

Changes to the Citizenship Act and Implications for SPOs in Alberta

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Executive Summary

In 2017, Bill C-6 was passed by the Canadian Federal Government to implement changes to the *Citizenship Act*, modifying the requirements for citizenship. The following policy brief discusses key changes made to the *Citizenship Act*, and explores possible areas of impact regarding the work of Service Provider Organizations (SPOs) in Alberta. Recommendations include a call for SPOs to assess their organizational capacity, and engage in continuous monitoring and evaluation, in order to effectively assist newcomers in meeting citizenship requirements.

This brief aims to bridge the knowledge gap in the role of SPOs and the Alberta Association of Immigrant Serving Agencies' (AAISA) members in facilitating access to citizenship for newcomers. Moreover, it draws attention to the importance of conducting further research on the relationship between citizenship laws, settlement and integration supports, and newcomer success.

Introduction

The Canadian Federal Government recently formulated changes to the *Citizenship Act* through Bill C-6 that took effect in June and October 2017, and early 2018. These revisions largely fulfill a campaign promise that Prime Minister Justin Trudeau made to repeal provisions of Bill C-24.¹ One of the most noteworthy changes include reducing the amount of time applicants must be physically present in Canada before applying for citizenship. Modifications also included removing the requirement of applicants to declare their intention to live in Canada after receiving citizenship. Moreover, temporary residents and protected persons may now count each day they were in Canada prior to acquiring permanent residency, as half a day towards meeting the physical presence requirement.

Further changes include a revision of the age range requisite to meet language and knowledge requirements for citizenship. Previously the requirements applied for individuals between the ages of 14-64 years old, but now it only applies to individuals between the ages of 18-54 years old. Additional modifications to relaxing requirements for minors consists of easing the process for minors without a Canadian parent by removing the age requirement for citizenship, as well as allowing a person legally entitled to act on a minor's behalf apply for the minor's citizenship.²

The new legislative updates suggest a strategic decision to render citizenship more accessible to a larger group of eligible people,³ as well as upholding citizenship as an indicator of an immigrant's successful integration into Canadian society.⁴ While accessibility for citizenship increased, immigrant and refugee advocates lament that the recent changes do not fully address all concerns relating to citizenship barriers or building inclusive immigration policies. These concerns include but are not limited to high citizenship application fees remaining a significant barrier,⁵ inability to transfer citizenship to generations born abroad,⁶ and limited pathways to citizenship for certain visa holders, such as Temporary Foreign Workers (TFW).⁷

Understanding the recent *Citizenship Act* changes and their potential impact on SPOs' delivery of programs and services proves necessary in determining future decisions for an organization. Immigration status plays a significant role in an individual's level of access to settlement and integration services in Canada.⁸ Possession of citizenship entitles an individual to rights, representation, security, mobility, and access to certain job and educational opportunities otherwise not available.⁹ Thus, the acquisition of citizenship greatly empowers an individual to move forward economically, and socially through the provision of these economic, educational, and social mobility advantages. With greater access to citizenship, and therefore these benefits, SPOs would need to re-examine the most pressing needs of newcomers, and the potential impact a high influx of people accessing services would have on the organization.

Barriers to Accessing Citizenship

The recent modifications to the *Citizenship Act* address outstanding issues regarding eligibility and accessibility.¹⁰ However, significant citizenship barriers remain in terms of associated costs, and meeting language and knowledge requirements. For example, *the Globe and Mail* reported a substantive increase in failure rate (almost 50%) among Afghans in 2011 compared to in 2009 (21%), which is after the changes to the citizenship test were made (2010). This highlights the difficulty non-French and non-English speakers, and/or those unacquainted with Canadian history may face in obtaining citizenship.¹¹ In the provision of settlement and integration services, SPOs must recognize these barriers newcomers face to ensure their initiatives address pervasive challenges and issues newcomers encounter in both their settlement and citizenship processes.

Revisions in legislation affect different populations within the nation in varying manners, the *Citizenship Act*—while presenting an ease in bureaucratic processes— additionally creates challenges for certain communities. For example, the Canadian Language Benchmark (CLB) requirement for citizenship has not changed since 2012 (in which the CLB was raised from Level 3 to 4).¹² Therefore, individuals with minimal formal education and/or those whom struggle with literacy, continue to experience challenges with this barrier to citizenship. Moreover, language training is largely standardized, and therefore, may potentially overlook difference in learning styles— further impeding their ability to move forward in the settlement process.¹³

Refugees particularly face substantial barriers in their language and knowledge acquisition as they cope with severe trauma. In addition, they are faced with the burden of overcoming disadvantages such as, limited access to education while residing in refugee camps and the burden of paying off transportation loans.¹⁴ These disadvantages interfere with newcomers' language training which highly impacts their experience and overall success. Furthermore, AAISA's study on the *Albertan Syrian Refugee Resettlement Experience* uncovered that dimensions such as gender, sponsorship type, age, and language exposure, further complicate language acquisition.¹⁵ Recent statistics suggest that far more women than men have their citizenship applications rejected, indicating a prevalence of gender inequality.¹⁶ Therefore, removing gender-related barriers, such as lack of childcare opportunities, allows immigrant women to better access citizenship preparation classes.

As aforementioned, the financial implications regarding obtaining citizenship often present a significant hardship. Fees for processing visas, applications costs for citizenship, as well as costs associated with providing proof of language proficiency often prevent newcomers from applying for citizenship.¹⁷

Re-examining SPOs Role and Responsibilities

Language, financial hardship, and gendered barriers present only a few examples of challenges that newcomers may face in their access of settlement services to aid in their eligibility for citizenship. To fully support newcomers' changing needs, SPOs must examine if their priorities provide equal access to services that facilitate their clients' ability to meet requirements. Without addressing these barriers, inequities manifest and lead to the continued marginalization of Canada's newcomer population as citizenship presents opportunities for greater social mobility otherwise not available.

Citizenship Application Trends

While Canada has one of the highest naturalization rates,¹⁸ there has been a general decline in application numbers over the past years. This is a trend some attribute to the high cost of application fees.¹⁹ However, with the recent *Citizenship Act* changes, the number of applications is expected to increase (due to the expansion in eligibility criteria), marking a reversal from this trend.²⁰ Reducing the number of years applicants are required to be physically present in Canada from four out of six years to three out of five years prior to application, may enable those eligible for citizenship to apply earlier. Moreover, those previously falling within the age ranges of 14 to 17 years old or 55 to 64 years old, will now be exempt from the language and knowledge requirements, thereby facilitating a more attainable path to citizenship for more people.

According to Statistics Canada, "[o]ver the past 15 years, the share of recent immigrants in the Prairie provinces has more than doubled".²¹ Alberta has surpassed British Columbia as the third top destination for immigrants, hosting a greater share of new immigrants (17.1%) in 2016.²² With Canada pursuing ambitious immigration levels from 2018 to 2020,²³ one can reasonably expect that these levels will further impact the number of citizenship applications made in the near future and ultimately the work of SPOs in Alberta.

Re-assessing Organizational Capacity

The Minister of Immigration, Refugees and Citizenship Canada (IRCC), Ahmed Hussen, has stated that in anticipation of a rise in citizenship applications, resources will be in place to deal with this increase.²⁴ However, it is unclear whether he means resources will be allocated to settlement and integration SPOs. This uncertainty underscores the significance for SPOs to assess their organizational capacity as their provision of settlement and integration services are vital to the success of provincial and national immigration policies.²⁵ Since SPOs are largely dependent on government funding,²⁶ it is also critical that they conduct an organizational assessment to measure their ability to respond to any emerging needs.

A recent study that examined SPOs' perception of organizational capacity in the Western provinces, revealed they are facing challenges in areas such as funding, provision of services in English, French and other languages, staff expertise, strategic planning and community support mobilization.²⁷ A number of SPO participants in the study revealed the overall inability to invest in governance and strategic planning as daily demands restricted their time and resources.²⁸ Despite such organizational challenges and constraints, SPOs should prioritize whether they have adequate funding, resources and expertise to respond successfully to any emerging demands caused by the *Citizenship Act* changes as constraints will only heighten with increased demand. Examples of increased demand of resources may include training staff around the *Citizenship Act* changes to provide accurate and timely advice to their clients. Furthermore, there may be a need for additional community outreach to inform specific populations of their new eligibility and/or related services.

In addition, SPOs must ensure they have enough resources to monitor, evaluate and report the extent to which changes in settlement and integration outcomes can be attributed to the recent *Citizenship Act* legislation. SPOs will require appropriate tools and instruments in place, to collect sufficient data and evaluate the effect of growing citizenship service demands on their operations. Through monitoring, settlement agencies may also use data collected to adjust and refine their policy and engagement work to better adjust to sector trends.²⁹ Through monitoring, settlement agencies can also use data collected to adjust and refine their policy and engagement work as they are an important voice for newcomers in Canada.³⁰ Last but not least, SPOs can identify opportunities within their community to form or strengthen partnerships or coalitions to help address organizational capacity limitations, and in the process, work together on policy development or special initiatives to improve newcomers' access to settlement and integration services that help them meet citizenship requirements.

Conclusion

This policy briefing aimed to identify key changes to the *Citizenship Act* along with gaps in policy and practice that impact newcomers' equal access to citizenship and subsequently SPOs' work in Alberta. It is clear that SPOs have a substantial role to play in terms of supporting the *Citizenship Act* in its aim of making citizenship more accessible to newcomers. SPOs must ensure that adequate organizational capacity is in place to respond to any emerging needs and address barriers newcomers face. Additionally, SPOs should

prioritize the allocation of resources to monitor and evaluate the recent legislative changes. While the recent *Citizenship Act* changes contribute positively towards a more inclusive settlement and integration process, barriers remain for vulnerable populations in obtaining citizenship. More research is required to examine the role of SPOs in building access to citizenship for newcomers, as well as innovative and effective approaches to bridge the gap between citizenship policies and settlement practices.

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