

# Toronto, me and immigration...

By Shant Nanwella

Streets of sky scrapping downtown Toronto fill with crowds at the end of the workday. People hurriedly walk to streetcars and bus stops, subway stations or express train stations, which are known as "GO Trains" where passengers can ride to the suburbs of the city. The summer in Toronto has come to an end, and it is now the beginning of the "Fall" season, a commonly used term for autumn. The warm weather and the long days of the summer are gradually changing into cool breezy shorter days. Very soon, the green leaves of tress will begin to turn colour, into a carnival of shades of yellow, orange, rust and brown, before they finally fall and rest, marking the end of yet another season. Canada's seasonal changes amaze me. It is so fascinating to watch and experience four different climatic changes blending into one another within a short period of one year. This is so very different from home where the weather is 30 degrees plus all year around.

I await my train at the Toronto's busiest "Union" train station. The place is quite crowded with the office staff at the end of the day. Looking around, I can see so many people, many different faces, belonging to different nationalities and ethnic groups of the world. Most have a Caucasian appearance. An equal number with African, Far Eastern, Latin American, Middle Eastern or

other Asian looking faces. They may be all Canadian Citizens, if not, Permanent or Temporary Residents. The passenger community at the train station reflects the multi-ethnic society that Canada promotes.

When the train reaches the platform, passengers get in peacefully and patiently. Most get to be seated. There will be a few travelling standing during rush hours. Yet, at no time, will they be a bother to the rest. Almost all do read on the train. After sometime however, I can see most dozing off!

## Pioneer

Canada is a pioneer in allowing immigrants in to the country. One cannot be wrong to say that Canada has the largest immigran population. Today the attractions for immigration to Canada are the multicultural policy, good living standards, including educational and health services, low crime rate and endless opportunities for the individual who seeks them.

Canada's has a long history of allowing immigrants into the country. At the early stages, mainly Europeans, arrived as immigrants. Today it is open to any national who meets the requirements. When the immigrant numbers began growing, there were rules and regulations put in place to facilitate the program in an orderly fashion. In the recent past, the Immigration Act of 1976 governed the policy, methodology and authority to accept immigrants. It remained in force for a consid-

erably long period of time, despite the fact that a number of revisions were introduced to its provisions over the years.

## New law

Recently, a complete new law was introduced. The Immigration and Refugee Protection Act was passed in Federal Parliament and became law in June of 2002 replacing the Immigration Act of 1976. The purpose of a complete revision was said to be that the provisions of the previous law did not meet the needs of the modern society including those of current labor market and language needs. Before Bill C-11 became law, many studies were conducted; consultations were held, and may revisions were done.

Finally, when the new law was announced and implemented, it was to the utter disappointment of thousands of prospective immigrants worldwide. The reason being that the standards of qualifications were raised so high that an averagely qualified applicant would no more stand a chance of being successful. Furthermore, the provisions of the new Act were to take retrospective effect on thousands of applications already filed with Canada's immigration offices the world over.

Needless to say that the new law was subject to criticism. For over a period of one year, many, including prospective immigrants and their family members, immigration practitioners, lawyers, representatives of various

ethnic groups and certain other organizations were seen raising concerns and criticism.

## Responsive

As a former employee of a Canadian mission, involved in immigration work, I observed these developments with interest. Finally bringing relief to thousand of prospective immigrants and their family members in the independent category, on September 18, 2003, the Minister of Canada's Citizenship and Immigration proposed that the immigration rules be relaxed with immediate effect. In addition, the applications that were already filed when the new law was implemented were proposed to be assessed under the provisions of the former Act. **What attracted me most in this entire scenario was how the lawmakers of this country paused to listen to the representatives of the society and responded positively, whilst promoting a better system for all concerned.**

According to its immigration policy Canada accepts immigrants (permanent residents) mainly under two different categories. First is the Family Re-unification Class. Under this Class, immediate family members who meet the requirements are allowed to sponsor one another such as spouses, dependent children, parents or grand parents. However, there is no provision for adult siblings to sponsor their sisters and brothers living abroad under this category.

The second main category for permanent residence is referred to as independent/Federal Skilled Worker Class. A family member's undertaking and sponsorship is not necessary to file an application within this category. An applicant has to earn sufficient points to pass under six different selection criteria on his own merit. The criteria being age, educational qualifications, employment experience, proficiency in Canada's official languages, government approved employment offer and adaptability. Under the "adaptability" criterion, points are awarded for the spouses' education, previous study or work experience in Canada, and for having a blood relative (certain restrictions apply) living here as a citizen or a permanent resident.

My train has reached its destination. I quickly put away my notebook and pen to join the rest who detrain at this station into the chilly dark Fall evening. In a few moments, a local bus will arrive to take me home. My folks are waiting till I return home and cook a very Sri Lankas meal of warm rice and spicy curry, just like back home in Colombo.

*The writer is a former locally engaged immigration officer of the Canadian High Commission in Colombo, now an immigrant herself in Canada. She works as a freelance interpreter and a Chief Immigrant Case Procession Officer in a Toronto law firm.*