

# City of Toronto Consultations on Toronto Newcomer Strategy Renewal

## **Background**

The Migrant Rights Network - Ontario is Ontario's largest coalition of migrant-led organizations. Members of Migrant Rights Network - Ontario (MRN-ON) have been campaigning, and calling for accessible services for migrant and undocumented people at the City of Toronto for over 25 years and were central in drafting and advocating for 2013 Access Without Fear policies. The Toronto members of MRN-ON including Butterfly (Asian and Migrant Sex Worker Support Network), Migrant Workers Alliance for Change, No One Is Illegal - Toronto, S4 Collective participated in creating these recommendations.

For questions about these submissions, please contact Syed Hussan, Executive Director, Migrant Workers Alliance for Change ([hussan@migrantworkersalliance.org](mailto:hussan@migrantworkersalliance.org)).

## **Recommendations**

Access is about more than policy announcements. It requires a complete overhaul of the approach of the City as a service provider and an employer to ensure that migrants and undocumented people do not fear accessing the City in any way. At minimum, no identifying data about residents must be collected and should not be shared with federal authorities. Crucially, all migrants must know of this policy's existence and must be reminded regularly to build trust and confidence. In general, migrant and undocumented members of our organizations do not believe that the City is accessible or that any significant changes have taken place since 2013.

We propose that the following initial steps be taken immediately:

- (1) **Ensure migrant participation and leadership in all aspects of policy development at the City of Toronto:** Any and all decisions that impact migrants must be determined by migrants. There should be interpretation and translation available both at Committees, and during meetings with staff; and staff should be provided with sensitivity training developed by migrant organizations to ensure that migrants are not mistreated while sharing their expertise. The lack of migrant participation is the central reason that AccessTO policies have failed to increase migrant access to city services.
- (2) **A comprehensive implementation plan is urgently needed:** Toronto's Access Without Fear policies have not been operationalized. Toronto should identify all city services, agencies and adjudicative bodies that migrants, particularly undocumented residents, access and then develop department specific policies in each of those services to ensure undocumented residents are able to access them without fear. This includes licensing, policing, public health, transit, social services, social/community housing, paramedics and more. At a bare minimum:
  - All intake and registration forms must be amended to remove any requests for immigration status (including requirement for work or study permits). All intake, registration and licensing forms must be re-examined and name, address and identification requirements be removed completely. Request for such information immediately creates fear for undocumented residents. Where gathering such information is absolutely necessary the types of acceptable identification must be

expanded to include copies of passports, including expired passports; birth certificate; library card, Ontario Photo ID card and letters and affidavits attesting identity;

- Only the most absolutely necessary information should be kept on file, and a clear plan must be put in place to ensure no information is shared with federal authorities by each City service (note that this is in adherence with municipal privacy laws MFIPPA). This plan should be visible in multiple languages at the location where forms are made available or need to be submitted;
- All staff and volunteers at city funded/administered agencies must receive training on how to respond appropriately to the unique needs of migrants and be made aware of Toronto's Access Without Fear policies. Staff and volunteers should be held accountable for not following these policies;
- The Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) must be amended such that the City is barred from sharing personal information with law enforcement agencies or any other government where it may result in detention or deportation;
- There should be guaranteed and free access to essential services like ambulances and library which currently migrants deemed to be without proper ID are charged for; and
- Interpretation and translation services must be made available to ensure that city services are accessible.

(3) **Immigration status should not be required for any city services:** Currently [immigration status is required](#) for Basic Needs Allowance for shelter residents, Child care fee subsidy, Financial Assistance from Ontario Works or Ontario Disability Support Program, Housing subsidies (rental supplements/housing allowances), Licenses and permits for businesses, trades and vehicles, Social housing wait list/Rent Geared to Income (RGI), Housing and Taxi licence. Also in this period of pandemic, many are forced to rely on social services, often non-status people are literally left out in the cold. We urge that all social services be provided regardless of immigration status.

(4) **Immigration status, criminal record and judicial matters and other ID information should not be required for licenses and permits for businesses:** Such licensing significantly impacts migrants ability to feed themselves and their families.

- Specifically, immigration status (e.g. proof of work status and valid work permit) continues to be de facto required by holistic practitioners to apply for and extend their license, effectively blocking their right to livelihood and creating illegality where they cannot produce it. MLS refers to this [chart](#) while Newcomer TO has not offered any assistance.
- Criminal Record & Judicial Matters are required for a number of business licences and extensions which risks migrants and undocumented residents to identification and surveillance from police forces and deportation.

(5) **Bylaw officer ability to racially profile and target workers and small businesses must be curbed.** The City should ensure an immediate stop to the racist, discriminatory, excessive and targeted inspections and prosecutions that endanger migrant and undocumented people, particularly holistic workers by bylaw officers. It should ensure that investigation and

enforcement policies and practices do not violate workers' human, privacy, or occupational safety rights.

- Bylaw officers carry out raids, ticketing, and press charges against holistic centres that are one of the key industries made up of newcomer racialized women. The expansion of approaches against "human trafficking and labour exploitation" have resulted in overpolicing and pushing migrant women out of work. [Read Butterfly's submissions here.](#)

(6) **A secure municipal ID card system that does not track ID card holders and is accepted as personal ID by all services must be created.** Such an ID system must be created with close coordination with migrant led organizations to ensure that it is successful. Such a secure system has been put in place in San Francisco and can be created without putting migrants more at risk.

(7) **An accountability and advocacy office must be established:** Arms length accountability mechanisms should be created so that if services are denied, avenues exist for systematic changes as well as advocacy on behalf of individual residents. The Toronto Human Rights Office policies must be updated so that undocumented residents and community organizations can turn to it, however, relying on the Ontario Human Rights Code is not sufficient where claims about discrimination on the basis of citizenship are very difficult to operationalize. We urge the creation of an independent body that migrants can turn to when services are not accessible.

(8) **Public education is crucial:** The city must work with community leaders, and a multi-lingual strategy should be developed to ensure that undocumented residents are aware of their access to city services. This includes public signage, advertisements in community newspapers and an online portal that is accessible and broadly advertised. Such a strategy must not put migrants at risk, so for example, all reference to the Police being accessible should be removed until further changes are put into place.

**(9) Specifically regarding Toronto Police Services, City of Toronto should:**

- Ensure that the Toronto Police Service comes into compliance with Toronto's Access policies (CD 18.9).
- Instruct the Toronto Police Service to not compile immigration status information.
- Ensure that the Toronto Police Service does not communicate with federal immigration authorities or any other agencies to verify immigration status of individuals the TPS comes into contact with including victims, witnesses and people being charged.
- Ensure that the Toronto Police Service not arrest for the purposes of immigration enforcement, nor share identifying information about individuals it becomes aware of as being without full immigration status with federal immigration authorities (a legal opinion is available as to how this complies with the law).