

Title: (Dis)Advantages of Illegality: Exploring Uprootedness and Homelessness amongst Non-Status Migrants in Vancouver and Toronto

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Research Question:

Under what circumstances do refugee claimants shift between legal and illegal immigration status, and what effect does this shifting have on people’s vulnerability to homelessness? How do refugee claimants who may live “underground” before making a claim, or after receiving negative decisions as refugees or protected persons, manage to survive in two of Canada’s largest and most expensive cities?

Importance:

This working paper focuses on precarious status in Canada, its intersections with refugee protection, and the everyday survival of those living without immigration status. This research provides a snapshot of migrants’ experiences navigating Canada’s refugee determination system and the effects of transitioning into and out of legal status on people’s housing stability and well-being in Vancouver and Toronto, two of the country’s major ports of entry and centres of immigrant settlement. This study contributes to our understanding of hidden and visible homelessness amongst refugee claimants in Canada through the experiences of thirty-four claimants who had lived without status before making a refugee claim and/or after receiving a negative decision.

Research Findings:

Non-status migrants in Canada face both official and unofficial barriers to emergency welfare supports and programs. As a result, critical levels of destitution, homelessness, or poor health compel some of these migrants to access support by applying for asylum after entering Canada. In such cases, the refugee claim may be a pathway out of homelessness and a strategy to stabilise situations of dire poverty. This trajectory, from non-status to refugee claimant status, was also evident for migrants who were either reluctant to claim asylum on arrival in Canada or uneducated about their right to do so. In such cases, homelessness brought migrants face to face with settlement and other frontline workers who revealed inland refugee protection as a legitimate option. Migrants who were underground before making a refugee claim, or after receiving a negative decision, experienced a trajectory characterised by hidden homelessness intertwined with multiple episodes of absolute homelessness, including rough-sleeping. Immigration legal fees and application fees further influenced experiences of destitution, housing instability, and eviction.

Implications:

Research attention should be directed toward assessing the social, economic, and political effects of universal access to services in support of human dignity and human rights. In particular, the struggles and needs of mothers with children both in Canada and abroad, and intersections with the racialisation of statuslessness, require further academic and policy attention.