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IS 8000 MAJOR RESEARCH PAPER

"THIS IS MY LIFE": QUESTIONS OF AGENCY AND BELONGING AMONG YOUTH LIVING WITH LESS THAN FULL STATUS

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The Major Research Paper is submitted

in partial fulfillment of the requirements for the

Master of Arts degree

in

Immigration and Settlement Studies

Ryerson University

Toronto, Ontario, Canada

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"This is my life": Questions of agency and belonging among youth living with less than full status

A major research paper presented to Ryerson University in partial fulfillment of the requirements for the degree of Master of Arts in Immigration and Settlement Studies

By Julie Young

ABSTRACT

This paper presents insights from six youth ages 12-18 living with less than full status (LTFS) in Toronto with their families. The various immigration statuses of the participants highlighted the multiple ways in which an individual can be living with LTFS in Canada, in the sense of experiencing limitations to both their access to services and their agency. The youth lacked a certain degree of awareness of the extent to which their uncertain status mediated their experiences, which in some cases resulted from their parents protecting them from knowledge of the family's situation. Despite the uncertainty of their status, the youth were able to develop and sustain a network of support persons both within and outside of Canada. In addition, their participation in the academic and social aspects of school was a significant element in their lives particularly in terms of feeling a sense of belonging. At the same time, they were aware that the uncertainty of their status limits their agency. The project raises important questions for further research regarding families' communication strategies around immigration status and how youth understand and confront their status, as well as to what extent the education system understands the challenges faced by youth living with LTFS.

Key words:
Immigration status; youth; belonging; agency; Canada.

Acknowledgments

This project would not have been possible without the support and guidance of my supervisor, Dr. Judith K. Bernhard, whose commitment to the research was evident throughout the process. I am also grateful for the insights of my committee, whose suggestions I have tried my best to incorporate in this final version. I am indebted to the many community-based workers, researchers, and service providers who took the time to meet with me about this project, and whose cooperation and persistence introduced me to the youth whose stories are related in this paper. Finally, I am thankful to the six youth who courageously agreed to speak with me about their experiences living in Toronto with less than full status. It is important for their voices and insights to be afforded the same trust and respect that their participation in this project demonstrate.

Thank you to the Joint Centre of Excellence for Research on Immigration and Settlement (CERIS) for providing funding to carry out this research project.

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> *For me personally I wouldn't know, I don't know what it is to be legal because I've been illegal my whole life, right. So for me this is what living is right now, here.* - Ibrahim

Significance

Although the actual figures are unknown, there are an estimated 200,000 to 400,000 non-status or undocumented people living in Canada, fifty percent of whom are believed to live in Toronto (Jimenez, 2003; Khandor, McDonald, Nyers, & Wright, 2004; Robertson, 2005; Wright, 2003). This includes individuals who are in-process refugee claimants or failed refugee claimants who have yet to be deported, individuals who have overstayed work, student, or temporary visas, and individuals who lack identity documents (Status Campaign, 2004). It is crucial to recognize the marginalization experienced by individuals living in Canada with uncertain immigration status. They may be unable or unwilling to access public services, often because they are fearful of making themselves known to authority figures so their needs, and the rights of their children, may remain ignored. Moreover there is a need to re-examine the terms used to refer to individuals without full legal status. Goldring and Berinstein (2003) claim that the legal framework of the Canadian immigration system sanctions a gradation of rights and entitlements on the basis of immigration status, and suggest that there are various ways in which individuals can be living with what they term "less than full status." Rather than using terms like undocumented or non-status, which only capture some situations and are therefore inadequate, it is important to highlight that there are many

ways for individuals and families to live in Canada without being seen as full members and without the ability to fully participate and access services and programs. The term "living with less than full status" captures this well, and speaks to how the immigration system inequitably privileges and disadvantages people based on their immigration status. However at this point, very little is known about the situation of people living with less than full status (LTFS) due to a lack of systematic research.

The experiences of children living with LTFS may be particularly acute since as minors, they are often seen to lack agency in their situations both in terms of their lack of status and in terms of their ability to effect change. Although the parents' status may not officially transfer to the children, in reality if one parent lacks full legal status the entire family may be affected, which could be expressed in an unwillingness to access services or resources due to fear of exposing the parent's lack of status. Within one family, members may have different legal status and an individual's status can change over time (Cornelius, 1982; Engbersen & van der Leun, 1997; Fix & Zimmermann, 1999). In some cases, children arrive in Canada unaccompanied or become separated from their parent(s) or guardian(s) soon after arriving; these separated or unaccompanied minors experience their own set of challenges and may often live with LTFS for a time.

This research project examines the situation of six youth living with LTFS in Toronto with their families. It is probable that their situation varies from that of other immigrant and refugee youth, so it is important to begin to document their lived experiences in order to increase awareness of this vulnerable group. It is challenging to conduct research with this population as they have grown accustomed to remaining invisible, however such research is necessary in order to ensure that Canada is fulfilling

its obligations under the United Nations *Convention on the Rights of the Child*, which in particular guarantees all children the right to education and healthcare, and the Canadian *Charter of Rights and Freedoms*[1]. Despite the fact that Section 49.1 of the Ontario *Education Act* guarantees the right to education to all children without discrimination on the basis of legal status, this policy is applied inconsistently by school boards and furthermore families may be unwilling to access the education system for fear of revealing their status (Government of Ontario, 1990; Martin, 2001; Toronto District School Board, 2005).

For individuals and families living with LTFS in Canada, the settlement process is complex. Due to their uncertain status (and to the resultant sense of being in limbo), it is difficult to plan for a future in the country. Moreover, it is challenging to attempt to establish oneself in a place that constantly denies one's right to be there. Faced with official and public discourse that criminalizes people living with LTFS and assumes their reasons for coming are not worthy of welcome, it is difficult for individuals and families living with precarious legal status to create a sense of home; questions of belonging, participation, membership, and inclusion become complicated. And yet people living in Canada with LTFS must take actions on a daily basis to support themselves: going to work, maintaining housing, buying food and clothing, attending school, making friends. These acts affirm their agency and active participation in the life of a society that questions their membership, yet the constant negation of their belonging must take a toll on these individuals and families.

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[1] The Canadian government has consistently failed to uphold the 1985 decision in *Singh v. Minister of Employment and Immigration*, which found that section 7 of the Charter, which outlines standards of procedural fairness for "everyone," applied to "all human beings 'physically present' in Canada" rather than just to citizens (Kelley & Trebilcock, 2000; Malarek, 1987).

Literature review

Agency

Questions of agency must be central in an examination of to what extent and in what ways immigration status influences the lived experiences of children and families. Agency is meant in the sense of taking actions and making decisions on a daily basis that have consequences and that express the ability for a person's choices to affect their situation. Moreover, it involves understanding the factors that place limitations on these choices. For this reason, it is crucial to examine how the context of children and families living with LTFS (i.e. the systemic barriers and structural constraints they encounter) influences their situations. It is important to understand "how actors with differential access to power and resources manoeuvre within those structures"(Westwood & Phizacklea, 2000, p.119). In general, accounts of the migration of people living with LTFS criminalize or victimize these individuals, whether describing them as "queue jumpers" or as "human cargo"(Bhandar, 2004; Hier & Greenberg, 2002; Schwenken, 2003; Sharma, 2003). These characterizations deny the agency of people living with LTFS and reinforce their perception as "outsiders." Asylum seekers, and in particular inland refugee claimants, are seen to threaten national sovereignty precisely because they were not pre-selected by government officials (Ferris, 2001; Sales, 2005). Rather than dismissing these individuals as criminals, Sharma (2003) claims that there is a need to look at the choices that are denied to marginalized people and consequently the choices that remain in terms of supporting their families and surviving. Despite the focus on border security and the increasingly restrictive turn of immigration and asylum policies,

particularly after the events of September 11, 2001, levels of "illegal" immigration have risen in the US (Sutcliffe, 2004). Rather than deter migrants, these policies and measures have simply forced individuals and families into more dangerous forms of migration and made more migrations clandestine (Kapur, 2003; Koser, 1997; Sales, 2005; Sutcliffe, 2004; Westwood & Phizacklea, 2000). Sales (2005) points to the arbitrary nature of an asylum process that accepts people whose lives are endangered by political agents or situations, while denying asylum to those people whose lives are threatened due to what are determined to be economic causes; this denial is justified under the narrow terms of international law in the form of the Geneva Convention.

Emerging research seeks to challenge the criminalization and victimization of migrants and to affirm individual agency in the migration process (Kapur, 2003; Lowry & Nyers, 2003a, 2003b; Sharma, 2003). Although nation-states develop and implement immigration and naturalization policy, it is individuals and families who migrate and therefore their actions are significant. For this reason, it is essential to examine the ways in which they participate and engage with the immigration process as well as with the society in which they are attempting to settle. Particularly in the case of people living with LTFS, the settlement process may be hindered by policies that limit their access to services and rights, yet while they await determination of their status they must continue to support themselves and their families.

Much of the literature on people living with LTFS highlights the extent to which fear plays a role in their experiences (Access Alliance Multicultural Community Health Centre, 2005; Bannerman, Hoa & Male, 2003; Berk & Schur, 2001; Chavez, 1998; Committee for Accessible AIDS Treatment, 2001; Lessard & Ku, 2003; San Martin,

2004; Yau, 1995). Fear of exposing their status to authorities may prevent these individuals from seeking police or medical attention, even in abusive or emergency situations (AAMCHC, 2005; Bannerman et al., 2003; Berk & Schur, 2001; Chavez, 1998; CAAT, 2001; Lessard & Ku, 2003; San Martin, 2004). Berk and Schur (2001) find that fear of detection not only deters a high percentage of people living with LTFS from seeking medical attention, their lack of full status also affects their ability to receive care, including medical and dental care, prescription medicines, and eyeglasses. The relationship between fear of detection and inability to obtain medical care suggests that LTFS individuals may only access services in an emergency situation rather than benefiting from health promotion and prevention services; this is problematic from both a moral and a public health standpoint and is a connection that policymakers cannot afford to ignore (AAMCHC, 2005; Bannerman et al., 2003; Berk & Schur, 2001; CAAT, 2001). Moreover, this fear is valid and real and for many individuals and families it contributes to the precariousness and marginalization of their existence. Yet to focus on fear entirely may contribute to the denial of their agency. Despite their fear, people living with LTFS take actions and make decisions on a daily basis that express their agency and beyond this their membership in a society that seeks to deny their right to be there; it is important to examine the agency of actors who are seen to be powerless. Westwood & Phizacklea (2000) speak of their concern not to deny agency to the "seemingly 'powerless' players on the global stage who endeavour to manoeuvre, negotiate and wrest back economic, legal and cultural spaces of control and justice for themselves in their efforts to bring a better life to themselves and their families"(p.16).

Notions of agency have particular relevance for children and youth who are often perceived not to have agency and to be dependent on adults to make decisions on their behalf (Omidvar & Richmond, 2003; Tyyska, 2001). In the case of children living with LTFS, whose ability to have agency is doubly questioned due to their positions as minors and living with uncertain immigration status, there is a need to recognize and value their agency. What are their strategies of participation and access to services? To what extent does fear play a role in their daily experiences and interactions? Can such a thing as a "normal" childhood exist for a LTFS child? It is not enough to focus on how systems and structures limit or influence the experiences of children; in the end, "the story of today's immigrant children is not complete without reference to their consciousness and agency"(Suarez-Orozco & Suarez-Orozco, 2001, p.118).

Belonging

Tied into notions of agency, the belonging and membership of individuals and families living with LTFS may also be uncertain (Chavez, 1994, 1998; Goldring & Berinstein, 2003). Belonging is meant in terms of having a sense that one is part of the community or society in which one lives; it is also connected to notions of home, or to what extent where one lives feels like home. For undocumented Mexican and Central American immigrants in the US, key factors in beginning to feel part of the community include overcoming isolation by means of ties to the wider society through work, family, and friends, increased linguistic and cultural fluency, and reconciliation to the possibility of deportation (Chavez, 1994, 1998). Several researchers point to the importance of informal support networks as a way to learn about and gain entry to society; in addition, they can provide emotional and financial support (Bernhard & Freire, 1997; Ferris, 2001;

Kilbride, Anisef, Baichman-Anisef, & Khattar, 2000; Koser, 1997; Simich, Mawani, Wu, & Noor, 2004). This points to the crucial role played by the host society in determining the settlement experience of migrants: the "warmth of the welcome" is vital in providing immigrant and refugee families with a sense of belonging (Ferris, 2001; Omidvar & Richmond, 2003; Reitz, 1998).

Indeed, Chavez (1998) suggests "the single most important reason why undocumented immigrants felt themselves to be outside the local community was their legal status"(p.184). This underscores the idea that notions of belonging do not rest entirely within the individual or family: rather one's sense of belonging may ultimately be determined by how one is viewed by others. In other words, even if a person living with LTFS feels that she/he belongs for various reasons, other people may deny them this sense of belonging by questioning their right to be there or have access to services. In the US, there are frequent attempts to introduce legislation aimed at restricting or denying the access of people living with LTFS to services like healthcare and education[2]. Most strikingly, there have been repeated calls for a revision of the 14th Amendment to the Constitution that would end the granting of birthright citizenship, which is guaranteed to "all persons born or naturalized in the United States," to the US-born children of undocumented immigrants (Chavez, 1998; Fix & Zimmermann, 1999). Fix and Zimmermann (1999) problematize a system that differentiates between citizens' and non-citizens' rights and question whether it is legitimate for this distinction to be constitutionally upheld. Furthermore, they suggest that this distinction is complicated by

[2] For instance in California, Proposition 187 (1994) and the Personal Responsibility and Work Opportunity Reconciliation Act (1996) sought to limit not only undocumented but also documented immigrants' access to publicly funded services. More recently in Arizona, Proposition 200 was an issue in the 2004 election: if passed it would have required state and municipal officials to report any undocumented immigrant seeking to access public services.

the fact that one in ten American families with children is a mixed status family, composed of citizens and non-citizens with various forms of immigration status. Given the response to undocumented migration in the US, it is important to examine the extent to which immigration status is significant in the Canadian context.

Legal status is crucial in Canada as it can either facilitate or deny individuals access to a range of rights (Goldring & Berinstein, 2003; Khandor et al., 2004; Montgomery, 2002; Omidvar & Richmond, 2003). There are differences in the experiences of individuals who arrive in Canada under the various immigration categories, with the key distinctions being among and within the categories of immigrants (economic vs. family class), refugees (government-assisted or privately-sponsored vs. those granted status inland), refugee claimants, and temporary residents. Of particular relevance to this investigation is the complex determination system through which inland refugee claimants must navigate. The process is fraught with uncertainty since the outcome of a claim is not guaranteed and the determination of status process can take several years (Bernhard, Landolt, & Goldring, 2005; Goldring & Berinstein, 2003; Montgomery, 2001; Omidvar & Richmond, 2003; Yau, 1995). This "status-in-waiting" creates barriers in accessing services and resources and can lead to precarious living conditions for parents and children (Brouwer, 1998; Lowry & Nyers, 2003b; Montgomery, 2002; Omidvar & Richmond, 2003; Yau, 1995). Families living with LTFS are unable to "have the sense of security that (is) essential for one's adjustment to and settlement in a new country"(Yau, 1995, p.26). In addition, beyond the emotional and social burdens of uncertain immigration status, there are significant financial costs. In many cases, the requirements to produce "satisfactory" identification documents,

submit to a background check, and pay the landing fees become prohibitive (Brouwer, 1998; CCR, 2004; Simich et al., 2004). Moreover, the lengthy refugee determination process has contributed to what Brouwer (1998) calls "a new underclass of people without status"(p.3).

Many LTFS adults in Canada face challenges in accessing the labour and housing markets, as well as government-sponsored training and employment programs (Montgomery, 2002; Omidvar & Richmond, 2003). Moreover, they experience barriers in accessing healthcare, post-secondary education, and childcare since they do not have the same right to these services as citizens or permanent residents. In Toronto, only Canadian citizens, permanent residents, and refugees with a valid work permit or school authorization are eligible for subsidized childcare: applicants must show documentation of their immigration status (City of Toronto, 2005). In addition, their LTFS often means they have limited or no recourse to state protection in the face of injustices, which leaves them vulnerable to exploitation by employers and landlords (Montgomery, 2002). Significantly, women living with LTFS may not report abusive situations because they fear that police will have them deported if they discover their status (DADT, 2005; San Martin, 2004; Schwenken, 2003). The exclusion of some women from the protection of law enforcement agents is legitimated by a system that denies certain rights on the basis of immigration status (Montgomery, 2002; Omidvar & Richmond, 2003; Sharma, 2003).

The social exclusion experienced by individuals with LTFS may be accompanied by a feeling that they have little hope of belonging or participation. A question that arises is how can people living with LTFS begin their settlement process in Canada if there are restrictions on their access to public services and participation in society? Moreover,

how do they cope with a society, sections of which so adamantly oppose their presence, let alone their inclusion? What must it be like to have one's belonging questioned constantly? Faced with limitations to their agency and access, and even with exclusion and criminalization, how do people living with LTFS negotiate membership? How do they view notions of belonging and home? To what extent do they feel included in their community and in society?

Children's experiences of immigration status

An important site of inclusion for children, and indeed for families, is the education system (Dennis, 2002; Kilbride et al., 2000; Omidvar & Richmond, 2003; Suarez-Orozco & Suarez-Orozco, 2001). Unfortunately school can also foster notions of exclusion when some children are not allowed in, and even if they are permitted to enter, their knowledge and experiences may be questioned, disrespected, and ignored (Bernhard, Lefebvre, Chud, & Lange, 1995; Gonzalez & Moll, 2002). Significantly, parents living with LTFS may be hesitant to enrol children in school or to participate in their schooling due to a concern that teachers and administrators may be in a position to reveal their status to immigration authorities (Bernhard & Freire, 1997; Yau, 1995).

As immigrants or refugees, it is likely that children living with LTFS face many of the challenges that researchers have identified as arising in the experiences of "newcomer" children. Care must be taken not to essentialize the situation of these children as each child's experience is unique and different factors may play more of a role for some individuals than for others. Nevertheless there is significant literature on the particular challenges that immigrant and refugee children may face in their new communities. Fantino and Colak (2001) suggest that perhaps the "greatest threat to these

children is not the stress of belonging to two cultures but the stress of belonging to none." Immigrant children face many losses associated with the migration process, including loss of extended family, friends, community, and familiarity with institutions, as well as a range of issues throughout the settlement process, including potential language barriers, possible tension with their parents, uncertain financial situation, social isolation, and alienation (Fantino & Colak, 2001; Kilbride et al., 2000; Omidvar & Richmond, 2003; Suarez-Orozco, 2001).

Although refugee children and youth may experience some of the same challenges associated with migration and settlement, it is important to emphasize that they face additional issues particular to their experiences as refugees. While immigrants can at least envision the possibility of returning to their country of emigration, most refugees cannot (Fantino & Colak, 2001). Refugee children have often experienced war firsthand and may exhibit anxiety and stress related to this trauma; often their parents are not in a position to offer support as they may be struggling through their own trauma (Bernhard & Freire, 1997; Fantino & Colak, 2001; Kilbride et al., 2000; Yau, 1995). In addition, refugee children may have had little or no prior formal schooling, experienced interruptions to their schooling, or entered school in the midst of the academic year (Ali, Taraban & Gill, 2003; Kilbride et al., 2000; Yau, 1995). Nevertheless Bernhard and Freire (1997) remind us that despite the challenges that these children face, they are also "resilient, energetic, and full of dreams and aspirations"(p.182).

The processes of immigration and settlement also present challenges to family dynamics and authority structures (Bernhard et al., 2005; Kilbride et al., 2000; Suarez-Orozco & Suarez-Orozco, 2001; Tyyska, 2001). It is often necessary for financial or

other reasons for immigrant and refugee families to relocate after their initial migration, making it difficult for parents to establish meaningful connections in the early stages of their settlement process; moreover, parents often have less time to spend with children due to the need to support the family's survival, which may entail working multiple jobs, traveling around the city to access services, and dealing with the family's immigration process (Bernhard & Freire, 1997; Fantino & Colak, 2001; Suarez-Orozco & Suarez-Orozco, 2001; Yau, 1995). Children often have deeper and more sustained contact with societal institutions, particularly the education system, so they tend to develop cultural and linguistic competence faster than their parents (Chavez, 1998; Suarez-Orozco & Suarez-Orozco, 2001; Tyyska, 2001). This may place them in a position of acting as cultural mediators on behalf of their families and at the same time it gives children more responsibility and power in the relationship. Since family is often the key support structure, particularly for recent migrants who may not yet have developed a strong social network, "understanding family level factors is indeed critical for evaluating the long-term adaptations of immigrant children"(Suarez-Orozco & Suarez-Orozco, 2001, p.81-82). It is critical to clarify that to consider "family level factors" does not mean attributing blame for a child's motivations or outcomes to the family or home: instead it means recognizing that families may operate under different cultural assumptions than the education system as well as being aware of the structural and systemic pressures that inequitably affect families, which may find expression in children's experiences and actions (Bernhard & Freire, 1997; Dei, 2000).

For families living with LTFS, especially those with young children, there may be different levels of awareness of the family's status in particular and of the significance of

immigration status in general. Parents may wish to provide children with a sense of security and home, a level of comfort that parents may not be feeling. However as children grow older, they may notice small things that point to their uncertain status: their parents constantly filling out forms, meeting with lawyers, or having to provide information to the school that other children's parents are not asked to provide. Inevitably children will come to know and confront their LTFS and will have to make sense of what it means. For these reasons, this project addresses the following research questions:

1. To what extent are the youth's experiences influenced by their immigration status?
2. To what extent do youth living with LTFS have a sense of belonging?
3. To what extent and in what ways do people and contexts mediate their LTFS situation?

Methodology

Sample

This research project examines the situations of six youth ages 12 to 18 living with LTFS in Toronto with their families. This age range was selected in order to consider a range of issues faced by youth at various stages of their interaction with the education system[3]. Youth near the beginning of the range were making the transition from elementary to middle school while those who were older were thinking about moving from secondary school to the labour market and/or further education. It was

[3] Previous research by Dennis (2002) that examined the experiences of "young" refugees in England used a similar age range: her study included children aged 11 to 19.

anticipated that there would be similarities in their experiences as LTFS youth, however that youth of different ages would face different challenges. Limiting the sample to youth living with their families meant that unaccompanied or separated minors would not qualify, as it was anticipated that their situations would differ due to the involvement of state agencies that may help these youth to access services (Ayotte, 2001; Montgomery, 2002).

Recruiting process and ethical considerations

I anticipated that it would be difficult to find LTFS youth willing to participate in the project given the precariousness of their situations. In order to protect the confidentiality of potential participants, I did not know the youth's names or contact information and instead relied on the assistance of service providers to make youth aware of the project and then on the initiative of the youth themselves to contact me to express interest in participating. I used a purposive and snowball approach to find the research sample, relying on community-based researchers, service providers, and activists who are in contact with youth living with LTFS[4]. It was thought that the researcher's familiarity with these individuals and organizations might help to establish credibility and trust with the youth who also have a relationship with them. For several months, I met with individuals from various organizations including settlement agencies, youth programs, legal aid clinics, churches, and community development agencies.

Several service providers demonstrated their willingness to help recruit potential participants, despite their limited resources and time, but expressed concern that the

[4] Berk and Schur (2001) and Cornelius (1982) used the snowball method to seek participants in their research with undocumented individuals in the United States, in which earlier participants pointed researchers to subsequent ones. For this study, the snowball method worked more in terms of service providers pointing me to other service providers that were more in touch with LTFS youth, as opposed to the youth themselves pointing me to other participants.

structure of the process would be a deterrent to finding participants[5]. As a result, the recruiting process was only successful to the extent that service providers were willing and able to take the time from their full schedules to play more of a proactive role in making youth aware of the project and helping to set up meetings on my behalf. It is possible that the dedication shown by service providers helped the youth to feel confidence in the process, and that their decision to participate demonstrates trust in the individuals who did the recruiting more so than in the project. Interestingly, the youth who participated were all referred through individuals who spoke their first language and/or shared their ethno-racial background; these individuals were able to speak to the youth and parents in the language with which they were most comfortable and address their concerns before putting them in contact with me.

Data collection

The research was carried out by means of individual interviews in English, which allowed for a preliminary exploration of the experiences of these six youth who are living with LTFS. The interviews took place in an informal atmosphere, in a location suggested by the youth in order that they felt comfortable and safe. The interviews were semi-structured and consisted of open-ended questions with probes in order to allow the youth to participate in shaping the direction of the research. Due to a lack of previous research into the situation of youth living with LTFS, I could not predict or anticipate the results ahead of time so using a qualitative approach allowed me to respond to issues that arose during the course of the research (Cornelius, 1982). The interview guide was

[5] Recent findings by Dr. Grayson of York University suggest that the nature of the ethics process may influence the recruitment of participants; his research focused particularly on the extent to which "unfriendly and overly legalistic" cover letters and consent forms may actually deter participants from survey research (Charbonneau, 2005).

continuously fine-tuned, taking insights offered by the youth themselves into account in subsequent questions and interviews and allowing the project to evolve in response to their ideas, rather than me imposing my research interests and/or assumptions on them.

With each interview, the focus of the discussion shifted slightly and different or new questions emerged as more relevant or important. Earlier interviews were more about how the youth gained access to services, to what extent they faced barriers in accessing services, whether or not they were worried that service providers were in a position to affect their status, and how they were doing in school. All of these are important questions and interesting to explore, however the sense that began to emerge through the interviews was of the need to understand the experiences of youth living with various forms of LTFS in a more general sense and to examine the context of their experiences, rather than focusing on access to various services. In some ways, questions about access to services and how families and children find information and support may be more relevant or interesting to a researcher, service provider, or policy maker who is concerned with understanding how people living with LTFS manage in Canada, than they might be to the youth themselves. The initial focus on access to services could also stem from the social location of the researcher: as a citizen and as the daughter of a White, British immigrant father and a White, Canadian-born, Irish and British heritage mother, my immigration status and membership have never been questioned and as a consequence I have never had to worry about access to services.

When this project was initially conceptualized, the idea was to focus on how policies either supported or failed to uphold the rights of LTFS youth, with an emphasis on access to services and outcomes in the education system and with recreation programs.

In other words, the project began from a position of access to services that would examine how policies translated into practice. Through deeper reflection and consultations with individuals who work with youth living with LTFS, the idea emerged that perhaps beyond education being one of the key services accessed by youth, schools are also an important site of belonging. School is a location where children experience varying degrees of inclusion and exclusion, and much literature points to the ways in which race, class, gender, and other factors mediate children's experiences of school (Bernhard & Freire, 1997; Dei, 2000; Suarez-Orozco & Suarez-Orozco, 2001). In this way, the focus of the project shifted to the idea that school is one location where status is played out and where LTFS might influence a youth's experiences.

Introducing the youth

Hector[6] is 17 years old and has lived in Toronto for about a year and a half. He was born in New Zealand but lived most of his life in Argentina; his first language is Spanish. His father is in Canada on a work permit that allows Hector to attend school without having to pay fees. Although he is uncertain as to which documents he has, he knows that his permission to study must be renewed each year; Hector does not have health coverage and cannot work.

Isabel moved with her parents to Toronto two years ago; her older brother remained in Guatemala and she has not seen him since moving to Canada, but tries to stay in touch via email. She is 15 years old and is awaiting an appeal of her family's refugee claim that was initially denied; she has a brown paper that gives her access to healthcare and education. Isabel's first language is Spanish.

[6] All names used are pseudonyms and countries of origin have been changed.

About five years ago, Sandra moved to Toronto with her parents and her twin sister; she is now 12 years old. She misses her grandmother and other relatives who still live in Chile and wishes she could visit them. Her first language is Spanish. Sandra is not aware of her immigration status in Canada.[7]

Gabriel moved from Venezuela to Toronto five years ago; his first language is Spanish. For the first several months he and his family were in Canada as refugee claimants, they lived in a motel with other immigrants and refugees. It took two years for the family's claim to be decided in their favour and they have now been waiting three years for permanent resident status. Gabriel is 17 years old.

Ibrahim's family left Paraguay when he was six months old. Since that time, they have been living with LTFS in Toronto: he is now 16 years old and considers his first language to be English. A few years ago, his parents began the process to attempt to regularize the family's immigration status. They are currently awaiting a decision on a Pre-Removal Risk Assessment (PRRA) that will tell them whether or not they will be able to remain in Canada, and preparing for either outcome.

Elena was born in an Eastern European country that is now part of the EU but lived in Toronto for four and a half years; her first language is not English. This summer she found out that her family's refugee appeal had been denied, and that she would have to leave the friends she has made in Canada. The family, including her Canadian-born sister, was recently deported. Elena is 12 years old.

[7] Her father indicated that the family's refugee claim had been denied and that they have no medical coverage.

Table 1: Youth and immigration status

Youth	*Age*	*Immigration status*
Hector	17	Temporary resident with student permit
Isabel	15	Denied refugee claimant; Awaiting decision on appeal
Sandra	12	Denied refugee claimant
Gabriel	17	Landed refugee; Awaiting permanent residency
Ibrahim	16	Denied refugee claimant; Awaiting decision on PRRA
Elena	12	Failed refugee claimant; Deported

Findings

1. Youth with a variety of immigration statuses or documentation are living with LTFS.

From the descriptions of the six youth who participated in this study it can be seen that each of them was living with a different kind of immigration status and that most of them had lived with various types of status during their time in Canada (see Table 1). Indeed, some of them even had documented or legally-recognized status in Canada: Hector had a temporary visa and student permit that he renewed each year and Gabriel's family's refugee claim had been accepted but they had yet to receive permanent residency. Nevertheless, a sense that emerged from speaking with each of the youth was of the various ways an individual can be living with LTFS in Canada. Despite the different kinds of immigration status of the participants, they were all living with LTFS in Canada in the sense of experiencing limitations to their access to services, their agency, and their sense of belonging.

An element of the youth's experiences that spoke to the complexity of immigration status, and pointed to the various ways in which an individual can be living with LTFS, was the extent to which they were able and willing to access services and

participate in programs offered by publicly funded institutions such as the education or health care systems. Access to services is a key factor in the settlement process as it is by means of services such as education, childcare, health care, and settlement assistance (with employment, housing, language training, etc.) that families are able to meet their immediate needs and support themselves and their children. The youth in this study faced limitations on their access in the sense of having to work harder to register for services or programs: for the most part, they were able to participate in programs like field trips and sports teams but they faced varying degrees of difficulty gaining access. For some of the youth in this study, it was their lack of health insurance in the form of an OHIP[8] card that presented a challenge:

> Well, I have some problems with the health card. Like when I have a field trip or something like that, my father has to do like a note saying like he's responsible for me. And anything he has to pay, anything happens to me. – *Hector*

Ibrahim indicated that he faced limitations "everywhere" yet in terms of access to services, he spoke about the "hassle" of having to go through extra steps or a more complicated process than other children would rather than denial of access:

> Yeah, but you have to go through a little more, and you know, a little longer process than anybody else would, right. But, yeah – it's pretty much the same. As long as it's within the country and within the boundaries of what I can do, seeing my status, then yeah. It's just, they ask for it (health card) every time, right, so that's all. I just have to talk to them or if it's somebody new, I gotta tell them blah, blah, blah...the whole story and all that, and why. But yeah, and it's weird because after you tell them, usually they'll look at you different.

[8] Ontario Health Insurance Plan.

While the youth may have viewed the extra steps they had to go through to participate as a hassle or a "problem," it is important to emphasize that this position of constantly having to explain one's situation beyond what other children are asked to do is a barrier to participation. In addition, other LTFS youth and their parents may experience these hassles as more of a limitation than did the six youth in this preliminary study.

Although in the legal sense, some of the youth in this study had status in Canada at the time of the interview, their temporary and uncertain situations did place limitations on them. Moreover, the language used by the youth to describe their experiences suggested that they had a sense that their membership may have been uncertain. Elena felt that Canada was more her home than the country where she was born yet she was deported; she admitted that she sometimes felt "different" from her friends and that she did not speak to them about her status until she found out that she and her family would have to leave. Thinking back on his first year in Canada, Gabriel spoke about his dislike of the term "refugee" and revealed that:

> I don't know, I didn't really see it as something that good. Like everybody was citizen, right, at the school so and I'm like refugee...I don't know, I didn't really like it... Probably the feeling that everybody there had been born there and then I just came, I don't know probably it was the whole situation, right? Yeah so everybody knew each other and everything, so I was like an outsider, right?

Significantly, several of the youth used the vocabulary of the discourse that permeates public discussions of immigration and in particular of people living with LTFS: they employed binaries of legal/illegal, citizen/refugee, resident/visitor, insider/outsider. Ibrahim understood that he may have to return to a country he did not know:

> I've had those moments where like I'll be around, like let's say I'll be in the courthouse or something, and then I just look at the government officials or at specific people who hear about it, and then they just give me this look, and it looks like they're saying that. It looks like they're like, what are you doing here? You don't belong here. Like, and I've always had that feeling like this is, this is, this is everything to me, like this is my life, but in a sense I really don't belong here, because I'm not legal here, right. And until I am, I'm pretty much nobody here, right, in a sense.

In this way, the uncertainty of their status and therefore of their tenure in Canada placed limitations on the youth. This is consistent with the literature on the legal limbo experienced by both in-process refugee claimants (Brouwer, 1998; Goldring & Berinstein, 2003; Yau, 1998) and landed refugees awaiting permanent resident status (Brouwer, 2004; CCR, 2004; CPJ, 2005; Coates & Hayward, 2004; Simich et al., 2004). Significantly, Goldring and Berinstein (2003) suggest that the duration and uncertainty of the determination of status process place individuals and families in a LTFS position while they await a decision on their case. The LTFS of the youth limited their ability to plan for a life permanently or settle due to the uncertain outcome of the determination process, which will be discussed further in the section on uncertainty and agency. For this reason, youth and families with a variety of immigration status and documentation are living with LTFS.

2. The youth lacked a certain degree of awareness of the extent of limitations resulting from their uncertain status. In some cases this was a well-kept secret by their parents.

The youth's experiences and some of their comments show a certain lack of understanding of the significance of immigration status in general and, for some, of their LTFS and its implications in particular. They may also express a certain naiveté, in the sense that they seemed to trust in the systems and individuals who to some extent helped to determine their experiences. For instance, Ibrahim claimed, "the government isn't going to leave you without medical coverage," whereas in reality there is a significant number of people living in Canada without health insurance and who may be unable or unwilling to access health care (AAMCHC, 2005; Bannerman et al., 2003; CAAT, 2001). Furthermore, it was difficult to speak with most of the participants about limitations to their access to services and programs because they were often not clear on the details of how they had gained access to education or health care: their parents generally took care of these things. For instance, when asked if they have to show papers when they go to the doctor, Sandra responded, "I don't know because my mum talks to them." In a sense this lack of knowledge about how they had gained access to services could speak to the ways in which parents protect their children from knowledge of the challenges they face; on the other hand, parents generally do take care of these administrative details for their children. Moreover, it is possible that if children have only known their family's existence, they may accept it as the way things are and not understand the limitations that are imposed on the family due to its uncertain immigration status.

Interestingly, it also appears that there may be different levels of awareness of immigration status amongst younger and older participants, however due to the small size of the sample this is a preliminary insight. For instance, Sandra, who was just barely 12 years old, was unaware of her status ("my parents never told me") and moreover did not

appear to be familiar with the concept (i.e. she did not seem to be aware of what immigration status even means). Although she was not aware of her status, a question Sandra asked at the end of the interview was interesting: "But is it true that like, is it sometimes for college you might not enter? Is that true?" While there was no indication that she connected the idea of not being able to go to college with LTFS, it is possible that this was a first inkling that some people in Canada face limitations[9].

Although Ibrahim seemed to be the most aware of his status at the time of the interview, he revealed that he did not find out until he was about 13 that he had been living in Canada with LTFS since he was 6 months old. His parents gradually revealed the situation to him, but he indicated that there had been hints of the family's situation:

> But when I was younger, thing is, I didn't see much of what was going on because my parents had a good way of kind of covering it up. Like they didn't really want me to know, like they wanted me to be like enjoying my youth years and all that but like, as I got older, I started noticing things. And then after a while they just, you know, you just hear about it because then they started going through the whole case thing and I heard about the whole story, it was like, wow, it's really shocking. Like when I heard that, I was like, wow. I'm in this, like, this is happening to me.

Once Ibrahim found out about his status, it became a constant feature of his life, not so much in terms of access to services but more in terms of reflecting on the complexity of his family's situation and confronting a sense that although they have lived here for more

[9] Her father mentioned to me before the interview that the child of a friend of theirs is not able to go to university due to their LTFS and the high cost, so perhaps Sandra had overheard conversations about this.

than 15 years, the government may decide against them and they will have to leave Canada.

3. The youth were able to develop and sustain a network of support persons both in Canada and across borders that provided them with a sense of belonging. The youth were able to trust close friends with knowledge of their LTFS, but beyond this were willing to disclose their status only to those authority figures they felt were in a position to help them.

The six youth in this study were in many ways living and planning for a life in Canada, long-term, despite the uncertainty of their status – but to what extent did they feel that they belonged in Canada? In his research with undocumented immigrants, Chavez (1994, 1998) suggested that establishing ties to the wider society through work, family, and friends is a key factor in beginning to feel a part of the community. These informal networks provide emotional and material support and also help individuals and families gain access to societal institutions, including the education system and the labour market. Despite their LTFS, the youth were able to develop and sustain a network of support persons both within and outside of Canada. The support of family, friends, and neighbours in Canada helped the youth in this study as they attempted to negotiate the settlement process. This assistance included gaining access to services and programs, as well as helping their parents to find and keep employment in order to support their families and participate in the work of the community. For instance, Hector's cousin was already living in Toronto when his family arrived, and his father found work with this cousin. In addition, Hector pointed to the importance of friends he had made in Toronto:

"I have a lot of friends, they help a lot." He indicated that his friends helped him with English and provided information about school and sports teams. When Sandra's parents both had to work on the same schedule, they relied on a friend's daughter to look after their children: "There is this girl...by my neighbourhood, she's like...her mum is my mum's best friend. So she takes care of me." When Elena and her family arrived in Toronto, some of their relatives were already living in the city: these family members helped her father to find work. In addition, she spoke of how playing with her friends at school helped her to forget about the uncertainty of her situation, yet she also suggested that at times she felt "different" from her friends although they did not discuss her situation.

Friends were also crucial in helping some of the youth to feel comfortable and to move beyond their uncertain status. Gabriel revealed that when he first arrived in Toronto and began school, he had a difficult time because he was unable to communicate with the other children in his class:

> So, I only had like just one person that was...that I hung out with. He came from Argentina so we were like in the same situation, right. We had just come, we didn't speak the language, so yeah...it was nice being with him because I couldn't be with anybody else, right. I couldn't even understand them or anything. So I used be with him and then...then he moved so those few days there was nobody, I felt really bad you know. I mean it was tough, right.

While his limited English skills when he first lived in Toronto contributed to Gabriel's feelings of isolation, Isabel seemed to encounter a different response from the students at

her school: "People – they're nice. They don't treat me like you don't speak English or something. They treat you because of the way you are."

Interestingly, not one of the youth felt that teachers, hospital staff, or coaches could be in a position to influence their status: Ibrahim expressed his trust that teachers are "taught to be confidential." For some of the youth, teachers and coaches were helpful in working through issues that arose with having to show documentation to participate in field trips and on sports teams; these helpful interactions could have contributed to their trust in school authorities. Hector initially had some trouble signing up for his school's soccer team: "I had some problems with the health card, but there was a Spanish guy who was the coach and he helped me a lot." However, despite the apparent confidence in school authorities by the youth in this study, they also indicated that teachers and school administrators were generally not aware of their LTFS. The school's lack of awareness of their immigration status could speak to the level of trust the youth had in these individuals and institutions.

The only authority that some of the youth considered to have the ability to influence their situations was the police:

> If you get into trouble with the police, they will, they think you're a person that just came here to make trouble or something so you have to be careful. - *Isabel*
>
> Um...the only people that could really do that (have an impact on your status) is police, that's why, you just have to be careful. – *Ibrahim*

This apparent trust of authority figures, apart from the police, among the youth in this study is interesting because Suarez-Orozco & Suarez-Orozco (2001) found that several of the undocumented children they spoke to in the US mistrusted authority figures,

including police, teachers, and nurses, and felt that any of these people could be in a position to report their status to immigration officials. Could there be a difference between Canadian and American contexts that accounts for this or is it that the youth study in Toronto is preliminary and cannot speak in general to the experiences of youth living with LTFS? If it does speak to a difference between the two settings, what is it about Canadian settlement policies and the receiving context that could lead the youth who knew about their uncertain status to feel comfortable in front of certain authority figures? This is an important question for further examination.

Another indicator of belonging is the sense individuals have of being part of the community or society in which they live, and feeling as though the place where they currently are is home[10]. When telling stories of the country in which she was born, Isabel referred to "in my country" which may suggest that Canada did not yet feel like "her" country. In fact, due to the uncertainty over whether or not her family would be able to stay, she indicated that Canada felt "like we're just visiting, actually." In addition, she pointed to the importance of family in feeling connected to a place: "Because like I have family in my homeland but you have opportunities here too. But I have my family there. So it's kind of balanced." In response to the question as to whether Canada feels like home, Sandra replied: "I want to go back.... Because I want to be with my grandma." To a certain extent, Elena considered both Canada and the country where she was born home since she had friends and family members in both places. The ongoing ties through family to their countries of emigration alluded to by some of the youth introduce the idea that their conceptions of home may cross the borders of nation-states. Indeed, their

[10] It is important to emphasize that conceptions of home need not be exclusive: "sentiments and connections for one community do not categorically restrict feelings of membership in another"(Chavez, 1994, p.55).

notions of home may not be tied to particular nation-states at all but rather to a sense of multiple and complex connections with people and experiences both where they are now and where they have been. When Isabel speaks of how her connections to "here" and her "homeland" are "balanced," it is similar to Levitt and Glick Schiller's (2004) conception of the "migration experience as a kind of gauge which, while anchored, pivots between host land and transnational connections"(p.1003). It could be interesting to examine the situation of individuals and families living with LTFS through a lens of transnationalism, in the sense that they have ties to more than one nation-state yet their uncertain status may mean they feel they are not in a position to claim either one as home.

Ibrahim pointed to the complexity of his situation and of notions of belonging: in every way Canada was his home, the only home he had ever known, yet he sensed that when officials or other people found out about his family's status, they saw him differently and questioned why he was here. He had no knowledge or experience of the country in which he was born; in a sense, he had the strongest connection to and identification with Canada of the six participants in this study, yet he spoke in the most direct terms about his status and of the perception that he did not belong here. Ibrahim's insights into the situation reflected much awareness of the uncertainty of his status, and revealed a sense of turmoil and incredulity at his situation:

> Like I said, I feel like this is my home because this is everything I know, like, and I feel at home here because I can walk around and feel safe, I know the area, I know the people that live around here. Like I know a lot of what's around me. But, you know, as long as the government...like, they can say, okay no, you're

not accepted, and go. So, technically we really don't have like...you know, we can't really say that this is home to us.

Despite the evidence his life offered of the fact that Canada was his home, his LTFS - and the reaction it elicited from government officials - seemed to tell him that he did not have the right to claim it as home. This is reminiscent of Chavez's (1998) observation that belonging is not only determined by one's own sense of being part of one's community or society, but also by to what extent that community or society perceives one to belong. The experiences and comments of the six youth in this study point to the complexity of notions of belonging, and it would be interesting to explore the ideas they have raised further. In some ways, their insights point to the following question: how does one make sense of the fact that one's daily existence points to integration and settlement while one's uncertain status at times denies one a sense of belonging? How do youth incorporate the idea that their status may be seen by government officials, as well as by other authorities and individuals, to be "illegal" and that they "do not belong" where they are?

4. The academic and social rewards of attending school were a significant element in the lives of the youth.

The uncertainty of their immigration status, and therefore of their tenure in Canada, influenced the youth's experiences in different ways and had particular connections to their experiences at school. Their participation in the academic and social aspects of school was a significant element in their lives particularly in connection with feeling a sense of belonging and also in terms of their ability to have agency. Elena

found awaiting the decision on whether or not her family would be allowed to stay in Canada tough: she thought about it "at night when I am alone, or in the morning." She indicated that going to school was helpful because there she could play with her friends and "forget about" her family's uncertain situation. In this way, Elena's attendance and engagement in the education system allowed her to have some control over her day-to-day experiences: she chose to continue to actively participate at school despite feeling uncertain about how much longer she would be able to be there. Moreover, interacting with her friends at school provided a break from having to worry about her family's situation. However it is important to reiterate that Elena spoke of how at times she felt "different" from her friends at school and she did not tell them about her LTFS until she knew her family would have to leave.

In the case of Ibrahim, school was alternately a place where he could do something to make his parents happy (by getting good grades) and a place where he felt he would have nothing to show for his time in Canada because in the end his time there benefited only himself (whereas if he worked he could at least make money to support his family). Furthermore, it was a place where the uncertainty of his immigration status made it difficult to focus: he did not want to go to school, he skipped class, he did poorly on assignments, he was failing classes - his head just was not in school:

> As soon as the case started getting, like I'm not going to blame it on the case, because obviously teenagers are lazy, but besides that point, like. As soon as it started getting...bigger and bigger and like it started affecting my life more and more, my grades like...like I was always like thinking about it, like especially when...that's when we actually started going to court a lot and like, it's just a

> different transition, like doing all these different things. And it, in a way, it affected me really bad. I couldn't concentrate, like at school I'd just be sitting down and be thinking about it and be like, what am I doing here? Like just so much questions in my head and I couldn't concentrate on school and I couldn't do this and then I wouldn't get good grades and then my mum would get mad at me so it was just one big problem.

The uncertainty over his family's situation had a significant impact on his life and yet Ibrahim did not feel that it was important to explain to the school what was happening with his family, as he felt that this would not matter to school staff.

Several settlement and youth workers I spoke with in Toronto suggested that school personnel are often unaware of the challenges faced by students and parents throughout the immigration and settlement process. In particular, they stated that schools tend to be unaware of the time and stress involved in this process, especially for refugee claimants and those in the appeals stages, and beyond that they may not understand the apprehension experienced by families and youth whose legal status is uncertain or changing. In addition, the many ways in which people can come to have LTFS and the different kinds of immigration status are not well understood by many teachers and administrators. There are tremendous financial, emotional, social, and familial pressures that may make it difficult for youth living with LTFS to focus on or be motivated by school; some may choose or feel forced to drop out, as is the case with Ibrahim who has decided that he can better support his family by taking time off from school to work while they await the decision on their status. Significantly, Ibrahim does not feel the

school would be interested in his situation, and explains why he did not tell the school about his status:

> But I didn't really want to talk about it because it's not like, like...my parents have said it many times, like, if you're going to tell somebody, tell them if either you really want to tell them or tell them because they're going to help you. Obviously if I just tell like the school, it's not like they're going to do anything about it, they're just going to be, okay.... And then they'll just be like whatever, next thing. You know, they got to deal with a lot of people, right.

According to the six youth in this study, the schools did not seem to be aware of their immigration status in terms of both the youth and their parents not telling and the schools and teachers not asking. Isabel revealed her reasons for not telling people, apart from close friends, about her status:

> Because it's private I think. Well because, they're going to be asking what's my case, why am I like refugee claimant, they'd want me to tell our situation, why we're here. It's really private, we can't tell anyone. That's what they (immigration) said.

The lack of awareness on the part of schools of the challenges faced by students with uncertain immigration status emerged in particular when Gabriel revealed that his teachers and other people at the school "never even asked" about his status, and his tone suggested that he felt they did not care enough to understand his situation. The idea that nobody at the school took the time to ask about his situation seems to have had a lasting impact on Gabriel as he mentioned it six times through the course of the interview. He also spoke in different ways about how there was nothing anyone could have done to

improve his situation or to help: "So like the days I was alone, yeah it was really bad.... I mean, I don't think they could have helped me in the situation I was in, right." Despite his conviction that his situation was beyond help, the fact that no one at the school even attempted to find out what was going on to understand how they might support him is telling. The experiences of the youth in this study point to the need for further discussion concerning the extent to which individuals in the education system, and indeed the education system itself, are aware of how students' immigration status may mediate their experiences of school.

5. Despite the uncertainty of their status, the youth participated and strove in their daily lives. At the same time they were aware that the uncertainty of their status limited their agency.

Sharma (2003) highlights the importance of examining the choices that are denied and the choices that remain to people living with LTFS, which speaks to questions of access but also of agency. Notions of agency are complicated for children because to a certain extent their ability to have agency is related to that of their parents, whose decisions and situations have an impact on the whole family. For instance, Sandra was not able to join the volleyball team at her school because neither of her parents would be available to pick her up and the after-school practices would mean that she would miss the school bus that took her home. Ibrahim spoke of the complicated connection between his family's status and his situation:

> When I think about it, like I'm not going to be like, oh it's not my problem, obviously, because it's my family. But the thing is, it's not like I had a choice in

what was happening because the thing is I was born into it so it's like I've had this with me since...forever. Like, ever since I existed so besides that like. This is my life, so I've gotta cope with whatever.

In addition to the ways in which a family's situation can have an impact on children, there are also systemic barriers that mediate their ability to have agency and may limit their ability to access services. It is important to examine how individuals manoeuvre within the structures imposed on them (Westwood & Phizacklea, 2000). Beyond the hassles experienced by several of the youth in terms of access identified earlier, the main idea that emerged as a barrier in the experiences of these six youth seems to be the uncertainty of whether they would stay in Canada:

> And not being sure that...if we were going to be left here or if we had to return. So that and not being able to leave, that was all I ever thought about...concerning our status. - *Gabriel*

Ibrahim suggested that the uncertainty of his status limited his sense of agency, his sense that his actions had consequences: "So it's kinda hard to be thinking about that and like, and then to strive for something, you know, like it kind of gets in the way sometimes."

Tied into the uncertainty of their tenure in Canada, there was a sense of the limitations to the ability of the youth to have agency. All of the youth in this study were living their lives, going to school, working, spending time with friends, and yet their less than full and to be determined immigration status could have meant they would have to leave all of this behind. They were caught in a complicated situation in which they made choices to participate on a daily basis and yet in the end, they had no control over the decision that determined whether their choices had consequences, in the sense of striving

toward their goals and building towards a future in Canada. The youth seemed to have an understanding of the limitations imposed on their choices (and agency) by the uncertainty of their situations:

> I said hope like they will say yes... Yeah, I'm worried for that (that his visa will not be renewed) but that's the thing, you have to do it. I don't know, you never know what you are going to do. - *Hector*

Isabel spoke of how she hoped to attend university in Canada but that her uncertain immigration status made this challenging at times:

> Yeah, because like I'm planning a future here sometimes because I feel like I have more opportunities here. I could like, I don't know, learn more and stuff probably because in our country there is probably not too much computer animators or something, I don't know. This is what I think. But I don't know.

The uncertainty of their status and of the determination process did have an impact on youth living with LTFS, whether by making it difficult for them to plan for a future or by causing them to lose sleep or ability to focus at school due to worry over which way the decision will go. In addition, the understanding that the decision could go either way created a sense that their efforts at school or the time they had spent in Canada will have been for nothing:

> But the thing is I don't want to be in school and then all of a sudden we gotta go, and then like I don't have anything. Like I haven't done anything, basically, like I'm gonna lose everything I have and I've pretty much accomplished nothing. So I'd rather be working towards something and let's say everything does work out,

then I'll start school, and if it doesn't work out, good thing I was working. Any money I make I can help my parents out. – *Ibrahim*

Ibrahim's approach to his situation is interesting: on the one hand he speaks of how the decision by immigration authorities can turn what he has accomplished at school into "nothing," while on the other hand he attempts to resist this possibility by choosing to work to help support his family while they await the decision on their case. Although the agency of the youth in this study is in some ways limited by the uncertainty of their immigration status, they continue to make choices that are meaningful for themselves and their families whether or not they remain in Canada. Nevertheless, these choices are constrained by the uncertainty of their status: for instance, as a temporary resident, Hector is aware that he is not permitted to work so he likely would not make the decision that Ibrahim has made. Yau (1995) identified the impact on families and children of the uncertainty and lengthy duration of the refugee determination process ten years ago, and it continues to place limitations on families and children with precarious status today (Bernhard et al., 2005; Brouwer, 2004; CCR, 2004; CPJ, 2005; Coates & Hayward, 2004). It is important for further research to delve more into the extent to which this uncertainty plays a role in the lives and agency of youth and families living with LTFS.

Limitations

In further research with youth living with LTFS, there are several issues to address. The small sample presented in this study is a limitation, and this speaks to the challenges of doing research with youth living with LTFS. I faced several challenges and barriers as I attempted to carry out this research, from seeking out service providers who

work with LTFS youth to negotiating the ethics review process to recruiting youth who were interested and willing to participate. Beyond the challenges inherent in the structure of the recruiting process, there were deeper barriers to overcome in terms of trust. I attempted to recruit participants through individuals who have worked with and/or continue to work with LTFS youth, hoping that the youth's positive and helpful interactions with these individuals would add to the confidence they felt in agreeing to participate. Unfortunately these connections were not sufficient to encourage many youth to contact me. This is understandable given that the existing research on individuals living with LTFS points to fear as an important factor in their decisions to access services. Moreover, I recognize that it is difficult and uncomfortable to speak to an individual who is a stranger to you about experiences that are very personal. In addition, there may have been added layers of hesitance to participate depending on the specifics of a youth's immigration status. For instance, it is possible that a refugee claimant or recently regularized person would be more willing to participate than a failed refugee claimant or someone whose visa had expired, as the latter may feel their situation to be more precarious. Beyond this, some youth may not realize they are considered to have LTFS or they may not understand what this means (Lowry & Nyers, 2003b): in this way, self-conceptualization may also have been a factor in recruiting participants.

Finally, it is fair to state that I underestimated the challenges of establishing trust with youth and families whose uncertain status makes them vulnerable to deportation. The challenges in recruiting participants for this study highlight the need for researchers to balance a desire to help make space for marginalized voices with an awareness of the fact that carrying out research with a vulnerable population could potentially expose (or

be seen to expose) these individuals and families to more risk than they face on a daily basis. Save the Children (2003) asserts that it is crucial to ensure that the voices of socially excluded groups of children and youth are heard and treated with respect. In the case of youth living with LTFS, this respect begins from the point of taking the time to address their concerns and for them to decide whether they feel a researcher and a project are worthy of their trust. Most importantly, recognizing the difficulties of building trust raises the question as to whether or not trust was established with those youth who agreed to participate, in terms of the extent to which they were comfortable speaking of their experiences and revealing their concerns to an individual they had just met. Their participation demonstrates some confidence in the process yet it is difficult to know how much the six youth were willing to reveal to me about their situations and consequently to estimate the degree of trust they felt.

In addition, this project showed me the importance of being able to triangulate findings in order to see more of the context and to confirm the youth's self-reported data. Although this study offers some preliminary insights into questions of awareness, it is difficult to suggest to what extent youth are aware of their status without the ability to definitively know their immigration status. In the case of youth, it would be crucial to speak with parents to discern the family's precise situation and/or legal status. Beyond this, it could be helpful to speak with teachers and service providers who work with the youth in various settings, or to engage in a more long-term, ethnographic study to gain a better understanding of their lived experiences. It could also be helpful to partner with an organization or agency in order to build trust and legitimacy, as well as to improve capacity and awareness of issues faced by youth living with LTFS.

A further element that is crucial to research is to ensure that the people who are examined and implicated in it have a voice and a role in the process. This will help those individuals who participate to feel that there is a clear purpose and valid motivation to their involvement and that the research is potentially able to problematize/challenge and hopefully benefit/change their situation. In order to conduct a study that begins from the experiences and insights of youth living with LTFS, further research must engage the youth in a participatory and meaningful way in order for them to have trust in the process and to ensure that the research is actually relevant to them. Since this preliminary phase of the project did not use a community-based, participatory approach, the plan is to follow up with youth living with LTFS to make them aware of the preliminary findings of the project and to see if there is interest in collaboratively developing new and/or related projects that are participatory and even action-oriented.

Discussion

The experiences recounted in the summer of 2005 by these six youth living with LTFS in Toronto offer crucial insight into their situations and suggest several areas for further investigation by academic and community-based researchers, policy-makers, service providers, and youth and families living with LTFS themselves. To begin with, their stories highlight the various ways in which an individual can be living with LTFS in Canada, in the sense of facing limitations to their access to services and programs and beyond this, to their ability to make choices in their daily lives that have consequences for the future. Furthermore, the experiences of the youth in this study raise important

questions about the membership and inclusion of individuals whose immigration status is uncertain.

Despite the small number of participants in this project, there seems to be an indication that children and youth living with LTFS experience their status in a different way when compared to studies of adults: they seem to experience hassles while adults encounter barriers, they live with uncertainty while adults live with fear[11]. There are many potential explanations for this preliminary finding, from the researcher not having enough information about the experiences of the youth to the naiveté of the youth to it being a survival strategy or defence mechanism, in the sense of asserting resilience or defiance in the face of limitations. It could also speak to a lack of awareness of their immigration status amongst some participants or to a lack of awareness of the significance of their immigration status amongst others. While this is a preliminary study and there is not enough information to propose generalizable findings, this idea is interesting and merits further exploration: is legal status really more important for adults or does it influence children and youth to the same extent? Is accessing services an experience of fear and shame for parents more so than for children? What might account for this possible difference in experience between children and adults? Perhaps there are more barriers to the access and participation of adults living with LTFS than there are for children? Or perhaps adults have a deeper understanding of the extent to which their precarious status mediates their experiences and daily life? Could this be a situation where parents deal with the barriers and shelter their children from them?

[11] Note: as I did not attempt to interview any of the parents of youth who participated in this study, it is difficult to know whether their experiences are different from those of their children. However, the notion of LTFS people facing barriers and being limited by fear is well documented in the literature, as identified previously, and this literature tends to speak mostly of adults' experiences.

Given the limited scope of this study, it is difficult to discern whether or why there may be a distinction between the ways in which children and adults experience LTFS, however it seems possible that the youth's lack of awareness of the significance of their status may be a factor. More research is required into the extent to which parents may attempt to shelter their children from an awareness of the family's uncertain immigration status. It would be interesting to speak with parents and find out whether or not they disclose information about the family's status to their children and how they decide what to reveal and what to keep hidden. In order to protect young children in particular from the challenges associated with living with LTFS, parents may delay making their children fully aware of the family's precarious situation until it is necessary that they have an understanding of it (e.g. if a negative decision means they may face deportation). In a sense this may allow the children to grow up and be "normal" children, who belong and participate as their friends do. Is this a conscious decision on the part of parents? In the case of families in which children may not yet be aware of their status, how do parents manage the barriers they face in order to protect their children from fully experiencing the same? What strategies do parents employ in protecting their children from full knowledge of the family's situation? To what extent and in what ways does the fact that there are different levels of awareness of the family's legal status influence family dynamics and relationships? Moreover, how much do parents communicate to their children about the process of migration in general? What is children's understanding of the immigration process, in particular their family's status? Tied into notions of both agency and belonging, how do parents' decisions around communication of the family's LTFS situation play into children's experiences?

Suarez-Orozco & Suarez-Orozco (2001) encountered some undocumented youth who did not learn about their family's immigration status until they were applying to university and found out they could not attend: "In some cases, high school students do not know that they are undocumented until they begin to think about college and their parents are forced to tell them"(p.35). This seems to suggest that parents communicate around status in different ways and on different timelines, but does not speak to how or why they choose to disclose or keep information from their children. It would be interesting to see if the strategies of families with respect to their children differ in Canada versus the US, given that the context of living with LTFS is believed to differ in these countries (although the dearth of research with the LTFS population in Canada makes it difficult to suggest that this is the case, hence the need for such research).

The youth in this study seemed to confront and experience the uncertainty of their tenure in Canada in different ways. School in particular was an important site in which to negotiate questions of agency and belonging. For some of the youth, school was a place where they could be with friends and forget about their situations, while for others their time at school was a reminder of their uncertain status and fostered a sense that their time spent in Canada was meaningless. At times, friends from school helped the youth to feel like they belonged while at others they pointed to the ways in which these six youth felt different or like "outsiders." In addition, the gap in understanding among teachers and school administrators of their students' situations is critical and speaks to the need for educators to be aware of how immigration status mediates children's experiences, particularly in terms of the impact of uncertainty on a child's motivations or outcomes. The question of to what extent teachers ought to be aware of details about students and

their families, particularly with sensitive information like immigration status, is complicated. At one level there is a conviction - supported by the law - that schools should not ask for immigration status or documentation, particularly when students register to attend school. The 2001 *Immigration and Refugee Protection Act*, Section 30(2), indicates that: "Every minor child in Canada, other than a child of a temporary resident not authorized to work or study, is authorized to study at the pre-school, primary or secondary level." Similarly in Ontario, the right of all children to education is upheld in the *Education Act*[12] so administrators should not be asking to see immigration documentation when parents attempt to sign their children up for school[13]. The concerns over schools becoming databases of immigration information about students and by extension their families, or of schools requiring this information in order to admit students, are crucial: the education system should not be placed in the position of assisting with the enforcement of immigration policy[14] nor should families be required to reveal information that is personal and sensitive in order to gain entry to the education system for their children.

At the same time, Suarez-Orozco & Suarez-Orozco (2001) suggest that the "legal status of an immigrant child influences – perhaps more so than national origins and socio-economic background of the parents – his or her experiences and life chances"(p.33).

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[12] In Ontario, the children of temporary residents are permitted to attend school, however they must pay annual fees of $7,000 to $10,000 to do so. In May 2005, the Ministry of Education announced that children of temporary residents whose parents have applied for permanent resident status are now exempt from having to pay this fee (Government of Ontario, 2005)

[13] There is evidence that administrators continue to ask for documentation before registering children for school (TDSB, 2005) and according to conversations with several service providers in Toronto, in some cases children are still being denied access to school on the basis of their immigration status.

[14] Proposition 187, passed in California in 1994, would have required schools to report undocumented students. Teachers' associations lobbied against the implementation of this policy that would have seen them participate in immigration enforcement and many indicated they would not comply with the law (Simpson, 1995).

Since it appears from this preliminary study that a family's uncertain immigration status does factor into youth's daily lives, teachers must to a certain extent have an understanding of how immigration status could mediate a child's experiences. This is not to say that teachers need to know the immigration status of each student, but rather that they should be aware of the challenges that some children in their classrooms may be facing due to their LTFS. In terms of valuing and supporting each child, immigration status is a significant element of their existence, whether or not they are aware of it or appreciate the extent to which it may be significant. In order for teachers to better respond to the needs and concerns of their students, it is crucial that they have an understanding of the context in which these children live and experience the world (Bernhard, 1995; Gonzalez & Moll, 2002; Kilbride et al., 2000). Since it is likely that many families living with LTFS would be hesitant to reveal their legal status to teachers and school administrators, it is crucial for school staff to develop an awareness of the extent to which immigration status may affect a child's daily life and consider uncertain status as a potential factor in explaining a child's behaviour and outcomes. In order to support students, it is not necessary for teachers and administrators to know the details of a child's immigration status. Rather, it is essential for them to be aware that the student in front of them could be living with the uncertainty of LTFS and that this could be influencing their experiences at school.

Finally, all children living with LTFS will eventually become aware of what it means to have uncertain legal status in Canada. Whether it is a student in grade 12 contemplating university and realizing that his family cannot afford to pay international student fees or a 12-year old girl whose family is about to be deported, the significance of

immigration status becomes blatantly clear. Barriers and limitations can come in many forms. For children who live part of their lives secure in the knowledge that they are "just like everybody else" and then one day, or more gradually, discover that they are not, in fact, like all of their friends, the reality of immigration status may be a confusing and overwhelming adjustment. How is this communicated? How do children respond to having their understanding of the world, and of their place in it, turned on its head? Do children in some way lose trust in their parents or in the adult world? How do children make sense of their status? Do they understand the significance of immigration status in the Canadian context? What does the idea of "less than full status" mean to them? And as Suarez-Orozco & Suarez-Orozco (2001) ask, "how does a child incorporate the notion that she is an alien, or an illegal – that she is unwanted and does not warrant the most basic rights of education and health care"(p.7)? In what ways does discovering or understanding their LTFS affect a child's sense of belonging?

What emerged from this preliminary examination of the situations of six youth living with LTFS in Toronto was a sense that their uncertain immigration status does have an impact on their experiences. Living with LTFS factors into their access and awareness, and complicates their notions of agency and belonging – although they may not express it in these terms. These youth and their families are living through the settlement process despite not knowing whether or not they will be welcomed permanently and feel free to call Toronto "home." The uncertainty of their status holds the suggestion that their existences may be suspect, that their daily participation in the community and society in which they live does not count in the same way as that of their friends. In this way, the project raises important questions for further research with youth

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and families living with LTFS. An exploration of the situation of youth living with LTFS must go beyond questions of access to discern to what extent and in what ways their immigration status has significance, in terms of both their awareness of it and how it influences their experiences. The insights of the six youth who took part in this preliminary research project speak to the complexity of notions of agency and belonging, particularly when examined in the context of uncertain legal status. Their participation serves as a reminder that the actions of youth living with LTFS do have significance and that their stories, as part of the story of Toronto and indeed of Canada, must be heard.

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