**December 16, 2015**

**The Honourable John McCallum**

**Minister of Immigration, Refugees and Citizenship Canada**

**House of Commons**

**Ottawa, Ontario**

**K1A 0A6**

Re: A Call to Repeal Conditional Permanent Resident Status

Dear Hon. Minister McCallum,

We are writing as a network of community-based organizations, service providers, researchers and grassroots advocates who work with immigrants and refugees across Canada. We commend your commitment to repeal harmful immigration policies that were passed by the previous conservative government. In particular, we encourage the repeal of Conditional Permanent Residence status for newly sponsored spouses and partners. We also encourage a thorough examination of long application processing times for in-land and overseas sponsored spouses and partners. Both policy measures create vulnerability for sponsored persons where the relationship with the sponsor breaks down and can trap sponsored persons in situations of abuse or neglect, with ineffective support or recourse.

As you are aware, Conditional PR of sponsored spouses and partners ties many newly sponsored immigrants to their sponsors for a period of two years and may have long lasting impacts on an individual’s right to remain in Canada. Conditional PR disproportionately impacts racialized women, while contributing to a climate of xenophobia and exclusion. From 2012 to 2014, 28% of all sponsored spouses and partners received Conditional PR. This percentage is markedly higher for newly sponsored spouses from countries in the Middle East and South Asia where 54% of all spouses receive a conditional status.

While Conditional PR is an overt measure that creates uncertainty for sponsored spouses and partners, research conducted by the Migrant Mothers Project also noted continued hardships for people who are waiting for a sponsorship application to be approved. In recent years, the average processing time for applications submitted within Canada has increased, in some cases up to 27 months. We also found a troubling connection between long processing times for sponsored spouses in Muslim majority countries (e.g. Turkey, Tunisia, Azerbaijan, Algeria, Morocco, Albania) who must wait up to 48 months to have their applications processed AND are more likely to receive a condition when their permanent residence application is finally approved.

Advocates across Canada denounced the Conditional PR policy when it was first introduced in 2012. In October 2015, on the 3rd anniversary of the measure, the Canadian Council of Refugees reiterated their call to repeal the Conditional PR based on the detrimental impacts this measure has had on immigrants across Canada. Conditional PR is especially dangerous for women in domestic violence situations by reinforcing the ability of an abuser to exercise control over their spouse through immigration status. While an “Exception for Victims of Abuse and Neglect” is currently offered, research conducted by the Migrant Mothers Project indicates that this process has many flaws. Many women who are facing abuse encounter numerous barriers to accessing services. The threat of losing immigration status altogether forces these women to remain with their abusive partners out of fear of being deported from Canada.

To end the unnecessary hardship that is created by Conditional PR and address the vulnerability of sponsored spouses and partners in abusive relationships, we recommend the following:

(1) Repeal the Conditional PR measure and remove conditions that have been placed on all sponsored spouses and partners who have landed in Canada with conditions.

(2) Expand support for immigrant victims of abuse or neglect to secure their immigration status.

(3) Reduce processing times for in-land and overseas sponsored spouses/partners, especially for regions where the sponsored spouse/partner requires a visa to enter Canada.

(4) Extend work authorization to in-land sponsored spouses/partners while they wait for their applications to be processed.

We are confident that your appointment as the Minister of Immigration, Refugees and Citizenship Canada, will bring meaningful change to our immigration system.

We look forward to your support around this issue, and to hearing your response.

Harmy Mendoza, Co-Chair, Research Advisory Committee—Toronto

Marichu Antonio, Co-Chair, Research Advisory Committee—Calgary

Rupaleem Bhuyan, Principal Investigator

Migrant Mothers Project

University of Toronto

Statement Signed By:

Jennie Abell, Associate Professor, Faculty of Law, University of Ottawa

Salina Abji, University of Toronto

Margaret Alexander

Rona Amiri

Marichu Antonio, Executive Director, Ethno-Cultural Council of Calgary

Nawal Al-Busaidi, Program Manager, Child, Family & Youth, Thorncliffe Neighbourhood Office

Wendy Aujla, PhD Candidate, Department of Sociology, University of Alberta

Joanne Barnes, Agincourt Community Services Association

Amar Bhatia, Osgoode Hall Law School, York University

Gurbeen Bhasin

Rupaleem Bhuyan, Associate Professor, Faculty of Social Work, University of Toronto

Joanne Boley, Alberta Social Worker

Susan B. Boyd, Professor Emerita, Allard School of Law, UBC

David Brennan, Associate Professor Factor-Inwentash Faculty of Social Work University of Toronto

Natasha Brien, PhD Student, University of Toronto

Annie Bunting, York University, Tubman Institute

Yshmael Cabana, ANAKBAYAN Toronto

Fathima Cader, HIV & AIDS Legal Clinic Ontario

Bong Castro, Caregiver Connections Education and Support Group

Jen Castro

Gillian Calder, Faculty of Law, University of Victoria

Carina C David, UPCWS Friends

Maneesha Deckha, Associate Professor, University of Victoria Faculty of Law

Susan Drummond, Osgoode Hall Law School

Debbie Douglas, Executive Director, OCASI - Ontario Council of Agencies Serving Immigrants

Lisa Elford, University of Toronto

Shelley AM Gavigan, Osgoode Hall Law School, York University

Amanda Glasbeek, Associate Professor (Criminology), Dept of Social Science, York University

Kenzie Gordon, RSW

Monica Goulet, York University

Krittika Ghosh, Ontario Council of Agencies Service Immigrants

Isabel Grant, Professor, Allard School of Law

Anup Grewal, University of Toronto Scarborough

Ela Esra Gunad

Marlene Ham, Ontario Association of Interval & Transition Houses

Christine Hughes, Oxfam Canada

Martha Jackman, Faculty of Law, University of Ottawa

Daphne Jeyapal, Assistant Professor, Thompson Rivers University

Maya Johnston. Spouse of PR

Anita Khanna, Board Member, South Asian Legal Clinic of Ontario

Shalini Konanur, Executive Director, South Asian Legal Clinic of Ontario

Freya Kodar, Faculty of Law, University of Victoria

Anna Korteweg, Professor & Chair, Department of Sociology, University of Toronto Mississauga

Chantelle Krish, Associate Director, Communications and Advocacy, YWCA Metro Vancouver

Sritha Korapaty

Tara Kyluik, Odyssey Law Group, Immigration and Refugee Lawyers

Brenda Kwan, Calgary Legal Guidance

Lee Lakeman

Fion Lee, Executive Director, ASSIST Community Services Centre

Jenny Lin, Immigration & Refugee Counsellor, Arise, YWCA Toronto--A Turning Point for Women

John Liss, lawyer

Audrey Macklin, University of Toronto

Diana Majury, Professor Department of Law and Legal Studies, Carleton University, Ottawa

Deepa Mattoo

Jean McDonald, Executive Director, Maggie's - Toronto Sex Workers Action Project

Hurania Melgar, York University

Margarita Mendez, Executive Director, Nellie’s Women’s Hostels Inc.

Harmy Mendoza, Executive Director, WomanACT

Janet Mosher, Associate Professor, Osgoode Hall Law School

Mary Jane Mossman, Osgoode Hall Law School, York University

Keri Murray, Alberta Health Services Mental Health Clinician

Jennifer Nedelsky Professor of Law and Political Science, University of Toronto

Germaine Ngono, Transitional and Housing Support Worker, Oasis Centre des Femmes

Martha Ocampo

Obiora Okafor, York University

Grissel Orellana. Toronto Rape Crisis Centre Multicultural Women Against Rape

Esel Panlaqui

Dianne Pothier, Professor Emeritus, Schulich School,of Law at Dalhousie University

Lisa Philipps,Osgoode Hall Law School

Sherene H. Razack, Professor, Department of Social Justice Education, Ontario Institute for Studies in Education, University of Toronto

Lauren Pragg

Luz Elena Ramos, Multicultural Council of Windsor and Essex County

Denise Reaume, University of Toronto

Maya Roy, Executive Director, Newcomer Women's Services Toronto

Rakhi Ruparelia, Associate Professor, University of Ottawa Faculty of Law

Helen Rusich, Community Member

Geri Sadoway, Barrister and Solicitor, Senior Fellow Massey College, Adjunct Professor Osgoode Hall Law School

Izumi Sakamoto, Associate Professor, Factor-Inwentash Faculty of Social Work, University of Toronto

Christopher Sorio

Kari Schroeder, Odyssey Law Group, Immigration and Refugee Lawyers

Ken Shand, Social Worker

Mike Spence

Dayna Nadine Scott, Osgoode Hall Law School

Nadine Sookermany, Executive Director, Springtide Resources, Ending Gender-Based Violence

Jessica Templeman, PhD Candidate, Socio-Legal Studies, York University

Sharlene Tygesen, Executive Director, Ernestine's Shelter for Women

Lucinda Vandervort, Professor, College of Law, University of Saskatchewan

Jade Wallace, Willowdale Community Legal Services

Anna Willats, Assaulted Women's and Children's Counsellor/Advocate Program, George Brown College

Robyn Winograd, Jewish Family Service Calgary

Cynthia Wright, York University

Ernesta Wright, Outreach Worker in the Family Violence Field

Adriana Vargas, University of Toronto

Tamara Vukov, Université de Montréal

Alliance for South Asian AIDS Prevention (ASAAP)

Auberge Shalom pour Femmes, Women's Shelter, Montreal

BWSS Battered Women’s Support Services

Canadian Association of Muslim Women in Law

Caregiver Connections Education and Support Organization

Centre for Spanish Speaking Peoples

FCJ Refugee Centre

The Assaulted Women's and Children's Counsellor/Advocate Program, George Brown College

Rights of Non-Status Women Network (RNSWN)

Toronto Rape Crisis Centre Multicultural Women Against Rape

Vancouver Rape Relief & Women's Shelter

Le Parados inc, Women's Shelter, Montreal