

Written Submission for the Pre-Budget Consultations in Advance of the Upcoming Federal Budget by Colour of Poverty Colour of Change

1. List of Recommendations to Address Racial Inequality

Recommendation 1: That the government implement the following measures during the COVID-19 short-term response stage

- Mandate the collection of data disaggregated by race and other sociodemographic identities to better measure and understand the racial impact of government policies, programs, and practices in the labour market, economic inequality, and poverty; criminal justice system and access to justice; child welfare; environment; health and mental health; housing; social and cultural benefits; education; refugee protection, interdiction and immigration and citizenship; and media, social media, and mass communication.
- Work with provinces to legislate living wage for all low-waged essential workers, while strengthening workers' benefits and protections such as paid sick leave and benefits, paid personal emergency leave, and enhanced protection for workers who refuse to work in unsafe conditions.
- Do not implement penalties for the collection of CERB. The quasi-criminalization of CERB recipients will disproportionately impact racialized communities who are overrepresented in low-wage and service sector employment and have faced a disproportionate job loss.

Recommendation 2: That the government implement the following measures during the COVID-19 medium-term recovery stage

- Undertake a racial equity review of all COVID-19 emergency measures and end all civil liberties restrictions.
- Strengthen the federal Employment Equity Act and attach employment equity measures through community benefits agreements on all federal investment and recovery programs, to ensure racialized groups and other underrepresented groups have equitable access to any new jobs created.
- Mandate the provinces and territories ensure every student is supported to meet education requirements and their full learning potential.
- Fund efforts across Canada to address anti-Asian, anti-Black, and anti-Indigenous racism and discrimination.

Recommendation 3: That the government implement the following measures during COVID-19 long-term rebuilding stage

- Create an Anti-Racism Act for Canada that gives a legislative foundation for the Anti-Racism Secretariat, which will receive ongoing, sustainable funding and resourcing.

Ensure the Anti-Racism Act will name and address all forms of racism including anti-Asian racism, anti-Black racism, anti-Indigenous racism, and Islamophobia.

- Create a National Action Plan Against Racism to accompany the national Anti-Racism Strategy, containing concrete strategies with actionable goals, measurable targets, and timetables, and the necessary resource allocation that accompanies each strategy and action to address all forms of racism.
- Amend the federal Poverty Reduction Strategy to have specific focus and actions on alleviating disproportionate levels of poverty among racialized communities

2. List of Recommendations on Immigration Policy

Recommendation 4: That the government implement the following Short-term measures:

- Immediately remove all immigration status and minimum residency barriers to accessing income supports and other supports as well as benefits including CERB, the Canada Child Benefit, and Old Age Security.
- Release all immigration detainees held in provincial jails.
- End the use of tracking bracelets for immigration detainees.
- Immediately open the Canada-US border to asylum seekers and allow them to file a refugee claim.

Recommendation 5: That the government implement the following recovery and rebuild measures:

- Allow all residents with precarious immigration status in Canada to access permanent residence.
- Reset the economic immigration program in accordance with labour market needs and work deemed to be essential during the pandemic. Future immigration selection must include all occupations at all skills in the ten sectors in the National Strategy for Critical Infrastructure.
- Streamline the recognition of foreign credentials and experience.
- End all immigration detention, and pursue alternatives in situations where detention is judged to be necessary, consistent with respect for human rights and dignity.
- Open up settlement and integration services for all regardless of their status.
- Establish a fully resourced independent oversight body for Canada Border Service Agency.
- Amend Section 91 of IPRA to exempt non-profit settlement agencies and their employees from sanctions for providing free immigration services for their clients.
- Increase family class immigration to at least 35% of total annual immigration.
- Reinstate the parent and grandparent sponsorship program and remove the minimum necessary income criteria.
- Make all pilot programs (including programs for domestic violence survivors, caregivers, vulnerable workers, and undeclared family members) permanent while relaxing the rules for the agri-worker pilot program and expanding it to other workers and sectors.

- Repeal criminal inadmissibility in *IRPA* to remove double punishment, and amend the Quarantine Act to make sure temporary foreign workers are not penalized for their employers' failure to comply with quarantine measures.
- Do not appeal the Federal Court's decision regarding the Safe Third Country Agreement.
- Eliminate citizenship fees.

Submissions

Colour of Poverty – Colour of Change (COP-COC) is a community initiative based in the province of Ontario, Canada, made up of individuals and organizations working to build community-based capacity to address the growing racialization of poverty and the resulting increased levels of social exclusion and marginalization of racialized communities (both Indigenous Peoples and peoples of colour) across Ontario and Canada.

As is well documented the gap between rich and poor in Canada is widening generally, but what is much less well understood is that the impact of this growing gulf is being much more profoundly felt by racialized group members – both First Peoples and peoples of colour. The increasing “racialization” of all the major social and economic indicators can be gleaned not only from the statistics on income and wealth, but also from any one of a number of different measures – such as the increasing rate of incidence and ethno-racial differentials with respect to targeted policing, inequalities with respect to health status as well as learning outcomes, and the re-emergence of racialized residential enclaves. All of these are products of the growing social and economic exclusion of racialized groups from the so-called mainstream of society.

Racial Equality

COVID-19 has significantly increased and deepened racial inequities that have existed in Canada for generations. Economic, social, and health related responses by different orders of government have exposed structural and systemic disadvantage along racial lines, as well as the overpolicing and criminalization of Black and Indigenous people.

Governments in Canada have long refused to collect disaggregated race data in health, which made it virtually impossible to identify risk factors and populations, or to devise appropriate policy and practice remedies. The federal and various provincial and territorial governments have finally agreed to collect race-based health data, particularly on COVID-19 transmission, fatalities, and recoveries. Racialized health impacts of COVID-19 across Canada are yet to be fully determined. In Montreal and Toronto, the hardest hit neighbourhoods had the highest number of racialized residents as well as high levels of poverty and poor social and economic opportunities. As well, Indigenous peoples and peoples of colour continue to encounter systemic barriers in the health care system.

The pandemic exposed major racial inequalities in employment. Some of the highest mass outbreaks have been in sectors characterized by low-waged and often precarious jobs that employ a disproportionate number of racialized workers.

A significant number of aides and other support workers in the hard-hit long-term care facilities are racialized women. Years of chronic understaffing, lack of critical personal protective equipment, and generally unsafe working conditions essentially condemned these workers at the beginning of the COVID-19 outbreak.

Even worse, racialized workers with precarious immigration status - e.g., refugee claimants from Haiti who are employed in long-term care homes in Montreal, migrant agricultural workers from the Caribbean and Mexico, and meat plant workers from the Philippines - are subject to racism and treated with suspicion and hostility in the communities where they work and live.

Governments across Canada have also given themselves new powers under emergency measures, using public health reasons to surveil and police the public. Indigenous people and Black people in particular faced heightened risk of profiling, police surveillance, and street checks.

Almost all racialized communities have reported an increase in hate attacks against them. There has been a dramatic spike in anti-Asian racism, with Chinese Canadians reporting an escalation in racist attacks related to COVID-19, from physical and verbal assaults to bullying and racist graffiti.

Even before COVID-19, racialized residents experienced structural disadvantages and systemic racism in all levels of education. These disadvantages were further exposed as different jurisdictions across Canada turned to online learning as a viable education option. Indigenous students and students of colour who are overrepresented among the low income population are least able to access online learning or successfully navigate this type of learning format. The impact will likely be felt for decades as their education is further delayed and opportunities further restricted.

Immigration

The COVID-19 pandemic and response to it by all orders of government more clearly exposed the persistent and ever-deepening inequities and contradictions in Canada's immigration program. Most severely affected are people with precarious immigration status. The COVID-19 experience underlines the urgent need for a fundamental reset of Canada's immigration program.

Precarious immigration status elevated the hardships faced by low-income refugee claimants, migrant workers, international students and those without any resident status. Among these, people who are racialized, women, LGBTQI, and people with disabilities are most affected. They also became more vulnerable to exploitation and abuse, particular if they also have linguistic and literacy barriers.

Shockingly, CBSA quietly imposed electronic monitoring bracelets as a condition of release for some detainees without any consultation or review - an utter violation of detainees' human rights.

The Federal Court has ruled that the Safe Third Country Agreement with the US is unconstitutional. The Canadian Government should not appeal the court's decision.

The Canadian government's treatment of migrant workers during the pandemic is a complete debacle. Bowing to pressure from the agri-food lobby, Canada allowed employers to bring in seasonal agricultural and other food chain workers as essential workers as long as they followed self-isolation requirements. Post-quarantine workers are housed in unsanitary and crowded bunkhouses with severely limited access to water and sanitary facilities. They live and work in conditions that leave them unable to comply with physical distancing requirements; personal protective equipment is not provided by the employer or is inadequate, with the result that most serious outbreaks are found among migrant workers.

Refugee and immigrant settlement services are declared essential and allowed to operate conditional on observing safety guidelines. However federally funded settlement services continue to be restricted only to permanent residents and convention refugees. Prior to the emergency Immigration, Refugees and Citizenship (IRCC) representatives used Section 91 of the Immigration and Refugee Protection Act (IRPA) to threaten community agencies with sanctions if they provided immigration-related services, even though services were free and desperately needed by low-income refugees and migrants who could not afford paid services anywhere else. With the onset of COVID closures of government offices IRCC rely increasingly on community agencies to assist refugees, immigrants and migrants to address myriad needs, including immigration matters – contrary to their earlier position.

While not COVID related, the government had introduced a 'pause' in processing parents and grandparents sponsorship. The reopening is now delayed by COVID. Processing of permanent resident applications, renewal of work permits and study permits are slowed down. Refugee hearings and citizenship ceremonies are suspended. The slowdowns and suspensions have significantly affected people's ability to work or study, and access certain benefits. People with precarious immigration status have absolutely no access to government financial payments, social assistance or other benefits. This has left those working in the grey economy with no resources following loss of employment, and at risk of homelessness and worse.

There is also evidence of rising xenophobia and racism during the pandemic, with a call from certain quarters, for the closure of the border to immigrants and refugees.

To sum up, people with precarious immigration status are made invisible and left out of all pandemic-related relief measures which has put their health and well-being and the health of the community at large at great risk.

More than ever, Canada needs immigrants and migrant workers to help rebuild our economy and our country as we gradually recover from this crisis of the century.