

7. Current Criteria for Assessment of Potential Establishment

The immigration officer is also directed to consider the following criteria in assessing the applicant's potential to establish herself successfully in Canada:

- a) The applicant's level of education and training and her previous employment;
- b) Does the applicant have other relatives in Canada who are willing and able to assist her?
- c) Does the applicant have family overseas whom she would be entitled to sponsor under the Immigration Act?⁸

8. The Discriminatory Nature of the Potential Establishment Criteria

The criteria regarding establishment potential is profoundly discriminatory. Women who are sponsored by their husbands are not eligible for subsidized language courses and so they are less likely to speak one of Canada's two official languages. This will restrict their ability to establish themselves economically in the immediate future. Similarly, their ability to establish themselves immediately upon marriage breakdown will be restricted by the fact that most immigrant women who do not speak English or French work in occupations that are low-paying and with limited potential for advancement, such as jobs in the textile industry or janitorial work. As noted above, sponsored relatives are not eligible for all federal training programmes. Since women are most likely to come to Canada as sponsored relatives, they are most likely to be denied the training they need to be able to support themselves and thus meet the criteria for landing in cases of sponsorship breakdown.

Further, not all women sponsored by their husbands are given authorization to work; they may have expected to remain at home to raise their children and therefore not have requested a work permit. It is difficult to obtain a work permit after sponsorship has been withdrawn. In these cases, women will be at an extreme disadvantage because they will not have any Canadian work experience to show their ability to become self-supporting. If she has no relatives in Canada able to assist her financially and several relatives she is entitled to sponsor overseas, a woman may have difficulty establishing that she will be able to support herself and her family.

⁸ Ibid. I.E. 9.14 (3)(c)(i).