a few questions.

It seems to me that this whole situation is beyond just the questions we're asking. In many of these circumstances, it's culturally ingrained that you have polygamy, you have forced marriages, you have all of these things. So just to say that we have posted on the website or have given some paperwork saying that this is the case is not really going to crack the thing.

Are those who are forced into marriage situations really understanding their rights with respect to forced marriages, do you think?

Ms. Shirin Mandani: We haven't yet dealt with a forced marriage case, but I trust in the principle that there has to be an evidence-based study to find out how many cases there are of forced marriages, polygamy, marriage of convenience, marriage of fraud, all those cases, and do a policy analysis to determine whether, if conditional permanent residence is a blanket policy, it will cover all of that.

With this policy as well, there will still continue to be fraud, marriages of convenience. We had somebody saying, "If I go to India and get married, I will get X in dowry." There is also the dowry issue, which we know of.

Basically, we are saying that this blanket policy may not curtail or completely eradicate forced marriage or polygamy or all of those issues. It could be the policy that one person be eligible to sponsor only one spouse; that is a policy that could be looked into.

Mr. Joe Daniel: Madame Darid.

• (1715)

[*Translation*]

Mrs. Khadija Darid: I would like to come back to the matter of temporary residency.

In order to obtain Canadian citizenship you have to pass a test that among other things asks questions about Canadian history and geography. Why should we not also pass a test on Canadian culture and attitudes in order to obtain one's status as a resident? Both men and women would first have to take some mandatory training sessions.

According to me, it is very important that people understand the situation. If that training were obligatory, husbands who do not want their wives to leave the house would be forced to let them out so that they could come and take this training. Do not forget that parental violence is perpetuated by the children, who see and then follow these models, these examples.

[English]

Mr. Joe Daniel: But that really begs the question, is any of that going to affect them, given that these are some of their fundamental beliefs; given that they are already embracing these things as part of their culture and their religion, and we are now about to impose something that changes some of their fundamentals.

Does that make sense?

[Translation]

Mrs. Khadija Darid: To immigrate to another country is a choice and a privilege. One chooses another way of life, a new life and more open, broader horizons. There are also responsibilities that go with that choice. One of them is that you have to adapt. Believe me, immigrants who have had the courage to emigrate have enough strength of character to adapt. However, you have to give them the necessary tools.

I think that the community organization networks can accomplish a lot of things. Unfortunately, the financial support the federal government gives them to do so is not adequate.

[English]

Mr. Joe Daniel: You have raised the issue of tools.

This is a question for all of you, so hopefully you will get a few seconds to answer.

What tools can we ensure our officers have in their toolbox to identify cases of forced marriage?

Does anybody want to take it up first? Maybe DIVERSEcity, since you haven't spoken to me.

Ms. Katie Rosenberger: When you say officers, do you mean immigration officers?

Mr. Joe Daniel: Yes. How do they make an assessment to identify whether it's a forced marriage? One thing could be that if the person they're marrying is under age 16, it would suggest something like that. But are there any other things that you can think of that can help us with this?

Ms. Mandani.

Ms. Shirin Mandani: Well, the woman can be asked individually or interviewed by the officer asking whether she is being forced to get married.

Again, the age criterion should be that she be about 18 years of age, at a point at which she feels mature enough to speak.

Mr. Joe Daniel: Right.

The Chair: Let me say to all of the witnesses that unfortunately, all members are being summoned to the House to vote, so we're going to have to close the meeting.

On behalf of the committee, I want to tell you that your testimony has been very helpful to this committee in the preparation of its report. Thank you very much.

This meeting is adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>