

**IMMIGRANTS AND THE NOVA SCOTIA JUSTICE SYSTEM: IDENTIFYING ISSUES
AND ASSESSING THE FEASIBILITY OF FURTHER RESEARCH**

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LIST OF ABBREVIATIONS

CSIS	Canadian Security Intelligence Service
CJS	Criminal Justice System
CSC	Correctional Services of Canada
GSS	General Social Survey (conducted by Statistics Canada every 5 years)
HCJS	Halifax Community Justice Society
HRM	Halifax Regional Municipality
ISIS	Immigrant Settlement and Integration Society (formerly MISA)
IWK	Izaak Walton Killam Foundation
JEIN	Justice Enterprise Information Network (Nova Scotia court statistical system)
LINC	Language Instruction for Newcomers to Canada
MLSN	Mi'kmaq Legal Support Network
NSLA	Nova Scotia Legal Aid
PPS	Public Prosecution Service (Nova Scotia)
PSR	Pre-sentence Report
RCAP	Royal Commission on Aboriginal Peoples
RJ	Restorative Justice
RJIS	restorative Justice Information System
SCC	Supreme Court of Canada
SES	Socio-economic Status

Executive Summary

This modest pilot project has focused on exploring the possibility of a major project examining how immigrants in Halifax Regional Municipality (HRM) view the significant problem of violence, crime and public safety in HRM and what their experiences in these regards may have been as offenders, victims, witnesses or support persons. By bringing together existing data sources and building upon them to capture cultural nuances and discourses, it was hoped that there would be opportunity to see more clearly what kinds of future research along these lines should be and could be done in collaboration with immigrant communities. Upon review of the salient literature, re-examination of survey data from the HRM Roundtable on Violence and Public Safety, and analyses of the 2006-07 and recent 2008-2009 interviews with immigrant activists and leaders, various significant issues pertaining to immigrants and the justice system have been identified.

Fundamental to appreciating the context for immigrant involvement in the justice system are the socio-demographic patterns associated with immigrant in-migration and out-migration. HRM and Nova Scotia have quite modest-sized immigrant communities which nevertheless are quite diverse in values, needs, socio-economic circumstances and justice system involvement. Immigration policy has translated into an immigration pool that is better educated and of higher SES than previous immigrant cohorts, and that can be very mobile in terms of seeking and taking advantage of economic opportunities elsewhere. Clearly if Nova Scotia and HRM is to attract and hold such immigrants, quality of life considerations, including a responsive and engaging culturally sophisticated justice system, will be important.

Overall, the literature search, given the focus here especially on the criminal justice system, produced limited results. There was a shortage of research materials that analyzed the differences among and within the very diverse immigrant communities with respect to offending patterns, victimization and use of legal services. And, of course, even less in Nova Scotia where the immigrant population has been so modest and dwarfed by required attention in research and policy on the two major visible minorities, namely the Aboriginals and the African Nova Scotians. Clearly there is a need to rectify that situation.

Re-analyses of the large HRM Roundtable surveys (2008) indicated that at a very general level the differences between immigrant and non-immigrant adults may be quite modest in terms of socio-economic status and in their perceptions of crime and threat, their level of victimization, as well as in their assessments of policing and the justice system and their own sense of personal mastery in life. The immigrants were different apparently in being of younger age, less locally integrated through relatives and friendship ties in their neighbourhoods, and much less likely to perceive HRM as either a high crime or an increasing crime milieu. There were socio-economic differences within the immigrant sub-sample which could prove important in larger representative samples. Sophisticated analyses based on larger samples might well show sharp differences in their experiences with and views about policing and the justice system as indeed was found in the in-depth analyses that was carried out in the large non-immigrant sample. Similar findings emerged in re-analyses of the large Roundtable survey of post-secondary students in HRM. The views and experiences of the immigrant-international students were quite

similar to mainstream post-secondary student population and they, with much consensus, considered HRM to be a low crime and a reasonably safe milieu.

In the 2006 set of interviews, carried out with immigrant activists, involved with or at least aware of restorative justice (RJ) programming, there was no sense that youth crime among immigrants was very problematic but some groupings had more such incidents than other (e.g. Middle Eastern and African more than East Indians and Chinese), perhaps reflective of variation in socio-economic status and institutional completeness among the immigrant communities. Among the immigrant people interviewed there was uncertainty about crime levels and types of offences and victimization and for the most part they essentially said, “We hoped you could tell us”. The immigrant leaders’ views on RJ were positive though some sensed that the RJ resources are limited and worried about adequacy of the consequences (typically fearing there would be no deterrent effect). The immigrants interviewed liked the idea of extending RJ eligibility to adults but there was little support for overriding the current moratorium on referring sexual assault and spousal/partner violence to the RJ program. The main benefit of the RJ path for most interviewees would be taking the context and cultural differences into account. There was widespread support for more engagement of the immigrant communities in the restorative justice process in some way, as well as for more dissemination of information about it, in short for much greater outreach and organizational linkage.

In the dozen or so interviews carried out with immigrant leaders and influentials specifically for this pilot project, the respondents’ views on crime and punishment were quite congruent with the findings reported above from the 2006 interviews. Two major concerns frequently cropped up, namely domestic abuse and issues surrounding the use of physical means in disciplining one’s children (with the threat if not the consequence of parents’ having their children taken from the them). There was, significant variety, though not quite polarity, in the views of immigrant leaders, with respect to their assessment of the Canadian justice system’s response to family violence in their communities. Several clearly considered that the justice’s system response has been too heavy-handed and aggravated the problems of spousal abuse and parent-child conflict rather than seizing the opportunity to explore and mitigate the underlying causes and rationalizations of the violence. No one excused or championed the abusive behaviour. At least half rejected outright any possible interpretive diminution of the seriousness of family violence.

The research was concerned too with the role – or possible role - of the immigrant community in the justice resolution of individual immigrant issues. As the demographics noted have shown, the small immigration population in HRM and Nova Scotia and the consistent subsequent out-migration to the larger metropolitan areas in Canada limit institutional completeness in the small immigrant / ethnic communities, and consequently the likely solidarity, collaboration and mutual assistance among immigrants of the same socio-cultural background, but it does not reduce the possibilities to zero. The respondents were asked whether there was a strong sense of community among the immigrant grouping and if the particular immigrant community does or could serve as a central mechanism through which the individuals or families deal with justice issues. Additional questions were specifically asked with respect to an immigrant community role in issues such as spousal / intimate partner abuse and responding to troubled or delinquent youth. Among the respondents identifying their immigrant community in HRM as “strong and collaborative”, there was also a common view that the immigrant community through

knowledgeable and empathetic leaders could meaningful impact on issues regarding family violence to facilitate better justice solutions. The majority of respondents, however, considered that meaningful community involvement in spousal or intimate partner violence was most unlikely largely because the victim would not be receptive to it for a variety of reasons. Turning to youth justice issues, more than half the respondents considered that youth offending should be left to the police and not involve the immigrant community. There was no indication in this small sample of immigrant leaders that youth problems or youth crime was a pervasive or serious problem.

Overall, then, for a variety of reasons, the broker / intervener role of the immigrant community per se in justice issues was not emphasized by the respondents, largely, but not only, because of the small size and significant out-migration of the immigrant communities in HRM. At the same time they did advance the concept of immigrant persons being able to contribute – and many wanting to contribute – as individuals with immigration experience, in cases involving other immigrants. Certainly, too, these positions underline the value of organizations such as ISIS which provide for knowledge dissemination, advocacy and mobilization for immigrants as a social grouping, “across the board”.

On the whole, the immigrant leaders were positive about their new home and its justice system and were not particularly eager to become more engaged in any role with the justice system. The key justice issues emphasized were that the government and social service workers be trained for increased sensitivity to immigrants’ needs, and to include immigrants in the workforce instead of the alleged “Lilly white” approach, that there be much more public legal information – more broadly, justice system information – communication targeted at immigrants, that qualified, reliable translators be more readily available, and that there be continued improvement regarding the immigrants’ trust in, confidence with and reliance upon the police services.

More in-depth research would definitely be needed to appreciate how immigrants are involved in the justice system, what their concerns and suggestions are, and how to improve the fit of the justice systems to their needs and interests within the general context of Canadian law and social policy for which they also express strong support. The research should be of a formative character working closely with the various communities in all phases of research, from establishing the research agenda to determining the appropriate methodologies to feeding back information and findings on a regular basis, and to communicating findings and collaborating in subsequent strategic action planning where possible. The diversity of the immigrant communities must be respected but this is not an overwhelming challenge as there already are inclusive effective organizational structures such as ISIS. It would appear crucial too to focus on the three major justice systems, namely criminal, family and regulatory, not solely the criminal justice system. Virtually nothing is available on how immigrants have been coping in the latter two justice areas – do they routinely have legal counsel or even interpreters in the family and regulatory systems? A good deal of research should be undertaken and, based on the interviews, leading activists in the various immigrant communities would likely be supportive of such activity were it carried out in the ways suggested above.

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INTRODUCTION

This pilot project has focused on preparation of a major project examining how immigrants in Halifax Regional Municipality (HRM) view the significant problem of violence, crime and public safety in HRM and what their experiences in these regards may have been as offenders, victims, witnesses or support persons. There was an interest also in appreciating their concerns with respect to family and regulatory justice systems. The immigrant communities can be expected to vary significantly. Previous research by the principal investigator (see *Extra-Judicial Sanctions in a Complex Urban Community*, 2006) certainly pointed to considerable variation and such variation would presumably be even greater here since international students made up a significant proportion of one of the large surveys that we will be analyzing as secondary data sets (Clairmont, 2008). We will be examining patterns of involvement in the criminal justice system based on justice statistics already at hand, and views and perspectives based on survey responses available via three large random samples of HRM adults in 2007. The write-up will deal with fears and worries about crime and public safety, perceptions of risk, adaptive strategies, informational sources and levels and types of social integration as factors impacting on the respondents' views and perspectives.

The justice statistics and three public surveys (sample sized 1207, 1982 and 1542 respectively) can be considered as secondary data since the original research generating the data had other primary objectives; nevertheless, there were much good data to be mined here with respect to immigrants' views and perspectives. In addition to the secondary data analyses, at least twenty interviews, one-on-one interviews, were carried out with immigrant community leaders and supporters (e.g., ISIS / MISA) following an interview guide (see appendix) developed by the principal investigator in the 2006 project referred to above. The interviews sought not only information on views and experiences but also to identify possible sources of data and suggestions concerning future study. Additionally, there was a review of the salient literature. By bringing together existing data and building upon it to capture cultural nuances and discourses, there will be opportunity to see more clearly what kinds of future research along these lines should be and could be done in collaboration with immigrant communities.

The pilot project allowed funding for a part-time law student - research assistant who searched the literature and carried out the new interviews to supplement the research carried out by the principal investigator two years earlier. This new work was completed in May 2010.

BRIEF REVIEW OF LITERATURE

Much of the accessible research literature found was European and dealt with the construction of data sets and putting into place a scientific infrastructure for subsequent research. In terms of the Canadian literature, there was substantial material on the various dimensions of the refugee issues and on issues of immigration law, topics that were outside the primary focus of this modest project. Also outside was the burgeoning field of immigration, security and terrorism that has been crowding out the other conventional research and policy agenda on immigrants and the justice system. Clearly both the above justice research thrusts are vital, the latter in particular since the legal and policy challenges for human rights, citizenship, and

avoiding stereotyping in the legitimate quest for security are so complex; moreover, the impact that such policy might have on the criminal justice system should not be underestimated. However the thrust in this modest pilot project was on immigrant experiences and viewpoints regarding the criminal justice system. In the area of criminal justice, whether offending or victimization patterns, the research and policy-related emphasis was found to be on domestic / intimate partner and other family violence; here much literature dealt with either the response of immigrant female victims or the clash of inter-generational immigrant viewpoints and experiences. The review of literature was helpful in the creation of the interview guide used in the one-on-one interviews, also in providing additional contexts and insights throughout the interview processes, and in framing the “big picture” as the final report of this pilot project was being written. Materials included reports from national and local research projects on immigrants, visible minorities and other specific subject areas salient to understanding justice themes for immigrants.

Socio-demographic Patterns: Canada, Nova Scotia and HRM

Immigrants represent an increasingly significant percentage of the total Canadian population. In 2006, 20% of the Canadian population were immigrants, and 95 % of them lived in urban areas (1). The unemployment rate of recent immigrants doubled that of non-immigrants (the age structure difference partly accounts for this gap) and average incomes of immigrants were considerably lower though this latter gap narrowed over time (see table 8 for this pattern in Nova Scotia). Most visible minorities in Canada in the mid-2000s were immigrants, increasing in 2006 from the already high 7 out of 10 found in the 2001 census (2). Leaving aside the complex category Aboriginal, the Chinese constitute the largest grouping of visible minorities followed by South Asians and Blacks. The population of visible minorities in Canada has doubled in the last ten years, basically due to the increase of immigrants from outside Europe and the USA. Still, only 9% of the visible minority immigrants could not speak either English or French well enough to carry on a conversation (3).

Tables 1 and 2 locate the immigration patterns for Nova Scotia and HRM. Table 1 indicates clearly that, assuming zero net immigration, Nova Scotia’s population will experience steady decline, going from roughly 935,000 in 2010 to under 900,000 in just fifteen years. The table also shows that the % of the population aged 5 to 18 fell from 18% to 15% in the first decade of the new century and will further decline to 13.6% over the next fifteen years. It is understandable then that getting immigrants to come to Nova Scotia and keeping them here has become an important policy for the provincial government. Table 2 shows that metropolitan Halifax – HRM – has steadily increased its share of the provincial immigrant population since 1960 and in recent years (up to 2010) regularly receives 80% of these immigrants. At the same time, the table also shows that the provincial share of Canada’s immigrant population has remained steady and small since 1960, accounting for about half of one percent of the latter.

Tables 3 and 4 indicate that the proportion of immigrants in the HRM metropolitan area has essentially remained at 7% and the equivalent proportion for Nova Scotia as a whole at 5% since 1986, while the proportion in Canada as a whole has steadily risen during the same period. The 2006 census indicated that these three trends have largely continued over the past ten years (e.g., the Canadian proportion is now 20%). Table 3 describes the three trends clearly, namely low to no growth for Nova Scotia, very modest growth for HRM and significant growth for

Canada in terms of the number of immigrants. Table 6 describes the changing identities of the immigrants in HRM over time. Interestingly, American and European immigrants accounted for roughly 70% of the immigrants before 1986 and the dominant United Kingdom itself accounted for roughly one-third of all immigrants. In the 1996-2001 era, the American and European identity accounted for only 17% of the immigrants and United Kingdom for but 4%; the leading immigration country was the People's Republic of China which accounted for 9% of all immigration. The 2006 census show that overall the USA, U.K., China and Iran each accounted for roughly 9% of all the immigrants in Nova Scotia. The other significant contributors were Korea (6%), Jordan and Taiwan (each 5%), India, Philippines and Egypt. The non-European immigrants, who, typically, but not always of course, can be classified as visible minorities, are clearly the drivers for immigration, currently and in the foreseeable future.

Table 7 indicates that, in addition to changing ethnic/racial identities, the immigrants to Nova Scotia and HRM have also been changing in terms of their socio-economic status. Economic immigrants with investment options have become by far the major type of immigrant, accounting for 79% of all the immigration in the period 1996 to 2000 compared to but 43% in the period 1986-1990. The proportion of immigrants who were 'family class' or refugee declined considerably from the 1986-1990 period. This strategic emphasis in immigration policy has remained a government priority so one would expect 2001-2006 data to reflect a similar distribution of immigrant types. It translates into an immigration pool that is better educated and of higher SES than previous immigrant cohorts, and that can be very mobile in terms of seeking and taking advantage of economic opportunities elsewhere. Clearly if Nova Scotia and HRM is to attract and hold such immigrants, quality of life considerations, including a responsive and engaging culturally sophisticated justice system, will be important.

Other crucial facets of the immigration trends for Nova Scotia include

4 in 10 recent immigrants have university degrees, which is more than earlier immigrant groups, and twice as many as among the Canadian-born.

Recent immigrants in Halifax tend to be employed in jobs that require a high level of skill, but for university graduates the skill requirements of jobs are lower for recent immigrants than for the Canadian born (i.e., their education and skill level exceeds the job requirements).

The comparative well-being and income levels of immigrants in Nova Scotia depends upon time of arrival but income in the recent decade was higher by one-third than given years earlier, a larger change than for other immigrant cohorts and the Canadian-born. While 1 of every 3 immigrants between 1996 and 2001 was in a low wage situation (double the proportion for Canadian-born) in the early 2000s, the data indicate that immigrants end up with higher incomes than non-immigrants.

Immigrants and the Criminal Justice System: Victimization

Immigrants have had a lower rate of violent victimization than that of the Canadian-born population as indicated in recent GSS studies (1999 and 2004 where in the latter there were reportedly 68 incidents per 1,000 population vs 116 incidents per 1,000 population in the general population) (4). In general, immigrants have had low levels of overall victimization but this generalization may understate as victimization that which occurs within the family and immigrant community (perhaps even “under-considered as victimization” by the victims). More is known about victimization among visible minorities. They, as noted, make up a large segment of the immigrant population; overall, according to the GSS and other CCJS data, they exhibited victimization patterns quite similar to the general population. All of the differences between visible minority and non-visible majority were typically less than 10% differences (5). For example, visible minorities had slightly less risk of being victims of violent crime, as their rate of victimization was 98 per 1000 population while the non-visible majority rate was 107. The central difference by far was not between visible minorities and other immigrants but between native-born and foreign-born (immigrant) visible minorities. Canadian-born visible minorities had rates of violent victimization in 2004 that were three times higher than visible minorities who were born abroad. Canadian-born visible minorities were younger, more likely to be single and more likely to be low-income earners than foreign-born counterparts. Canadian-born visible minorities also participated more in a larger number of evening activities; studies have shown that these factors have typically been related to greater risk of victimization (6).

The research findings with respect to fear of crime and victimization generally follow the same patterns as victimization, and the overlap between immigrant and visible minority confounds simple analysis. For example, one study reported that immigrants feel slightly more fearful of crime than non-immigrants (11 % vs. 8 %). The immigrants considered that crime rates were higher in their neighbourhood than elsewhere in Canada. There was significant variation in these views by region not to speak of whether the immigrant was visible minority or otherwise, and what racial / ethnic group they belonged to (7). Immigrants in Quebec and Atlantic Provinces expressed lower levels of fear than those residing in Ontario and British Columbia (i.e., 60% – 60% felt safe vs. 52% – 50 %). Visible minorities were more fearful than others and reportedly less likely to engage in various activities because they considered themselves unsafe in their area. Visible minorities were more likely than their non-visible minority counterparts to consider that certain social situations pose a problem in their neighborhood. This undoubtedly can be attributed to the higher proportion of visible minorities living in at-risk urban areas, where the following problems tend to be more prevalent: loud parties, noisy neighbors, people loitering, people sleeping in streets, presence of garbage, vandalism, harassment or attacks motivated by racial, ethnic or religious intolerance, presence of drugs, public drunkenness and prostitution. Again, the native-born visible minorities (e.g., Aboriginal, Black) were more likely to be living in the high risk areas and expressing these fears; by comparison, immigrants were even less likely than non-immigrants to report these problems. The patterns of reported victimization and fear of crime and victimization in HRM are discussed below in the analyses of survey data and personal interviews.

Immigrants and the Criminal Justice System: Offending

There was disappointingly little accessible research material found on crime patterns among immigrants whether in Canada or in Nova Scotia. The combination of scant research, lack of race/ethnic breakdown in police and court data systems, and the small immigrant population in areas like Nova Scotia, account for this shortfall. Additionally, research carried out by the principal investigator has indicated that there are crime “specializations” associated with different immigrant groups (e.g., the drug trade in Vancouver where there are different roles played by the Chinese, Vietnamese, East Indian and Central American gangs) so overall patterns of immigrant offending would mask much interesting variation by category of offences and immigrant identity. There is plentiful research on visible minorities but this largely deals with Aboriginal and Black offenders; significant numbers of the latter are immigrants or “first-generation” Canadians but the available data do not allow for such comparison between native-born and foreign-born offending (Wortley and Bempah, 2009).

Where significant, salient research literature has been accumulating is with respect to immigrant youth and second generation immigrants. For example the article, “The Integration of Black Francophone Immigrant Youths in Ontario: Challenges and Possibilities” 2008, deals with concerns surrounding languages, racism and violence among Black francophone immigrant youths in Ontario. The “Black Francophone” category includes refugees, newcomers and first generation Haitian and Black African immigrants; the study identified language barriers leading to isolation and racism as central problems for these youths who disproportionately became involved in crime. Another interesting research article, “Racialized Youth, Identity and the Labour Market: The Vietnamese Second Generation” (2008) focused upon second generation youths who become alienated from their immigrant parents and caught up in a non-assimilative quandary where disproportionately they get into conflict with the law. According to the researcher, the coping strategies for some youth involved putting on a tough front, adopting “gangsta-like” mannerisms, and depreciating the value of formal educational achievement. The researcher emphasized the importance of gender identity and explored ways to balance the toughness attitude with commitment to academic success, a strategy that some such youth apparently were able to achieve.

The research literature on immigrant youth captures the combination of perceived marginalization, racism threats, and culture conflict exacerbating the conventional generational conflict which increasingly has characterized modern society. This pattern was also evidenced in a report of the Halifax Community Justice Society which has been engaged in outreach to the HRM immigrant communities in conjunction with its restorative justice program (2009). Several studies have explored offending and victimization by first, second and subsequent generation “immigrants: and have found stability in the rates from second generation onwards. One of these studies, while describing the more general patterns that contextualize the problems of immigrant youth, reported that the majority of immigrant youth somehow manage to adapt successfully and without crime despite the challenges (Experiences of Second Generation Canadians, 2008). The article provided a list of six major characteristics of second generation youths drawn from research conducted in Toronto, Winnipeg and Calgary. These six are, to quote,

1. Strong Attachments to home and school: This serves as the heart of their identifications and provides them with human and social capital in the form of connections, support and sources of understanding of themselves and the world around them.
2. Sense of being Canadian: Most, if not all participants are able to imagine themselves as Canadian and recognize that they are on a journey of life, moving across cultural and other spaces at home, school walls and elsewhere, in youth – specific and friendly places.
3. Mobility of mind: Allows adolescents to think, imagine and experience cultural identifications as part of the integrative process. Immobility of mind with respect to change is central to the angst experienced around dual cultural attachments by a few second generation participants. Most participants do not appear to be experiencing this angst.
4. Recognition of multiculturalism.
5. Susceptibility to consumerism.
6. Façade of local spaces: Some are highly critical of globalization and multiculturalism seeing beyond the façade and the ideal to recognize the unpleasantness behind the scenes. These youths are more likely to strongly and critically identify the issues of over-consumption, racism and human rights inherent in the human and environmental exploitations that sustain current approaches to globalization.

Other research has focused, as noted earlier, on reaction to real or perceived racism and angst from the “immobility of mind” cited in point #3 above. For example, “Experiences of Second Generation Youth of Haitian origin in Quebec” (ibid) discussed angst rooted in a difficulty integrating with Canadian culture and society as a major source of problems – including trouble with the law - for second generation Haitians in Quebec. Other research – and this is an increasing area of research emphasis – has highlighted what appears to be a healthy new synthesis of perspectives among Muslim youth. In the article, “Creating Genuine Islam: Second Generation Muslims growing up in Canada” (2008) the researcher contends that

“Muslim youths are constructing their identities in general, and their religious identities in particularly diverse and highly original ways, without regard for what the majority might think and without apparent fear of marginalization, as would be expected in a context that claims to permit and even encourage this. Yet these same people, with few exceptions, also claim to feel entirely comfortable in Canada, to consider it a fine place to live, that welcomes immigrants and accepts difference. In short, they are different, but they usually also feel completely, and in unproblematic way, Canadian”.

Immigrants and the Justice System

Research has generally shown that interaction with, and assessment of the justice system, has varied among immigrants, whether by generation, race-ethnic identity or visible minority status or not. Also, the interaction and assessments vary depending upon the segment of the justice system under consideration. For example, visible minorities have usually been less satisfied with the performance of criminal courts and the correctional system than with that of the police, a pattern that has been very common for years among non-immigrants (8). Among diverse racial / ethnic groups, the Chinese were the least likely to rate the courts as doing a good job, while South Asians were the most likely (Visible Minorities, 2004). Overall, only a small proportion of either immigrants or non-immigrants held that the courts in Canada were “doing a good job” but immigrants were more likely than non-immigrants to consider that courts were performing well, at least in providing justice quickly, helping victims and helping inmates in prison become law abiding citizens. These views varied too by region as immigrants in British Columbia were least likely to praise the courts or prisons while their Quebec counterparts were most likely to do so. Perhaps the sharpest criticism among all groupings, immigrant and non-immigrant, minorities whether visible or not, was reserved for the parole system and its early release policies.

There is of course a considerable literature on policing and visible minorities, especially Black and Aboriginal minorities. Visible minorities have consistently been less likely than others to rate police as doing a good job with tasks that were related to police accessibility and attitudes such as being approachable and easy to talk to, supplying the public with information on ways to reduce crime and treating people fairly (Visible Minorities, 2004; Clairmont, 2008). Generally both immigrants and non-immigrants have considered that police were doing a good job, but less so if they had contact with police within 12 months – specifically these patterns applied with respect to police ensuring safety of citizens and treating people fairly. According to the GSS surveys (national surveys every five years), however, there have not been sharp differences between visible minorities and the general population with respect to reporting crimes to the police or with overall satisfaction with the police; in both instances, roughly one-third of adults claimed that they reported crimes against them to the police and roughly 60% said that they were satisfied with the policing in their area. No information was obtained on assessments of policing among or within the different immigrant communities (as opposed to the visible minorities) but it appears from a variety of sources that immigrants from the Middle East and Africa and immigrants who are refugees may be less likely to hold positive views about their local police (see also the interview data below); the social correlates for such a perspective have been found to be factors such as low socio-economic status, living in high-risk areas, cultural factors, a mix of employment and illegal opportunities, and negative attitudes towards them among the general population.

Issues of immigrants’ engagement or lack of same with legal services was an important theme in the literature search since research carried out by the principal investigator on the unrepresented in criminal and family court and on case processing in criminal court has shown these to be areas where discrepancies in access to justice exist and can make a great difference to the parties (Clairmont, 2006). The immigrant dimension was not a focus in that work since

immigrants were so unrepresented in the data systems available to the researcher. Unfortunately, the literature search for this project did not yield much interesting research material from elsewhere in Canada or through national sources such as the CCJS or the GSS in Statistics Canada. The main sources identified were virtually all focused on the Immigration and Refugee Protection Act. As noted there (Representation for Immigrants, 2002), 90% of Legal Aid expenditures in Canada devoted to immigration and refugee matters have been spent on refugees. Other immigrants have been less likely to get involved with such legal matters and if so, apparently can afford a lawyer. Refugees severely lack knowledge of law, and absolutely need legal assistance. Much good policy research has been undertaken in this field as well; for example, proposals and strategic action plans have been developed for integrated service delivery. Integration of legal services delivery with delivery of other settlement-related services, such as housing, health care and language training would greatly facilitate adjustment for the newly arrived immigrants and refugee claimants.

While little research literature was found dealing specifically and substantially with the use of legal counsel in criminal, family or regulatory areas of justice, it could be expected that much outreach work would be valuable there and especially to the immigrant communities at-risk (low SES, refugees, women etc). There are many community services available to women, and youth of course would virtually always be eligible for legal aid, but it is not clear how adequate they are, and at least in Nova Scotia there is neither a domestic violence court nor enough paralegals reaching out beyond the traditional legal services. The work of the HCJS (focused on youth crime and restorative justice) cited above has included legal information workshops for immigrants which have targeted the divides between parents and youth and between immigrants and the providers of legal services. Several studies in Quebec have highlighted the need to correct the shortfalls in provision of outreach services. One 2008 study (Canadian Diversity, 2008) concluded “Many Francophone racial minorities are ignorant of the many aspects of Canada’s penal system and of the procedures applied in the administration of justice. As result, they are often caught unaware when they must confront the system” and “Reality in terms of access to justice for Francophone visible minorities requires that we take into account not only language but also race and status (and religious diversity) when administering access to justice policies and programs.”

Immigrants and Issues Pertaining to Family Court and Women’s Rights

Perhaps the one area where there has been and continues to be valuable research, though less apparently in Nova Scotia, is with respect to women’s victimization and women’s rights. The literature centers around the issue of domestic or intimate partner violence (and increasingly parent-child violence) calling attention to its extensiveness in some immigrant communities, and advancing programs and action plans to deal with it. As noted in much of the material (e.g., Ethnocultural Minority Women and Domestic Violence, 1995), while the stress of the immigration process for new immigrants should not be considered as the cause of violence, assaults to wives and children do tend to increase for some immigrant families. Language and cultural and institutional barriers have been identified as major obstacles to change. Often, too, according to the literature, the victims do not understand their legal rights and options in Canada

and, even if they do, they are worried about the consequences – including the legal consequences – of seeking help in the justice system. The Public Legal Education and Information Program has been very important for abused immigrant women in wife assault situations; one pamphlet identified the following issues that immigrant women in abusive relationships face (Lack of Legal Information for Immigrant Women, 1994):

Immigrant women must consider many important legal issues as they decide to stay with or leave an abusive relationship, such as immigrant status, sponsorship relationship, eligibility for social assistance, and the possibility that they or their husbands be deported.

Language skills may be problematic. It takes time to learn a new language and be able to ask for assistance. Learning a new language can be an insurmountable challenge for many immigrant women, due to their family and relationship structure and social milieu.

Privacy concerns because of family values (e.g., familism) may place a role. The emphasis on keeping the family together at all costs may lead some women not to want outsiders to get involved in the “private” family matter.

Community ties may be problematic. An abused immigrant woman seeking help may get rejected by the community in some cultures.

First response to temporarily halt abuse may be problematic, as, reportedly, many immigrant women do not trust the police due to their experiences in their country of origin.

Literacy can be problematic. Some women come from oral cultures, so even if there is written information available, they may be unable to understand it. Video information may be helpful for these women, but with again limitations due to language barrier.

Clearly there is salient material on the above issues, both explanatory and policy-wise but what is apparently unavailable is substantial research on the variation in occurrence, response and trends among and within the diverse immigration communities. The variation appears to be so significance as to represent a fatal flaw in the available materials.

Overall, the literature search, given the focus here especially on the criminal justice system, produced limited results. There was a shortage of research materials that analyzed the differences among and within the very diverse immigrant communities with respect to offending patterns, victimization and use of legal services; and, of course, even less information is available in Nova Scotia where the immigrant population has been so modest and dwarfed by required attention in research and policy to the two major visible minorities, namely the Aboriginals and the African Nova Scotians. Clearly there is a need to rectify that situation.

SOCIAL DEMOGRAPHIC DATA

Table 1

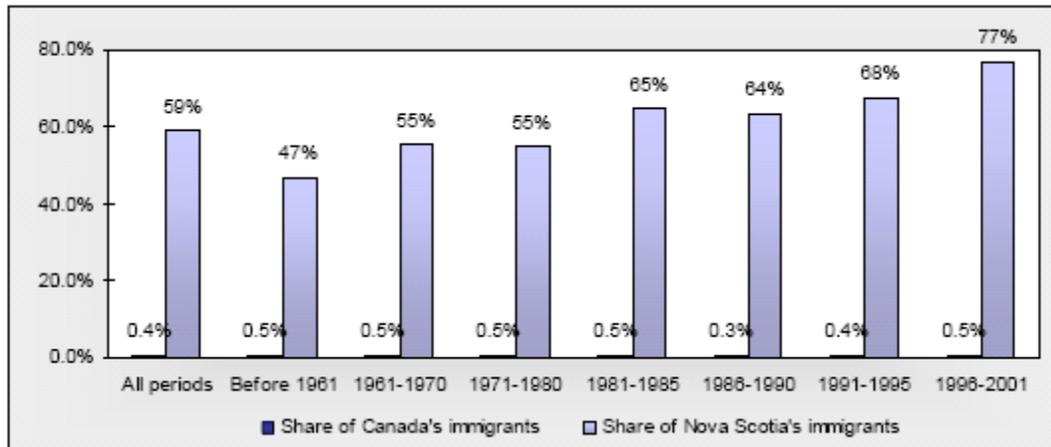
Predicted Nova Scotia Population Growth, Assuming Zero Net Immigration

Year	Total 5-18 Years of Age	% of Total NS Pop	Total 19-24 Years of Age	% of Total NS Pop	Total 65+ Years of Age	% of Total NS Pop	Total NS Pop
2001	168,788	18.10%	72,950	7.82%	127,546	13.68%	932,389
2002	166,803	17.85%	73,601	7.88%	128,893	13.79%	934,507
2003	164,291	17.55%	75,140	8.03%	130,331	13.92%	936,165
2004	161,368	17.22%	75,960	8.11%	131,833	14.07%	936,960
2005	158,050	16.87%	76,409	8.16%	132,848	14.18%	936,936
2006	154,391	16.48%	76,542	8.17%	134,361	14.34%	936,760
2007	150,745	16.10%	76,514	8.17%	136,077	14.53%	936,456
2008	147,003	15.70%	76,190	8.14%	138,346	14.78%	936,030
2009	142,771	15.26%	75,851	8.11%	140,680	15.04%	935,490
2010	139,309	14.90%	75,251	8.05%	143,074	15.30%	934,830
2011	136,410	14.60%	74,238	7.95%	146,138	15.65%	934,037
2012	133,842	14.34%	73,145	7.84%	151,084	16.19%	933,106
2013	131,604	14.12%	71,972	7.72%	155,777	16.71%	932,015
2014	129,788	13.94%	70,297	7.55%	159,999	17.19%	930,759
2015	127,970	13.77%	68,341	7.35%	164,027	17.65%	929,317
2016	126,675	13.66%	66,116	7.13%	168,111	18.12%	927,662
2017	125,784	13.59%	64,066	6.92%	171,957	18.57%	925,775
2018	125,090	13.54%	62,135	6.73%	175,906	19.05%	923,629
2019	124,362	13.50%	60,525	6.57%	180,202	19.56%	921,205
2020	124,182	13.52%	58,729	6.39%	184,637	20.10%	918,487
2021	124,162	13.56%	56,690	6.19%	188,890	20.63%	915,455
2022	124,064	13.60%	55,164	6.05%	193,229	21.19%	912,083
2023	124,058	13.66%	53,857	5.93%	197,561	21.75%	908,370
2024	123,418	13.65%	53,286	5.89%	201,645	22.30%	904,314
2025	122,676	13.63%	52,689	5.85%	205,704	22.86%	899,911
2026	121,804	13.61%	52,683	5.89%	209,965	23.46%	895,170

Source: Canmac Economics Ltd., May 2006

Table 2

Immigrants residing in Halifax Census Metropolitan Area as a percentage of Canada's and Nova Scotia's immigrant population, by period of immigration.



Source: Recent Immigrants to Metropolitan Areas: Halifax, Metropolis Project, 2005

Table 3

Immigrants, Canadian-born and total population, Halifax Census Metropolitan Area, Nova Scotia and Canada, 1986, 1996 and 2001

	Census of Population			Change					
	1986	1996	2001	1986-1996		1996-2001		1986-2001	
Halifax									
Immigrants	20,430	23,630	24,390	3,200	16%	760	3%	3,960	19%
Canadian-born	272,640	305,150	329,610	32,510	12%	24,460	8%	56,970	21%
Population	293,070	329,750	355,950	36,680	13%	26,200	8%	62,880	21%
Nova Scotia									
Immigrants	40,470	41,960	41,320	1,490	4%	-640	-2%	850	2%
Canadian-born	823,690	856,400	853,660	32,710	4%	-2,740	0%	29,970	4%
Population	864,150	899,970	897,570	35,820	4%	-2,400	0%	33,420	4%
Canada									
Immigrants	3,908,150	4,971,060	5,448,490	1,062,910	27%	477,430	10%	1,540,340	39%
Canadian-born	21,113,860	23,390,330	23,991,910	2,276,470	11%	601,580	3%	2,878,050	14%
Population	25,022,010	28,528,130	29,639,040	3,506,120	14%	1,110,910	4%	4,617,030	18%

Note: In Table 3, population totals for 1996 and 2001 include non-permanent residents as well as immigrants and the Canadian-born. Non-permanent residents are not included in Table 3 for 1986 nor are they included in any population figures elsewhere in this report.

Table 4

Immigrants as a percentage of the population, Halifax Census Metropolitan Area, Nova Scotia and Canada, 1986, 1996 and 2001

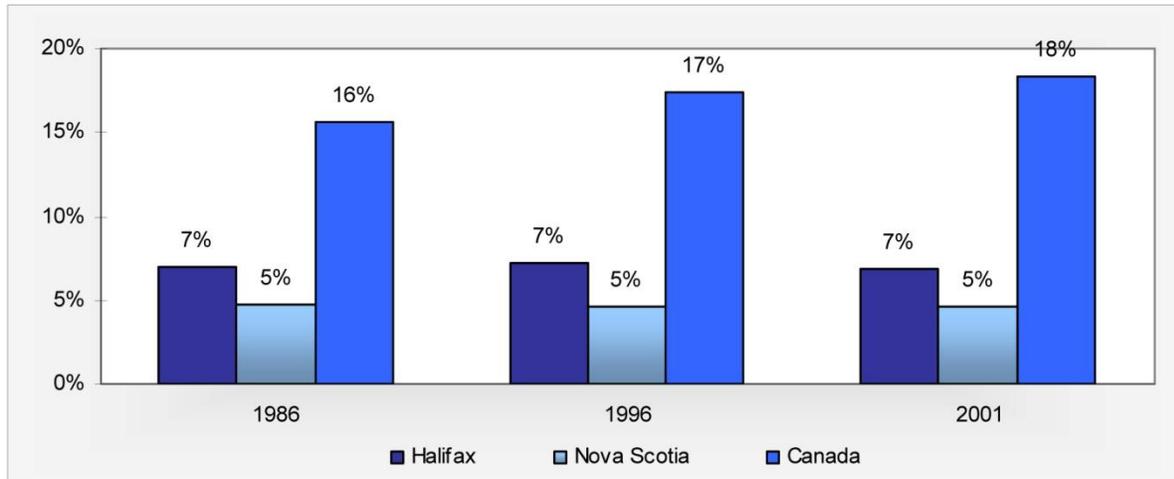


Table 5

Immigrants by period of immigration, Halifax Census Metropolitan Area, Nova Scotia and Canada, 2011 (number and percentage)

Period of immigration	Halifax		Nova Scotia		Canada	
	Number	Percentage	Number	Percentage	Number	Percentage
Before 1961	4,480	18%	9,550	23%	894,470	16%
1961-1970	3,910	16%	7,060	17%	745,570	14%
1971-1980	4,470	18%	8,150	20%	936,280	17%
1981-1985	1,810	7%	2,790	7%	380,330	7%
Earlier immigrants	14,670	60%	27,550	67%	2,956,630	54%
1986-1990	2,220	9%	3,490	8%	661,180	12%
1991-1995	3,070	13%	4,550	11%	867,360	16%
1996-2001	4,430	18%	5,750	14%	963,320	18%
Recent immigrants	9,720	40%	13,780	33%	2,491,850	46%
Total	24,390	100%	41,320	100%	5,448,490	100%

Table 6

**Immigrants by period of immigration—top ten countries of birth, Halifax
Census Metropolitan Area, 2001 (number and percentage distribution)**

All immigrants			Immigrated before 1986		
		Share			Share
1 United Kingdom	5,740	24%	1 United Kingdom	5,080	35%
2 United States	3,330	14%	2 United States	2,360	16%
3 Lebanon	1,150	5%	3 Lebanon	700	5%
4 Germany	960	4%	4 Germany	660	4%
5 India	920	4%	5 Greece	560	4%
6 China, People's Republic of	830	3%	6 India	520	4%
7 Netherlands	590	2%	7 Netherlands	510	3%
8 Greece	580	2%	8 Italy	400	3%
9 Poland	570	2%	9 Poland	290	2%
10 Yugoslavia, Former	510	2%	10 Viet Nam	260	2%
Top ten countries	15,180	62%	Top ten countries	11,340	77%
All other countries	9,210	38%	All other countries	3,330	23%
Total	24,390	100%	Total	14,670	100%
Immigrated 1986-1995			Immigrated 1996-2001		
		Share			Share
1 United States	680	13%	1 China, People's Republic of	390	9%
2 United Kingdom	490	9%	2 United States	300	7%
3 Lebanon	400	8%	3 United Kingdom	180	4%
4 India	270	5%	4 South Korea	170	4%
5 Poland	260	5%	5 Yugoslavia, Former	140	3%
6 China, People's Republic of	230	4%	6 India	130	3%
7 Germany	210	4%	7 Philippines	120	3%
8 Hong Kong	200	4%	8 Russian Federation	110	3%
9 Viet Nam	180	3%	9 Iran	110	3%
10 Philippines	150	3%	10 Syria	100	2%
Top ten countries	3,070	58%	Top ten countries	1,750	40%
All other countries	2,220	42%	All other countries	2,680	60%
Total	5,290	100%	Total	4,430	100%

Table 7

**Recent immigrants by period of immigration—landings by immigration category, Halifax
Census Metropolitan Area, 1986-2000 (number and percentage distribution)**

	1986-1990		1991-1995		1996-2000	
Family class	1,240	26%	1,470	12%	970	10%
Economic immigrants	2,040	43%	9,530	79%	7,840	79%
Refugees	1,410	30%	1,030	9%	1,120	11%
Other immigrants	60	1%	70	1%	10	0%
Total	4,750	100%	12,100	100%	9,930	100%

Source: Citizenship and Immigration Canada, *Facts and Figures 2002* (data set).

Note: The 2001 Census did not ask immigrants about the immigration categories through which they were admitted to Canada. The information in (Table 7) was obtained from records at Citizenship and Immigration Canada and pertains to the time of landing.

Table 8

Immigrants by period of immigration and Canadian-born—15 years of age and over, with income—average income and sources of average income, by gender, Halifax Census Metropolitan Area, 2000

	Sources of average income				Total
	Average income of persons with income	Employment income	Other private income	Government transfers	
Women					
Canadian-born	\$22,950	73%	12%	15%	100%
Immigrants	\$24,520	66%	18%	16%	100%
Immigrated before 1986	\$27,800	63%	20%	17%	100%
Immigrated 1986-1995	\$18,520	77%	10%	13%	100%
Immigrated 1996-1999	\$14,490	72%	9%	19%	100%
Men					
Canadian-born	\$36,280	80%	12%	8%	100%
Immigrants	\$42,900	76%	15%	8%	100%
Immigrated before 1986	\$48,960	73%	18%	9%	100%
Immigrated 1986-1995	\$30,680	88%	6%	6%	100%
Immigrated 1996-1999	\$25,940	88%	4%	8%	100%
Total					
Canadian-born	\$29,320	77%	12%	11%	100%
Immigrants	\$33,780	73%	16%	11%	100%
Immigrated before 1986	\$38,510	70%	19%	12%	100%
Immigrated 1986-1995	\$24,530	84%	8%	8%	100%
Immigrated 1996-1999	\$20,300	82%	6%	12%	100%

Note: Incomes are for the year 2000. In all tables in (Table 8), immigrants and very recent immigrants include only those who landed before the year 2000 and could have had income the entire year.

SURVEY DATA FROM “VIOLENCE AND PUBLIC SAFETY IN HRM” INQUIRY

Survey data gathered in 2007 as part of the Roundtable on Violence and Public Safety in Halifax Regional Municipality (HRM) were examined, the objective being to explore whether there were possibly significant differences between self-identified immigrants and non-immigrants in their sense of safety and security, victimization and views about the criminal justice system. As noted in the previous section on socio-demographic data the immigrant population of HRM is quite small with the consequence that those respondents identifying themselves as immigrants were too few to warrant sophisticated statistical tests of difference with the native-born; only general patterns of similarity and difference can be noted. First, there will be analyses of the telephone and mail-back surveys completed with one adult in each of the households contacted.

Telephone and Mail-back Surveys (2007-2008)

Table 9 in this section examines the responses of adult immigrants selected out from the large telephone and mail-back surveys carried out in 2007. It can be noted that there were only 19 immigrant respondents in the telephone survey of 1206 and 23 in the mail-back sample of 1956, a little over 1% of these large randomized representative HRM surveys. Table 9 indicates that there are sharp differences associated with socio-economic status, here represented by rent or home ownership in particular; telephone respondents were much less likely than mail-back respondents to own their place of residence and that, as we found, in the overall comparison of telephone and mail-back responses, impacted on one's perception of crime as increasing, and one's worry about victimization, whether property or person victimization. Immigrant homeowners completing the mail-back survey were also more likely to reside in high risk areas which would further enhance these kinds of perceptions and worries. On the other hand, females were found to have more worry and safety concerns in the larger studies and the proportion of female respondents was greater among telephone respondents. Such a gender pattern emerged even in the very small samples of immigrants and presumably countered to some extent the SES factors in the comparison of telephone and mail-back immigrant respondents.

The small number of immigrant respondents in either survey made it imperative to aggregate the responses which even then only add up to 42. Table 9 results indicate some useful themes for this aggregate. The immigrant respondents were mostly under 55 years of age (76%), mostly female, and had lived in Halifax for less than ten years (64% and 67% respectively). They were very likely to be home owners (81%) but quite varied in their household incomes (50% reported such incomes to be under \$60,000 annually). They varied considerably in their perceptions of whether HRH was a high crime area, whether crime had been increasing of late, and whether they felt safe and relatively free from worry about property crimes or violent victimization. Most had a high sense of personal mastery (as measured by a conventional social science scale). Their overall views and assessments regarding policing and the justice system, when ventured, were somewhat critical (e.g. sentencing not being severe enough, how youth crime was dealt with). While the large majority (83%) had no relatives living nearby, a clear majority (71%) considered that their neighbourhood was a place where neighbours helped one another.

Table 10 provides a comparison with the large samples' overall frequencies (i.e., the marginals). Again, the numbers for the immigrant respondents were too few to facilitate analytical depth but overall a few comparisons can be noted. The immigrants were younger, average in terms of home ownership and household income, less integrated in their local community areas with fewer relatives or close friends but only slightly less likely than the non-immigrant majority to consider their neighbourhood as one where people help one another (i.e., 71% to 80%). The immigrant respondents were less likely to report the HRM crime rate as either high or increasing (e.g., regarding the latter the percentages were 29% to 54% among non-immigrants). On average they were not different from non-immigrants (collapsing the telephone and mailback results) in worrying about property or person victimization, feeling safe in the evening and so forth. Their reported sense of personal mastery was roughly similar to that of the non-immigrants and they differed but modestly in their reliance on friends and relatives as opposed to TV and radio for news about crime and public safety. Adjusting for their understandably greater tendency to respond "don't know", the immigrants had quite similar assessments of policing and the justice system (i.e., positive about the former and critical about the latter). The proportions in each sub-grouping – immigrants and non-immigrants – who lived in high risk areas (determined by objective criteria) or who had been victimized in the past five years, were also quite similar, namely 24% to 23% in high risk areas and 57% to 49% for victimization.

What tables 9 and 10 suggest then is that at a very general level the differences between immigrant and non-immigrant adults may be quite modest in terms of socio-economic status and in their perceptions of crime and threat, their level of victimization, in their assessments of policing and the justice system and their own sense of personal mastery in life. The immigrants were different in being of younger age, less locally integrated through relatives and friendship ties in their neighbourhoods and much less likely to perceive HRM as either a high crime or an increasing crime milieu. There were socio-economic status (SES) differences within the immigrant sub-sample which could prove statistically significant in larger representative samples. Sophisticated analyses based on larger samples might well show sharp differences in their experiences with and views about policing and the justice system as indeed was found in the in-depth analyses that were carried out in the large non-immigrant sample (Clairmont, 2008).

Student On-Line Survey (2008)

A large on-line survey of post-secondary students, mostly studying at Dalhousie University, was completed as part of the Roundtable on Violence and Public Safety. There were 1542 respondents of whom 65 self-identified as recent immigrants and 104 as International students. Together, these two groupings accounted for roughly 10% of the entire sample of 1542. The categories, recent immigrant and international student, were not mutually exclusive and 22 persons appeared in both; no adjustment was made to deal with the overlap for this write-up. Table 11 depicts the data – the marginals - for each of the three samples of students.

The international and the recent immigrant respondents were more likely than other participating students to be male (roughly 45% to 31%) and, given the significance of gender as a factor in views and experiences concerning violence and public safety, this difference alone could be a significant cause of any differences between the two groupings. The immigrant-

international students overall were less likely than other students to perceive HRM as having a high level of crime (roughly 16% to 32%). They were quite similar to the larger student population in their views about feeling safe walking in the evening and worrying about being a victim of property or personal violence. While there was significant internal variation in responses about the crime level and worrying about property theft, there was much consensus among the immigrant-international student grouping that they felt safe; fully 80% reported that they were satisfied with their personal safety from crime and violence, quite similar percentage-wise to the views of the larger student population. Actual criminal victimization in HRM was low in all three samples (roughly 6%) and at least 70% across the board indicated that they had never been a victim of crime (the timeframe here stretched back at least five years). The immigrant-international students were, however, three times more likely (roughly 21% to 7%) to report that they had experienced racial discrimination in some fashion in the Downtown milieu.

The immigrant-international students were quite similar to the mainstream post-secondary students – surprisingly so – in their dependence on the conventional media (TV and radio) for their information about crime and public safety and reproduced virtually the same marginals in their responses regarding informational dependence on friends and relatives. There was much consensus within and between the student sub-samples. Similarly, despite some literature reports and official musings, there was little difference among the three samples with respect to views on policing and the perceived adequacy of that service nor was there indication of significant variation among samples in terms of considering their neighbours to be trustworthy. Overall, then, the views and experiences of the immigrant-international students were quite similar to mainstream post-secondary student population and they, with much consensus, considered HRM to be a low crime and a reasonably safe milieu.

Table 9

Immigrant Survey Sample from “Violence and Public Safety in the HRM”

QUESTIONS	RESPONSES	TELEPHONE SURVEY VALID PERCENT (OVERALL) N=19	MAIL-BACK SURVEY VALID PERCENT (OVERALL) N=23	TELEPHONE & MAIL-BACK SURVEY (COMBINED) N=42
Age	Under 55	79 %	74 %	76 %
	Over 55	21 %	26 %	24 %
Gender	Male	21 %	48 %	36 %
	Female	79 %	52 %	64 %
How long have you lived in Halifax?	Less than 10 Years	74 %	61%	67%
Dwelling owned or rented?	Owned	63 %	96 %	81 %
	Rented	37 %	4 %	19 %
Household income	Low (Under \$60,000)	54 %	50 %	52 %
	High (\$60,000 Plus)	46 %	50 %	48 %
Community integration	Low Level	58 %	79 %	68 %
	High Level	42 %	21 %	32 %
Crime rate in HRM?	High	21 %	26 %	24 %
	Average	32 %	43 %	38 %
	Low	42 %	26 %	33 %
	Don't Know	5 %	4 %	5 %
In the last several years has crime...	Increased	21 %	35 %	29 %
	Remained the same	58 %	48 %	54 %
	Don't know	16 %	17 %	17 %
How safe do you feel walking alone in local area after dark?	Safe	63 %	44 %	52 %
	Unsafe	37 %	56 %	48 %
Are you worried if you leave home/apt/room unattended, but locked, for more than a few	Not Worried at All	63 %	26 %	43 %
	Worried	37 %	74 %	57 %

hours?				
How worried are you about being attacked or molested?	Not Worried at All	68 %	35 %	50 %
	Worried	32 %	65 %	50 %
How worried are you about having your property broken into?	Not Worried at All	47 %	17 %	31 %
	Worried	53 %	83 %	69 %
When you go out in the evening, do you feel...	Very Safe	47 %	9 %	26 %
	Somewhat Safe	47 %	59 %	52 %
	Unsafe	5 %	32 %	21 %

QUESTIONS	RESPONSES	TELEPHONE SURVEY VALID PERCENT (OVERALL) N=19	MAIL-BACK SURVEY VALID PERCENT (OVERALL) N=23	TELEPHONE & MAIL-BACK SURVEY COMBINED (COMBINED) N=42
In general, how satisfied are you with your personal safety from crime and violence?	Very Satisfied	58 %	30 %	43 %
	Somewhat Satisfied	42 %	52 %	48 %
	Dissatisfied	0 %	17 %	10 %
Do you agree with this statement? "You have little control over what happens to you"	Agree	16 %	32 %	24 %
	Neither agree or disagree	10 %	18 %	14 %
	Disagree	74 %	50 %	61 %
Do you agree with this statement? "What happens to you in the future depends mostly on you"	Strongly Agree	21 %	9 %	23%
	Agree	47 %	52 %	50 %
	Neither agree nor disagree	26 %	9 %	17 %
	Disagree	5 %	13 %	10 %
Do you agree with this statement? "You can do just about anything you really set your mind to."	Strongly Agree	26 %	13 %	18 %
	Agree	58 %	61 %	60 %
	Neither agree nor disagree	11 %	13 %	12 %
	Disagree	5 %	13 %	10 %
Do you rely most on TV or radio news for information on crime or public safety?	Yes	26 %	57 %	43 %
	No	74 %	43 %	57 %
Do you rely most on friends	Yes	26 %	9 %	17 %
	No	74 %	91 %	83 %

and relatives for information on crime or public safety?				
Number of police in your area, would you say that there are...	Too Many	5 %	0%	2 %
	Right Number	58 %	22 %	38 %
	Too Few	26 %	48 %	38 %
	Don't Know	10 %	30 %	21 %
On providing justice quickly, do you think that the courts are doing...	Good Job	5 %	0%	2 %
	Average	16 %	26 %	21 %
	Poor Job	42 %	22 %	31 %
	Don't Know	37 %	52 %	45 %
On ensuring a fair trial, do you think that the courts are doing...	Good job	21 %	17 %	19 %
	Average job	21 %	9 %	14 %
	Poor job	16 %	9 %	12 %
	Don't know	42 %	65 %	55 %

QUESTIONS	RESPONSES	TELEPHONE SURVEY VALID PERCENT (OVERALL) N=19	MAIL-BACK SURVEY VALID PERCENT (OVERALL) N=23	TELEPHONE & MAIL-BACK SURVEY COMBINED (COMBINED) N=42
In general, would you say that the sentences handed down at criminal courts are...	About right	26 %	9 %	17 %
	Not severe enough	42 %	57 %	50 %
	Don't know	32 %	35 %	33 %
How much confidence do you have with the criminal justice system on preventing crime by young people?	Not at all	47 %	50 %	49 %
	Neither Confident nor Unconfident	11 %	9 %	10 %
	Somewhat	26 %	22 %	24 %
	Don't know	16 %	18 %	17 %
Do you have relatives living in other households in your neighbourhood?	Some	10 %	23 %	17 %
	None	90 %	77 %	83 %
Do you have any close friends living in other households in your neighbourhood?	5 or More	42 %	9 %	24 %
	1 to 4	37 %	50 %	43 %
	None	21 %	40 %	33 %
Would you say that your neighbourhood is a place where neighbours help each other?	Yes	79 %	64 %	71 %
	No	11 %	27 %	20 %
	Don't know	11 %	9 %	10 %
Interviewee lives in "High Risk Areas"	Yes	12 %	33 %	24 %
	No	88 %	67 %	76 %

Have you been a victim in the last 5 years ?	Yes	68 %	48 %	57 %
	No	32 %	52 %	43 %
Do you worry and fear of being attacked in person?	Low Fear and Worry of Person Attack	63 %	48 %	55 %
	High Fear and Worry of Person Attack	37 %	52 %	45 %
Do you worry and fear of property victimization?	Low	72 %	48 %	59 %
	High	28 %	52 %	41 %

* In calculating the percentages, the missing cases were ignored, but there were very few cases where the number of missing cases was greater than 1.

Table 10

Immigrant Sample Survey vs. Overall Telephone and Mailback Sample
from “Violence and Public Safety in the HRM”

QUESTIONS	RESPONSES	COMBINED IMMIGRANT SAMPLE N=42	OVERALL TELEPHONE SAMPLE (UNWEIGHTE D) N=1207	OVERALL MAILBACK SAMPLE (UNWEIGHTE D) N=1982
Age	Under 55	76 %	56%	49%
	Over 55	24 %	44%	51%
Gender	Male	36 %	36%	42%
	Female	64 %	64%	58%
How long have you lived in Halifax?	Less than 10 Years	67%	17%	17%
Dwelling owned or rented?	Owned	81 %	72%	92%
	Rented	19 %	28%	8%
Household income	Low (Under \$60,000)	52 %	56%	49%
	High (\$60,000 Plus)	48 %	44%	50%
Community integration	Low Level	68 %	47%	58%
	High Level	32 %	53%	42%
Crime rate in HRM?	High	24 %	44%	35%
	Average	38 %	48%	56%
	Low	33 %	8%	6%
	Don't Know	5 %		2%
In the last several years has crime...	Increased	29 %	53%	56%
	Remained the same	54 %	38%	33%
	Less /Don't know	17 %	9%	9%
How safe do you feel walking alone in local area after dark?	Safe	52 %	45%	36%
	Unsafe	48 %	55%	63%
Are you worried if you leave home/apt/room unattended, but locked, for more than a few hours?	Not Worried at All	43 %	65%	35%
	Worried	57 %	35%	65%

How worried are you about being attacked or molested?	Not Worried at All	50 %	64%	35%
	Worried	50 %	37%	65%
How worried are you about having your property broken into?	Not Worried at All	31 %	37%	10%
	Worried	69 %	63%	90%
When you go out in the evening, do you feel...	Very Safe	26 %	34%	13%
	Somewhat Safe	52 %	49%	60%
	Unsafe	21 %	18%	26%
In general, how satisfied are you with your personal safety from crime and violence?	Very Satisfied	43 %	42%	21%
	Somewhat Satisfied	48 %	48%	61%
	Dissatisfied	10 %	10%	17%

QUESTIONS	RESPONSES	COMBINED IMMIGRANT SAMPLE N=42	OVERALL TELEPHONE SAMPLE (UNWEIGHTED) N=1207	OVERALL MAILBACK SAMPLE (UNWEIGHTED) N=1982
Do you agree with this statement? “You have little control over what happens to you”	Agree	24 %	19%	19%
	Neither agree or disagree	14 %	7%	11%
	Disagree	62 %	74%	70%
Do you agree with this statement? “What happens to you in the future depends mostly on you”	Strongly Agree	23%	36%	27%
	Agree	50 %	53%	55%
	Neither agree nor disagree	17 %	5%	8%
	Disagree	10 %	6%	10%
Do you agree with this statement? “You can do just about anything you really set your mind to.”	Strongly Agree	18 %	42%	26%
	Agree	60 %	46%	56%
	Neither agree nor disagree	12 %	4%	9%
	Disagree	10 %	7%	8%
Do you rely most on TV or radio news for information on crime or public safety?	Yes	43 %	47%	68%
	No	57 %	53%	32%
Do you rely most on friends and relatives for information on crime or public safety?	Yes	17 %	8%	13%
	No	83 %	92%	87%
Number of police in your area, would you	Too Many	2 %	1%	1%
	Right Number	38 %	46%	27%
	Too Few	38 %	49%	52%

say that there are...	Don't Know	21 %	4%	20%
On providing justice quickly, do you think that the courts are doing...	Good Job	2 %	9%	2%
	Average	21 %	25%	25%
	Poor Job	31 %	51%	52%
	Don't Know	45 %	15%	20%
On ensuring a fair trial, do you think that the courts are doing...	Good job	19 %	30%	22%
	Average job	14 %	33%	35%
	Poor job	12 %	15%	8%
	Don't know	55 %	21%	32%
In general, would you say that the sentences handed down at criminal courts are...	About right	17 %	14%	10%
	Not severe enough	50 %	77%	78%
	Don't know	33 %	8%	12%

QUESTIONS	RESPONSES	COMBINED IMMIGRANT SAMPLE N=42	OVERALL TELEPHONE SAMPLE (UNWEIGHTED) N=1207	OVERALL MAILBACK SAMPLE (UNWEIGHTED) N=1982
How much confidence do you have with the criminal justice system on preventing crime by young people?	Not at all	49 %	68%	67%
	Neither Confident or Unconfident	10 %	11%	11%
	Some / Much	24 %	17%	15%
	Don't know	17 %	2%	5%
Do you have relatives living in other households in your neighbourhood?	Some	17 %	38%	44%
	None	83 %	61%	56%
Do you have any close friends living in other households in your neighbourhood?	5 or More	24 %	40%	40%
	1 to 4	43 %	37%	40%
	None	33 %	22%	19%
Would you say that your neighbourhood is a place where neighbours help each other?	Yes	71 %	82%	81%
	No	20 %	12%	10%
	Don't know	10 %	5%	8%
Interviewee lives in "High Risk Areas"	Yes	24 %	16%	30%
	No	76 %	84%	69%
Have you been a victim in the last 5 years ?	Yes	57 %	36%	61%
	No	43 %	64%	39%
Do you worry and fear of being attacked in person?	Low Fear and Worry of Person Attack	55 %	56%	47%
	High Fear and Worry of	45 %	44%	53%

	Person Attack			
Do you worry and fear of property victimization?	Low	59 %	58%	50%
	High	41 %	42%	50%

* In calculating the percentages, the missing cases were ignored, but there were very few cases where the number of missing cases was greater than 1.

Table 11

**Student Survey Immigrant Sample vs. International Students & Overall Student Sample
from “Violence and Public Safety in the HRM”**

Questions	Responses	Recent Immigrants (N=65) %	International Students (N=104) %	Overall Student Sample (N=1542) %
Gender	Male	47 %	43 %	31 %
	Female	53 %	57 %	69 %
Age	18-22 years old	40 %	31 %	50 %
	23-48 years old	46 %	63 %	50 %
Crime rate in HRM?	High	20 %	13 %	32 %
	Average	48 %	42 %	53 %
	Low	23 %	38 %	12 %
	Don't know	9 %	7 %	2 %
How safe do you feel walking alone in local area after dark?	Very safe	12 %	16 %	14 %
	Somewhat safe	58 %	49 %	39 %
	Somewhat unsafe	20 %	27 %	34 %
	Very unsafe	9 %	8 %	12 %
Are you worried if you leave home/apt/room unattended, but locked, for more than a few hours?	Not at all	43 %	47 %	55 %
	Some	40 %	38 %	35 %
	Much	15 %	13 %	10 %
How worried are you about being attacked or molested?	Very much	12 %	13 %	12 %
	Much	12 %	16 %	19 %
	Some	32 %	41 %	43 %
	Not at all	42 %	28 %	26 %
When you go out in the evening, do you feel...	Very safe	5 %	9 %	9 %
	Reasonably safe	71 %	63 %	53 %
	Somewhat unsafe	22 %	24 %	33 %
	Very unsafe	3 %	4 %	5 %
Have you changed your routine or avoided certain places since being in Halifax?	Yes	46 %	46 %	57 %
In general, how satisfied are you with your personal safety from	Very satisfied	20 %	18 %	20 %

crime and violence?	Somewhat satisfied	60 %	68 %	57 %
	Somewhat unsatisfied	17 %	11 %	20 %
	Very unsatisfied	3 %	3 %	4 %
How often do you go to Downtown Halifax during the evenings?	1-2 times a week	58 %	62 %	62 %
	3 or more times a week	25 %	28 %	22 %
	Never	9 %	5 %	10 %
	Don't know	8 %	6 %	6 %

Questions	Responses	Recent Immigrants (N=65) %	International Students (N=104) %	Overall Student Sample (N=1542) %
Have you been a victim of crime while Downtown Halifax during the evenings?	Yes	6 %	6 %	7 %
Have you experienced racial discrimination Downtown?	Yes	23%	19%	7 %
Have you ever witnessed a crime in the Downtown?	Yes	24%	19%	30 %
Do you agree with this statement? "It is dangerous to go to Downtown Halifax during the evening."	Strongly agree	8 %	3 %	6 %
	Agree	28 %	23 %	24 %
	Disagree	40 %	47 %	41 %
	Strongly disagree	14 %	19 %	17 %
	Missing or N/A	11 %	8 %	13 %
Do you agree with this statement? "I did not experience a crime in the past twelve months."	Agree	9 %	6 %	13 %
Do you rely most on TV or radio news for information on crime or public safety?	Great deal	28 %	18 %	39 %
	Some	60 %	57 %	44 %
	None	3 %	13 %	9 %
	Missing or N/A	9 %	12 %	8 %
Do you rely most on friends and relatives for information on crime or public safety?	Great deal	23 %	31 %	25 %
	Some	63 %	59 %	63 %
	None	8 %	7 %	7 %

	Missing or N/A	6 %	4 %	5 %
Number of police in your area, would you say that there are...	Too many	5 %	1 %	2 %
	About the right number	48 %	42 %	43 %
	Too few	35 %	52 %	41 %
	Don't know or N/A	12 %	5 %	14 %
Do you have relatives living in other households in your neighbourhood?	Many	0 %	0 %	3 %
	Some	8 %	10 %	12 %
	Very few	9 %	4 %	13 %
	None	82 %	84 %	64 %
	Don't know or N/A	2 %	3 %	8 %
Do you have any close friends living in other households in your neighbourhood?	Ten or more	26 %	36 %	27 %
	Five to nine	17 %	26 %	23 %
	Two to four	26 %	24 %	26 %
	One	8 %	2 %	5 %
	None	23 %	12 %	11 %
	Missing or N/A	0 %	1 %	8 %
Years living in Halifax area?	2 years or less	38 %	54 %	34 %
	3 or more years	62 %	46 %	66 %
Have you ever been a victim of crime?	Not a victim of crime	78 %	73 %	70 %
	Reported victim of crime	22 %	27 %	30 %

Questions	Responses	Recent Immigrants (N=65) %	International Students (N=104) %	Overall Student Sample (N=1542) %
How much do you think your neighbours can be trusted?	Low trust in unknown neighbours	66 %	65 %	57 %
	High trust in unknown neighbours	34 %	35 %	43 %
How much do you approve HRM policing?	Low approval of HRM police	42 %	35 %	41 %
	High Approval of HRM police	57 %	63 %	59 %
Is there much crime in HRM?	HRM has low crime	80 %	88 %	68 %
	HRM has high crime	20 %	13 %	32 %
Do you worry much about being assaulted or molested in HRM?	Low levels of fear and worry about person victimization	72 %	70 %	58 %
	High levels of fear and worry about person victimization	26 %	29 %	42 %
Do you worry much about your property being stolen or vandalized in HRM?	Low levels of fear and worry about property victimization	34 %	31 %	51 %
	High levels of fear and worry about property victimization	45 %	51 %	49 %

*1% or less of responses were missing in each of the groups.

INTERVIEW DATA

As noted earlier, two sets of interviews are discussed in this report. One set - drawn from an earlier report of the principal investigator - was occasioned by the study of restorative justice in HRM, essentially the only complex metropolitan milieu in Nova Scotia where there is significant representation by social class, race/ethnicity and immigrant status. The other set was occasioned by this pilot project in 2009 which facilitated roughly a dozen more interviews with leaders in the different immigrant communities in HRM.

VIEWS AND CONCERNS FROM THE IMMIGRANT SCENE, 2006

Immigration to Nova Scotia, as noted, has increasingly meant immigration to metropolitan Halifax. The relatively small foreign-born population has been increasingly diverse as well with Asian groupings (especially Chinese) being the largest recent grouping of immigrants. No substantial data are available concerning the foreign-born as either victims or offenders in the criminal justice system. Neither JEIN (the official Nova Scotia court-based data system) nor RJIS (the data system for the Nova Scotia Restorative Justice program for youth) refer to race/ ethnicity, apart from Caucasian, Afro-Canadian, Aboriginal, and two grab-bag categories, namely "Other" and "Unknown". In addition to being limited in categorization, information on race / ethnicity is frequently not entered in these data systems. In the RJIS system, most of the "Other" have resided in metropolitan Halifax (e.g., in 2005 there were 20 such cases listed under the Halifax Community Justice Service (HCJS) whereas the next largest recording was 3 for the Kentville-based restorative justice agency), and 84% of the 63 "Unknown" were listed under the HCJS. For fiscal 2005-2006, the immigrant-liaison case worker at HCJS reported there were ten cases involving immigrant young offenders, all male and mostly from Arabic-speaking societies. To explore issues and patterns, seven knowledgeable activists on the immigration scene (all but one foreign-born) were interviewed; as well, specially prepared data for the Metropolitan Study Group on immigration patterns in Nova Scotia were reviewed, and the views of Crown prosecutors, Police and HCJS key staff were obtained regarding their experiences with immigrants.

Both the youth-dedicated crown prosecutors, and the police officer through whom metropolitan youth police incidents are funnelled, reported no significant level of immigrant youth offending, though they and the HCJS liaison case worker indicated that the small number of cases they do get have mostly involved "middle eastern" youths. Probation officers who manage the area's adult diversion program reported a modest caseload involving immigrants where, for the most part, the offender or the victim has been an immigrant taxi driver. In the court and RJ cases involving foreign-born young offenders, officials / facilitators have observed cultural variation in responding to offending and also significant generational differences among the immigrant families. Of course, there have also been issues raised about different conceptions of "justice" and expectations about the appropriate response where the victim is foreign-born. Several respondents reiterated the oft-expressed theme that different immigrants may well have

had different and negative experiences with police and courts in their homelands so cultural sensitivity is important. One respondent pointed out that it is difficult to get immigrant victims to become involved in the RJ process even in property offences. A HCJS RJ facilitator cited as his “best case” a session where, after initial discord and miscommunication, he was able to facilitate some cross-cultural appreciation that led to a satisfactory RJ agreement. The HCJS has an on-going project which involves a full-time, foreign-born case worker engaged partly in out-reach activities on the immigration scene and partly in case management work when immigrants make up one or more of the parties in a restorative justice referral.

Four of the seven interviewees, all active in immigrant programs, had been involved in a support role at an RJ session and two others had experience with youths doing their RJ community service “agreed undertakings” with their organization. All but one of the seven considered that their knowledge of RJ was at least adequate. While inclined to see youth crime among immigrants as “not really a major problem”, the group as a whole was quite uncertain as to the level of offending or victimization among the foreign-born in the Halifax area, essentially observing that “we hoped that you could tell us”. Overall, their standpoint on the HCJS’s RJ program was very positive. There was much appreciation for the idea that RJ could provide a more nuanced response to offending that would take into account contextual factors as well as avoid some of the fears that some immigrants may have with respect to the formal court process. One respondent commented, “It [RJ] is phenomenal, allows reflection on what has happened and why, opportunity for restitution and personal ownership of the event, compassion and learning. Immigration is a two-way street. They have to know their rights and responsibilities. At the same time, they have to work with Canadian citizens and create an open and inclusive environment”.

While positive about RJ’s applicability to immigrants, at the same time, the respondents stressed very much the diversity of the immigrant communities, suggesting that some immigrants could well feel more comfortable in the formal court process than in “semi-public discussions” of family members’ troubles and possible airing of discordant family dynamics. One long-time immigrant service provider emphasized the variation as follows: “In some cultures any crime needs to be punished. For them RJ may be seen as getting away with the offence. Immigrants from some cultures feel the system should be dealing with the criminals and they don’t need to be involved. Members of other cultures say that the RJ way of dealing with lesser crimes is wholly appropriate and the way it would have been done in their home community. RJ may be a good way for them since these people do not have the same level of community available here. We need to educate immigrant communities more about what RJ is about”. A leader in the metropolitan immigrant “community” said he was in favour of RJ and noted that “the principle is the same as in many other cultures – community involvement, communication between the victim and the offender, and consequences for the offender”.

There was some concern among the small, and undoubtedly unrepresentative, sample of immigrant activists, about the adequacy of the consequences for offending in the RJ system. One leading immigrant spokesperson was critical of an RJ session she attended on the grounds that she did not think that the youth and others present took the incident seriously enough, and that the facilitators treated the offender almost as the victim; she added, though, that the youth’s parent seemed to be pleased with the process and outcomes (“a second chance for her son”). Other immigrant respondents emphasized the need to instil values and responsibilities; as one

said, “Youth should maybe not have so many rights”. Along that vein, a police officer indicated that in the few cases he dealt with involving immigrants, the parents wanted the youth to be forced to adhere to some customs (e.g., attend the temple services) and considered that the Canadian style was too lenient. Most of this small group of respondents considered that RJ was particularly suited for youths and adults in minor cases such as small theft and first time offences. The respondents on the whole wondered whether the RJ program was sufficiently resourced to provide more than surface-level services. Two respondents considered that “the RJ group does not have the resources to be able to probe these areas [of discussing and acting upon underlying issues]. [Youth] need counselling to deal with these issues”. Another respondent made the perceptive comment about the status of RJ: “We need from the Crown, the police and the community a general consensus on the value of the RJ system. If the young offender sees RJ as a weak system, they will not care. There has to be a strong position from the whole justice system of the importance and the authority of RJ. This will increase the respectability and status of the RJ system and encourage active participation by young offenders”.

There was support and indeed enthusiasm for extending the RJ option to adults (currently there is only a less far-reaching ‘adult diversion’ program). One respondent elaborated on her support for this option as follows: “There are people up to age 24 who are still needing support. It may depend on whether they participated in the choice to come to Canada. There can be a lot of frustration. Youth may come as refugees from other countries where they were well off there and then they come here and are poor; also, a lot of youth [young adults] come as entrepreneurs and are trying to find their own status here; they face a lot of barriers and are not sure who to trust. RJ could be an asset to adults. Still, build success with youth and then it might be able to be transferred to adults”. Another respondent stated that “yes adults involved in a minor crime, more like a mistake”, should be eligible for RJ but if so, “it should be the first step before even going to the police; once you go to the police it puts you through the system and there is incredible stress; I have seen the impact on immigrants”. Another respondent opined, “Overall, I think RJ is more effective and more useful than the justice system. It is one on one interaction that people have that can really change attitudes and it is possible that RJ would be better for adults than the justice system. There should be a pilot project”.

With two exceptions, these respondents did not believe – and they usually stated this in unequivocal language - that the moratorium on referring sexual assault and spousal / partner violence to RJ should be lifted. The senior immigration service provider (herself an immigrant) stated, “Absolutely, very dangerous if it is not [maintained]. These offences have a long term or permanent impact on the victims. Having to face the perpetrator is absolutely out of the question”. Echoing that perspective, two other respondents noted, “elements of self-awareness and counselling, and rehabilitation might be useful [in responding to these offences] but not necessarily the formal RJ format. In no way should the victim be made to face the offender”. One activist was more wary than opposed to moratorium change; she noted “it depends on the approach. These events are life altering but they are crimes and we should help people get through crime but it is very risky. There is not always a willingness to change or an understanding that it is wrong”. Probably all these respondents would have agreed with the comments of one immigration worker: “Yes, it is a crime that does not lend itself to RJ. Until we have other resources to protect women and children from family violence ... we need to promote this idea that family violence is a crime”. One of the ‘exceptions’, disagreeing with the

moratorium, reported that, while she appreciated the arguments for the moratorium, going to RJ may still be an improvement on the present where “immigrant women won’t use the law and are afraid of the court and the whole justice system”.

The respondents were enthusiastic about the development of a mentoring system where the mentor may be a fellow member of the immigrant community or even someone from the mainstream society. They suggested that, given cultural factors and the anxieties associated with recent immigration, the HCJS agency needs to reach out to the different communities and involve them in the RJ sessions, giving them a sense of ownership. One respondent suggested, “Go to where the immigrants are, namely MISA, YMCA, LINC schools. Work with the agencies serving the immigrants. They have the trust of the clients and they have meeting places for clients to get information”. Another respondent suggested “mapping” the immigrant groups and their leaders and elders before approaching the communities. One respondent contended that RJ should not be institutionalized at all but rather operate in the communities and be more community-driven. Certainly all agreed that “what we need is more promotion of the RJ process ... to ensure accessibility for immigrant communities in terms of logistical issues (e.g., best schedules, best location for the sessions)”. It may be noted that the HCJS immigration liaison case worker has reported some interest on the part of immigrants attending workshops in becoming involved as community representatives if not facilitators in the RJ process. With immigrants groupings as with Group Home cases, one can see the value of the case worker as a “quarterback” or coordinator, liaising with the groups, doing proactive work, and case managing referrals, but not engaged in the actual facilitation; indeed, at present, that is the general model used for the liaison staff person in that she rarely facilitates the cases involving immigrants; she does currently have a caseload of non-immigrant referrals to manage as well.

Overall, then, the 2005-2006 survey showed that there was no sense that youth crime among immigrants was very problematic but some groupings were involved in more incidents than other (e.g. Middle Eastern and African more than East Indians and Chinese), perhaps reflective of variation in socio-economic status and institutional completeness among the immigrant communities. Among the immigrant people interviewed there was uncertainty about crime levels and types of offences and victimization and for the most part they essentially said, “We hoped you could tell us”. The immigrant leaders’ views on RJ were positive though some sensed that the RJ resources are limited and worried about adequacy of the consequences (typically fearing there would be no deterrent effect). The immigrants interviewed liked the idea of extending RJ eligibility to adults but there was little support for overriding the current moratorium on referring sexual assault and spousal/partner violence to the RJ program. The main benefit of the RJ path for most interviewees would be taking the context and cultural differences into account. There was widespread support for more engagement of the immigrant communities in the restorative justice process in some way, as well as for more dissemination of information about it, in short for much greater outreach and organizational linkage.

INTERVIEW DATA 2009

Twelve persons were interviewed, one-on-one, in-person (there were a few telephone call-backs) during the period Fall 2008 to Winter 2009-2010. They were immigrants from the

following areas, Africa, Pakistan, East India, Russia, The Philippines, China, Korea, Japan, Argentina and other South American countries, and Vietnam. Seven were male and five were female. All were activist and usually prominent leaders in their local immigrant communities, holding positions within the immigrant community that provided them with a broad perspective on, and usually detailed understanding of, his or her immigrant community. All persons cooperated fully in expressing their views on crime, public safety, and other justice issues. Throughout the interviews, many discussions pertained not only to immigrants with legal “immigrant” status, but also to international students and refugees. This report refrains, to the extent appropriate, from disclosing the ethnic group or country of origin of the respondents; most of the immigrant groups had only one respondent, thus any discussion of the characteristics of a specific immigrant group would have been limited if not misleading. The researcher-interviewer for this modest project was himself an immigrant coming to Nova Scotia in his pre-teenage years.

Expectations and Experiences: The Immigrant in Halifax Regional Municipality

About half of the interviewees believed it was important to emphasize that they were not capable of portraying all of the views of their respective immigrant community. The validity of this position was exemplified by comparing the interviews of the two immigrant respondents from the Korean community; they provided similar responses on many points but quite different views (and descriptions) on many others. Similarly, comparing the responses of interviewees within the Latino community illustrated the sharp differences between older and younger generations of the immigrant community. It was important then to reassure the interviewees that the purpose of the research at this point was not to gain complete or representative understanding of all of the issues in the community, but to obtain a general sense of the “important issues” in justice for immigrant communities, which when identified, could then be made the focus of larger, in-depth research in the future.

Two other themes were highlighted by the respondents in the preamble to the interviews. Interviewees sometimes expressed their distrust of the police service, referring to a cultural insensitivity leading to apparent practices that “seemed to go against the immigrants instead of for them.” The Muslim community it was noted was particularly fearful of the CSIS’ anti-terrorism efforts that reputedly ensnared newly landed Muslim immigrants who were not familiar with their legal rights. Also, the importance of professional and reliable interpreters was spontaneously mentioned by many interviewees, from both 2008-2009 and 2006 interviews. In calling attention to this necessary corrective, they presented examples of immigrants who, lacking such interpreters, were denied proper access to justice supports and suffered unfortunate legal consequences as result.

The interviewees presented a model of the immigrant groupings in HRM that could be characterized as three-tier, population-wise. Chinese, Russian and “Muslim” (here meaning basically Middle Eastern) immigrants were deemed to be most populous in HRM, with 2000 to 5000 families, followed by African, Indian, Latino immigrants with 300 to 500 families, and lastly, Vietnamese, Filipino, Japanese and Korean with 100 to 200 families. Asked why immigrants such as themselves chose to come to Canada and specifically to HRM, and if their experiences here met their expectations, four main types of immigrants were identified, each

reportedly with quite different expectations and experiences in HRM, namely (a) highly educated professionals such as doctors and professors, (b) immigrants who came to HRM through the province's "nominee" program to set up a business / business type immigrants, (c) refugees, and (d) international students

A major difference was that professionals and highly educated immigrants reported themselves to be less susceptible to violent victimization and crime in general, while refugees and other economically disadvantaged immigrant families were deemed by themselves and other immigrants to be more vulnerable. Despite this, refugees who came from war-torn areas, escaped from ships, "family kidnapping crimes" and other violent backgrounds, found HRM to be a much safer place in comparison, and were all, in the words of one respondent, "glad to be here." These observations were most clearly expressed by interviewees from African and Latino communities.

Roughly half the respondents considered that immigrants such as themselves ended up moving out of the province due to lack of opportunities in HRM, and Nova Scotia. Some immigrants described HRM as a "closed society" to immigrants, having a job market that is hard for immigrants to penetrate. This was contrary to the expectations of many immigrants. One of the respondents commented that she expected HRM to be less competitive than a bigger city, but upon arrival, she found the city to be "very lacking in opportunities and difficult to establish business in." In addition, while praising government programs and services for immigrants, she criticized the efficacy of such initiatives saying "however, most of the workers – providing the services for immigrants - seem to be volunteers, newcomers themselves to Canada, hard to understand, less qualified and not much of a help. I would prefer more professionals in those areas." Another respondent was harsher in his assessment of HRM, commenting "I don't know if HRM really attracts a community. There's not much of anything [here]."

Positive comments on HRM highlighted that the "small city" aspect of HRM allows immigrants to have a sense of community. In addition, many respondents identified HRM as an attractive city that is safe, and a good place to raise children, "with all of the schools and universities." One interviewee said that the first objective of immigration to Canada was for better educational opportunities. In addition, as mentioned above, HRM was praised for its government services for immigrants, such as settlement services. Praising Canada, another respondent emphasized that it is the "just" (righteous) aspect of Canadian legal system that attracts immigrants, especially for those that come from very corrupt countries. Interestingly, the same respondent who described HRM as having "...not much of anything", added that Canada is an attractive country for immigrants due to its cultural diversity.

Immigrants were asked if they considered HRM to have a low or high crime level, and if they considered it a safe area to live. Almost all interviewees described HRM to be, overall, a safe area with low crime rate. Despite this general characterization, about half of the respondents pointed to some areas, such as the Downtown area of HRM, as being fairly dangerous, with substantial victimization, and a few respondents cited as well instances of serious crime within the immigrant community. The former viewpoint was exemplified in an interview with a Japanese female respondent, who described numerous incidents of victimization among her

immigrant community living primarily in the Downtown area, including break-ins and even a violent burglary (at gun point). The same respondent, who has lived in HRM for fifteen years, said that she felt safer in her country of origin. She allowed that she may feel this way since, when she first arrived in HRM, she was advised by neighbours to take caution after dark. Similarly, another respondent from a different immigrant community (Korean), who did not reside in the Downtown, HRM area said that the “feeling” of safety” has decreased compared to 15 years ago, “when people did not lock their doors.”

Immigrants as Victims and Offenders

Respondents were asked if they or anyone of their immigrant grouping whom they knew had been a victim of crime since immigrating. Virtually all respondents reportedly experienced a break-in at some point in their life in Halifax, but usually they did not consider it to be a serious crime. As mentioned above, the respondents who identified Downtown HRM as a dangerous area were most likely to report violent victimizations among themselves or by members of their immigrant grouping. The dangerous features of the Downtown milieu were reflected in the experiences of the Vietnamese immigrants. The respondent from this community explained that in the 1990’s the majority of Vietnamese immigrants came to the Downtown HRM (likely the reference here is to the Uptown area of Halifax), and were subject to extensive victimization, including car burnings. Fortunately, he said that most of the immigrants have since moved out of the area and are now subject to very little victimization. However, he mentioned at a later point in the interview that there have been several recent instances of violence within the Vietnamese community.

Of course, reported violent victimization did not occur exclusively to Downtown (or Uptown) residents, and several incidents of victimization were mentioned by other respondents, such as street muggings, street “fighting”, and commercial armed robbery. A Korean interviewee, for example, mentioned a case of violent burglary, where a Korean person running a laundry operation had a robber come in with a knife, force all of the workers on the floor, robbed them, but no one was hurt. From the interviews, albeit very limited in quantity, African and Muslim immigrants appeared to have experienced most of the race-related violent victimization compared to other immigrant groups. These respondents, as well as some of the other respondents (e.g., a South American), criticized the justice system on the grounds that officials do not seem to take these crimes (racial incidents or other street crimes such as mugging, fights) as seriously as they should. Most of these comments were directed toward the police services, and are discussed further below (i.e., “Immigrants and Police Service.”).

Interviewees were asked if they knew anyone within their immigrant community who has been accused or convicted of crime. Overall, there were not many reported instances of offenders in the immigrant communities, but about half of the respondents (African, Muslim, Russian, Korean, Vietnamese and “Latino”) indicated that yes they knew someone from their immigrant community who had committed a criminal offence. The crimes consisted of both minor and serious crimes, such as shoplifting, armed robbery, “hit and run”, assaults and also domestic assaults, the latter discussed further below (i.e., “Immigrants and Family Court”). Two respondents mentioned instances of murder within their immigrant community. Reportedly, there

have been several instances of murder where both the victim and the offender were from the same immigrant community. Another respondent, from a different immigrant group, mentioned a case of domestic assault by a woman against her husband, which led to her being charged with murder, though the charge was eventually dropped. Various factors were advanced to help explain the crimes committed, such as the lack of proper role models in the community (e.g., Muslim respondent), criminal records that increase difficulty for the youths to integrate with the society (e.g., African respondent), and some immigrants not understanding the justice system, such as lacking appreciation of what is and is not acceptable behaviour in Canada. One of the respondents (e.g., South American) also mentioned that some crimes may have been committed in violent retaliation to racist acts or threats. It was not uncommon however for the respondents to criticize the justice system for being “too lenient” towards offenders. One of the immigrant respondents made this criticism in discussing a case of armed robbery of a convenient store. On the whole, the respondents’ views on crime and punishment were quite congruent with the findings reported above from the 2006 interviews.

Family Violence and Courts

Interviewees were asked if they or anyone within their immigrant community had any experience at court, whether criminal or family court. Two major concerns were identified for some immigrant families, namely domestic abuse and issues surrounding the use of physical means to disciplining one’s children (with the threat if not the consequence of parents’ having their children taken from the them). . These problems were especially highlighted by respondents from three different immigrant groups (i.e., African, Vietnamese and Muslim (Middle and Far East)). One respondent, a leader in his community, with a significant influential role there, noted that that he made newly-arrived immigrants “sign a paper that says, they will not use physical force to discipline their children”; in his view, that has been an effective prevention strategy. These respondents attributed such offences – especially the parental violence - to immigrants’ lack of understanding of Canadian laws and the justice system, and also, to the police and government’s failure to provide thorough investigation and reliable translators. It was considered that if, at the least, an accurate translation and careful, thorough investigation was carried out, the children would not have been taken away from their parents.

In relation to domestic abuse, a good share of the respondents argued against the justice system’s solution, defined by them as forcing the spouses apart. One of the 2006 interviewees had argued that families should not be separated, that a single mother cannot provide a positive role model for three or four kids, that a family with two adults is better than one etc. He suggested that men need more education about “what is abuse,” instead of the current pattern of focusing primary on educating women and children which in his view leaves men often ignorant about abuse. This position, emphasizing counselling and treatment without giving the offender “a free pass”, is epitomized in the concept of a domestic violence court and found significant support among the immigrant leaders. One of the female respondents submitted that while domestic abuse may be somewhat common in her culture, the Canadian law’s way of simply forcing the family apart makes things much worse, when in fact the parents could reconcile and move on to live a happy life in Canada. She mentioned several instances where initial family strife was worsened by intervention, leading to divorce and failed immigration. Interestingly,

though, several of the respondents, while advancing these views, also made contrary statements, suggesting that there was much ambivalence in their views on family violence. Other respondents offered consistently contrary views, arguing that there is insufficient consideration by police and other officials given to the protection of immigrant women and informing them about their options. One of the Latino respondents for example cited the case of a spouse who was separated from her husband, but the visitation right granted to the father resulted in continued confrontation between the spouses, subjecting the woman to further abuse. She went on to note that, “the immigrant is more isolated from help, living with (the abuse), and not knowing who to turn to ... “Police can come, but it’s not very effective. Parameters aren’t there to really protect them.” She and others submitted that there needs to be someone who can tell immigrant women of the various programs available to help them, as many of them simply do not know about them and end up living in an abusive situation for a long time.

There was, then, significant variety, though not quite polarity, in the views of immigrant leaders with respect to their assessment of the Canadian justice system’s response to family violence in their communities. Several clearly considered that the justice’s system response has been too heavy-handed and aggravated the problems of spousal abuse and parent-child conflict rather than seizing the opportunity to explore and mitigate the underlying causes and rationalizations of the violence. No one excused or championed the abusive behaviour. At least half rejected any possible diminution of the seriousness of family violence outright, essentially adopting the position that there was nothing inappropriate in the response of the justice system and that the behaviour of any immigrant offenders, and the worsening of familial relationships occasioned by the justice system’s intervention, was “their own fault”, even while acknowledging perhaps the aggravating traumas that may be associated with immigration. Other respondents simply focused their discussion on divorce and other troubles surrounding spousal relations. For example, one of the Eastern European respondents noted that some families travel back to their country of origin just to get divorced, as they were married there. Another respondent suggested that a fair number of divorces occur among his immigrant community due to economic hardship that led to continuous conflicts between the spouses.

In other comments on immigrant experiences with the courts, several respondents, including interviewees from the 2006 research who were engaged, if modestly, with restorative justice practices, called attention to the difficulties posed by the language barrier and voiced the need for trained, professional interpreters at the courts who would be sensitive to cultural nuances and differences. It was believed that this would also help immigrants better understand “what’s going on” at the court. In relation to this, other respondents emphasized the need of immigrants to be educated about the justice system, so that they can better understand the overall court process, and what to expect from it. There were suggestions and criticisms directed at improving immigrants’ access to court services. Like their mainstream counterparts several respondents criticized the lack of attention given to victims in the court system. Most respondents believed that the restorative justice approach could be beneficial for immigrants. They appreciated that insofar as restorative justice tries to understand, and factor in the communication and sanctioning, the context in which the offence happens, it could be very appropriate for the immigrant community. One of the respondents added that it would be crucial to inform immigrants that restorative justice is a complement to the conventional court process

and that it would be important to have restorative justice in the schools and get people like school counsellors involved.

As for civil courts, most respondents themselves had not dealt with civil litigation, but roughly half had heard of other immigrants starting civil litigation though they did not know the details or were not willing to discuss them. Only one of the respondents was willing to provide detailed discussions of the civil litigation that occurred in her immigrant community. She mentioned various cases of fraud committed by businessmen from the immigrant community against members from the same community. Many who suffered from the fraudulent act wanted to sue one of the businessmen but they were not able to do so as he fled the area. Another respondent discussed a small claims court matter that she was involved in; she indicated that she had engaged legal counsel and the matter was dealt with smoothly and concluded in her favour. These two respondents also observed that some actual civil suits that they knew about were dropped or settled before they reached court. In addition, the respondent, who gave a detailed description of one litigation, offered the insight that the culture of her country of origin is not one where a person is accustomed to the act or idea of launching a lawsuit, but rather, people there tend to deal with disputes at a personal level and avoid the mechanism of law. The topic did generate some discussion on access to justice through legal counsel. For example, one respondent mentioned the difficulties immigrants face as they lack knowledge about legal services, such as knowing how to access a lawyer, and might be fearful that it would be too expensive, even to the point of thinking that legal aid lawyer (a free service) would be too expensive. He also cited language barrier which could prevent effective communication with a lawyer and opined that for most immigrants, the thought of engaging in civil lawsuits would be daunting. About half this small sample of respondents reported that they do not have problems with access to justice. These respondents tended to be, on the whole, fairly wealthy and well educated, while the immigrants who cited troubles with access to justice tended to be poor, less educated, and/or were refugees.

Immigrants and the Police Service

As was noted in the review of literature, researchers have generally found that there is significant distrust of police among immigrants, based as much on experiences in the homeland as on any experience with culturally insensitive or allegedly racist behaviour by the police in the receiving society. Depending on the impact on them of these two types of factors, the immigrants may come to develop a positive view of police or maintain their suspicions and fears. Generally, according to the literature, the latter state is more likely among immigrants of low socio-economic status, refugees and visible minority. Essentially all these oft-cited themes were evidenced in this small sample of leaders and activists. Most immigrants in fact readily articulated these positions, namely that many immigrants are predisposed to distrust police due to corruption and bias in their country of origin, that the continuance of fear and distrust depend on experiences that they or people from their community had have and reported to police and so forth. The immigrant leaders here were significantly divided in their views and assessments of policing, basically along the predictable lines. Half of the respondents – non-visible minority, high socio-economic status - praised the police service, complimenting police for fast response when they are needed, and holding that they felt that they can trust the police to assist them when

help is required. Most comments below are criticisms of the police service, as those respondents who criticized the police had more to say, compared to those who simply praised the police, or did not believe there was a problem in police-immigrant relations.

Specific criticisms were made of the police service, namely, racism, insensitivity to cultural issues, discriminatory practices and “not doing anything” about crime, especially if it is a “minor crime.” Several respondents, including a few generally favourably impressed with the police service, actually felt that while these minor crimes, such as theft and burglary may indeed seem minor to police, and in comparison to other “serious crimes,” their impact on the immigrant victims had been significant. Such a perspective is of course also quite commonly espoused in the mainstream population. It should be noted that the discussion of these minor crimes in relation to the police service were much more critical, and viewed as more “serious”, compared to an earlier stage in the interview when in the context of “immigrants and victimization,” the same respondents spoke of these as not serious crimes, and did not deem it important to discuss them at length.

The more sharply critical assessments came from Middle Eastern and African leaders. A Muslim respondent elaborated on the issue of cultural insensitivity. He spoke of several instances, and felt that most telling was an incident where a Muslim woman walking in an upscale area with her children had her headscarf forced off from her head by a stranger. When she reported the incident, the police allegedly told her that, “We can’t be concerned with everyone when they have their hats taken off.” In addition, he spoke of times when the Mosque was receiving hate phone calls but the police did not do anything about it for a long time, until the Mosque leadership threatened to sue the police department for discrimination. Another respondent from a different immigrant group had much to say on cultural insensitivity and the apparent lack of action by the police force on minor crimes, in describing the incident when she had her home broken into. “The police came over and just powdered finger print dust over all of the ancient, traditional (cultural) furniture and nearly ruined it, then never followed up on anything.” A respondent from Africa made strong complaints about racial, discriminatory practices of the police force. He felt that the police always took sides with non-black citizens and were unduly harsh with Black and specifically African immigrants.

Information and Justice

Immigrants were asked who they rely on for information on justice, such as information on police service, legal matters, etc. Most immigrant communities, in the view of the respondents, appeared to rely on both mainstream and immigrant community information sources, depending on the circumstances. There were phases and contingencies. For example, an immigrant individual who spoke little English may seek information from his or her immigrant community members who speak the same language, and then if necessary, he or she may contact the legal authorities afterwards. In contrast, someone who has no problem with English may contact the legal authorities first, and then contact his or her immigrant community members if necessary afterwards. Closely related to language skills is the need for help; a respondent observed that newly arrived immigrants tended to seek help from its immigrant community, while immigrants who have settled in for a long time tended to seek information from the legal authorities.

This appeared to be the overall pattern among the respondents, namely that choosing the source of legal information depended on one's language skills, but this was not always the case. For example, two respondents who belonged to the same immigrant community, one from older generation and the other, a younger generation, both considered that they would always rely first on their own immigrant community for such information. One of the other respondents felt that many persons from his immigrant community tend to avoid both pathways for information, as public authorities are not helpful towards his immigrant community and its members also tend to keep a distance from each other. He emphasized the difficulty this poses, as members from his immigrant community consequently do not have anywhere to turn for help. Another respondent was not sure how to answer this question, simply because he lacked insight into how other immigrants from similar backgrounds acted on this issue. He thought that his lack of knowledge here was illustrative of the fact that his immigrant community is constantly diminishing in size and as a consequence, losing a sense of "community." He attributed this situation to the continual drain of immigrants from HRM to bigger Canadian cities, and also to the tendency among members of his grouping of immigrants to keep a distance from one another.

Comparisons of Justice Systems

Overwhelmingly, the respondents praised Canada's justice system, and said that there was simply no comparison to the justice system of their country of origin. Following the compliment to the Canadian justice system, some respondents did add some critiques that challenged the delivery of justice in Canada. One African respondent commented that, "While there is a great deal of order and the system here is fair, equity as we expect it to be, still has yet to be seen." Another respondent, Latino, commented that, the presence of racism in Canada is a new experience for immigrants, as it is something they would not have had to worry about back home if they had to deal with the court system.

Immigrants were asked if there is a big difference between different generations of immigrants on their approach/understanding/interactions with justice system. While most immigrants said that there are major differences between the old and young generations of immigrants in these regards, some considered that these differences were not significant. The majority, however, did consider that the differences in understanding and how the generations' members interacted with the justice system could be huge. Generally, not surprisingly, the respondents held that younger generations understood the justice system a lot better, and were less likely to depend on the immigrant community for assistance in justice matters. One of the respondents emphasized the significance of generational differences in effecting divisions among family members. He commented, that younger generation immigrants tend to adapt quickly to the new way of life while older generation tries to hold on to their roots and this leads to intense friction, especially between daughters and their strict parents. Other respondents held that there were no significant differences between the generations, but with some variety in their explanations. One of the respondents felt that it "depended on the situation", as the younger generation has more knowledge about society, but since "it's the adults that actually have to deal more with justice issues", the adults might know more on that score. Others held that members from their immigrant communities considered that it was very important to adapt to the convention of the Canadian society and thus readily adopted assimilative ideas and values on

what was considered appropriate as well as legal. Another respondent who belonged to a younger generation of his immigrant group reported that he was not sure how to answer this question, as many elders in his immigrant communities have moved out of HRM and he had no idea about their experiences here.

While discussing generational differences, questions were asked about older generations of immigrant parents using physical means of disciplining their children. This has posed significant problems for the some of the immigrant groups (reportedly, according to the respondents, Vietnamese, African and Muslim) where some parents have been subject to legal sanctions for using physical means to discipline their children. For other immigrant groups, this apparently has not been a problem as physical means of discipline were uncommon in their country of origin, or if they do use such means, it has not been brought to the attention of the authorities in HRM. As noted above, one of the respondents who felt that this issue posed significant problem for his immigrant community in the past, resolved this issue by pointedly educating the newly arrived immigrants that this is not acceptable in Canada.

Immigrant Communities as Justice Brokers

Throughout the project, and indeed throughout this assessment, the word “community” has been prominent. One objective of the research was to explore the community dimension of immigrant lives in HRM in order to appreciate its presence in, and possibilities for, a brokering role in justice issues. Sociologists such as Breton and Reitz (1964,1980) have long referred to concepts such as degree of institutional completeness (i.e., whether there are schools, churches, media and other services available for immigrants which are specifically oriented to their culture, needs and concerns, which might be considered “their own”) to measure the extent to which immigrant or race/ethnic communities can provide a rather full engagement for persons in a complex modern society such as Canada. As the demographics noted have shown, the small immigration population in HRM and Nova Scotia and the consistent, subsequent out-migration to the larger metropolitan areas in Canada limit such institutional completeness, and consequently the likely solidarity, collaboration and mutual assistance among immigrants of the same socio-cultural background but that social reality does not eliminate the possibilities entirely. In the 2006-2007 interviews with immigrant leaders, active in restorative justice programming in HRM, or at least knowledgeable and interested in it, it was found that a number of immigrant leaders did value a more active role for their community and themselves in the resolution of criminal offences and social conflict through restorative justice type interventions.

To explore this issue in the 2009 set of interviews, respondents were asked a variety of questions about their immigrant community as a broker or mobilizing agent with respect to the justice issues faced by the immigrants. They were asked whether there was a strong sense of community among the immigrant grouping and if the community does or could serve as a central mechanism through which the individuals or families grapple with justice issues. Additional questions were specifically asked with respect to an immigrant community role in brokering issues such as spousal / intimate partner abuse and responding to troubled or delinquent youth. Half of the respondents (African, Russian, Filipino, Chinese, Japanese, Korean and Latino) indicated that their immigrant communities were “strong” in that “members” actively help one another. But not all of these respondents considered that their community could play a

significant active role in their members' justice concerns. Those who did, made the following comments: "Community's involvement in resolution of some domestic problems has worked, and it's the way it's done back home (African)"; "It's at least worth trying, and would be helpful to educate immigrants within the community on justice issues (Russian)". "RJ sounds like a great idea, and the aspect of avoiding criminal record is a plus. But it may not work if it involves a non-Filipino (Filipino)"; "Programs like RJ could work in Chinese community, giving additional opportunity for immigrants to consider their options. Some may be afraid to go to court and the immigrant community would be in a better position to handle it (Chinese)"; "Domestic problems could be handled by the immigrant community, but not if the crime is a very serious crime, as that would require a professional [professional intervention], which the immigrant community lacks (Japanese)".

There were significant differences of viewpoint in two instances (Korean and Latino) where there were multiple respondents from the same immigrant grouping. The Latino respondents did agree that there are pockets of Latino immigrants from different countries but small population size and lack of in-depth knowledge of one another across the pockets were major constraints on any community level involvement with the justice system. Those respondents, who reported that their immigrant community was not "strong", and did not feature much collaboration or mutual assistance, generally cited their small population and low level of what we have referred to above as "institutional completeness" as the chief reasons for little effective group impact. They saw little possible role for their immigrant grouping as a broker at any level, major or minor crime.

Further discussions concerned where specifically the immigrant community might have a positive impact on their "members" justice issues. Certainly a number of respondents, even those initially holding that their immigrant community was not "strong and collaborative", saw a potential role for immigrant participation as a support person in restorative justice since some immigrants would understand the immigrant experience better than mainstream persons might. Interestingly, most respondents who addressed the issue of interpreters in criminal, family or civil court emphasized the need for well-trained, credentialized persons more so than similar immigrant identity. Among the respondents identifying their immigrant community in HRM as "strong and collaborative", there was also a common view that the immigrant community through knowledgeable and empathetic leaders could meaningfully impact on issues involving family violence to facilitate better justice solutions. The majority of respondents, however, considered that meaningful immigrant community involvement in spousal or intimate partner violence was most unlikely largely because the victim would not be receptive to it for a variety of reasons (e.g., sense of shame, lack of trust, preference to deal with the local authorities usually the police). A major reason given for an abused woman seeking help in the immigrant community was that she would not know about programs and support services otherwise available so, ultimately at the end of her tether, she would seek help from others in her immigrant community.

Turning to youth justice issues, more than half the respondents considered that youth offending should be left to the police and not involve the immigrant community. Their reasons included the lack of capacity of the immigrant community to deal with such issues, the factor of

parental embarrassment and the argument that as Canadian citizens, one should be responsible and behave, while knowing their legal rights. Only a few respondents felt that issues with troubled youths should be handled by the parents or the community rather than through the police and the courts. One respondent commented that in his culture, kids are the responsibility of parents, while another respondent simply said that elders could handle “very small matters”; both these respondents held that serious matters should be handled by the police. There was no indication in this small sample of immigrant leaders that youth crime was a pervasive or serious problem.

Overall, then, for a variety of reasons, the broker / intervener role of the immigrant community per se in justice issues was not emphasized by the respondents, largely but not only because of the small size and significant out-migration of the immigrant communities in HRM. At the same time they did advance the concept of immigrant persons being able to contribute – and many wanting to contribute – as individuals with immigration experience, in cases involving other immigrants. Certainly, too, these positions underline the value of organizations such as ISIS which provide for knowledge dissemination, advocacy and mobilization for immigrants as social groupings.

Interviewees were also asked if they perceived that there was strong support for immigrants from non-immigrants or mainstream people. Many respondents indicated that there was. In particular, one of the respondents commented that many African refugees came to HRM through church programs, and they were grateful for the moral and financial support. Another respondent added that while it takes a long time for an immigrant to become close friends with non-immigrants, they (non-immigrants) are a big help when they do become friends. There were some obstacles cited too. A respondent from Africa, while also grateful for support of church organizations as mentioned above, added that there is some racism in HRM. Similarly, a respondent from a Muslim immigrant community held that while non-immigrants are supportive to the point of intervening to help immigrants counter racism, there are instances where the media publishes “trashy” comments like “If immigrants aren’t going to abide by our laws, go back.” A few other respondents offered that while there is little support from non-immigrants, they are not racist. On the whole, then, the immigrant leaders were positive about their new home and its justice system and were not particularly eager to become more engaged in any role with the justice system. The key justice issues emphasized were that the government and social service workers be trained for increased sensitivity to immigrants’ needs and to include immigrants in the workforce (staffs) instead of the perceived “Lilly white” policy, that there be much more public legal information – more broadly available justice system information including communication initiatives - focused on immigrants, that qualified, reliable translators be more readily available, and that there be continued efforts to improve the immigrants’ trust in, confidence with, and reliance upon the police services.

CONCLUSIONS AND FUTURE DIRECTIONS

Upon review of literature, re-examination of survey data from the HRM Roundtable on Violence and Public Safety, and completion of the 2006-07 and recent 2008-2009 interviews with immigrants and participants of restorative justice in HRM, various significant issues pertaining to immigrants and the justice system have been identified. It is clear that immigrants do, and increasingly will, represent a vital element of HRM's and Nova Scotia's development. As of 2006, 20% of Canadian population were immigrants, and 95% of them lived in urban area. In comparison, according to 2001 census, immigrants represented 7% of Halifax population since 1986, and 8 of 10 of them came to HRM through "economic immigrant category." In the years since the 2001 census the immigrant numbers in HRM (Nova Scotia) have continued on an upward trend – Nova Scotia Immigration officials reported a 34% increase in 2006 from 2005. Many of these immigrants are visible minorities and, according to the census, most of them can converse in English or French. While most recent immigrants experience economic hardship, over time, the income gap closes and, according to Statistics Canada, their incomes become "more than four-fifths of that of the Canadian born." Considering that Nova Scotia, based on zero net migration estimates, will lose a significant amount of its population in the next 25 years, (934,830 population in 2010, 929,317 in 2015 and 895,170 in 2026), and that the population of elders will increase dramatically while the proportion of youths will decrease, HRM and Nova Scotia, accordingly, may have to depend on new immigrants for future economic, cultural and overall growth. From these findings, it is apparent that HRM needs to take proactive measures to build HRM into a more welcoming environment for immigrants, especially in light of the pervasive observations of interviewees that many if not most of the immigrants that they have been aware of in HRM have subsequently moved out to another city in provinces west of Atlantic Canada.

One of the suggestions from interviewees was that there should be more focus on inviting immigrants to HRM through "family relation category", supplementing the current strong emphasis on "economic category." Several factors would support this view, namely, the claims that most of these economic category immigrants appear to leave HRM, and that the number of family class immigrants has been reduced while economic immigrants have increased. As the survey from the Public Safety Roundtable indicates, most immigrants in HRM do not have a relative, nor, in many cases, even close friends living in their area. Thus immigrants in HRM who face economic hardship probably have no non-economic incentive to stay here. In addition, having more family in the area may improve access to information on justice, crime or public safety for immigrants, as presumably they might tend to rely somewhat more on their friends and relatives for such information than non-immigrants.

HRM appears to provide a favourable environment for immigrants, especially when it comes to public safety. There are many similarities between HRM and "bigger cities" in Canada in relation to justice and immigrants. Although visible minorities, including immigrants generally have higher fear of crime than others, fortunately, immigrants are subjected to less victimization than that of Canadian-born population, especially the latter who are visible minority. Accordingly, most respondents in their interviews indicated that they considered HRM

to be a safe area, with a low level of crime. Such a pattern was found in the re-analyses of the three surveys carried out for the HRM Roundtable inquiry and was attested to in the personal interviews conducted with immigrant activists and leaders in both 2007 and 2009. There were some indications of discrimination but mostly apparently of the “adverse effects” type than blatant direct discrimination, though a significant minority of immigrants living in Downtown area and post-secondary students socializing there, reported themselves victims of discrimination in that milieu.

Immigrants as a whole do not represent a significant percentage as offenders in the criminal courts whether in Canada as a whole or in HRM. However, immigrant respondents cited a good number of instances of immigrants who have committed criminal offences, and suggested several factors that may have led the offenders to commit those crimes. These included re-settlement stress, lack of proper role models in the community, criminal records that increase the difficulty for the youths to integrate with the society, and some immigrants’ lacking understanding of the justice system, in particular, what is and is not acceptable behaviour in Canada, especially of course in familial relationships. Also mentioned were crimes committed in violent response to alleged racist acts or threats.

There was significant variation among the immigrant groupings in terms of reported and recorded criminal offending and victimization. From the interviews it appears that refugees were more likely to become involved in the criminal justice system but the numbers have been so modest that advancing any generalization would be foolhardy. Also, despite some of the hardships that some refugees face in adjusting to life in HRM, due to various factors such as economic conditions and their at-risk areas of residence, most refugees reportedly are happy, even grateful to be here. This can either be interpreted as praise for HRM as a safe, sound place to live, or perhaps it is not so much a compliment to the area as much as it reflects the reality that many refugees come from war-torn, severely corrupt places, and many of them are taking refuge in HRM from certain oppression in their place of origin.

The story of Vietnamese immigration experience in HRM was striking, and somewhat dramatically may illustrate the above points. Arguably, it represents a classic story of immigration in HRM. The respondent who was interviewed indicated that majority of Vietnamese immigrants came here as refugees in 1990’s, faced serious employment problems and most of them took residence in the high-risk Downtown area. The experience was brutal, with much violence, significant offending and victimization (including having their cars being set on fire). Eventually, after a decade or longer, most of the Vietnamese immigrants have moved out of the area, are in home ownership and no longer significantly involved in reported crime whether as offenders or victims; they now represent immigrants who are successful and integral members of our society. At the same time, it was reported by community leaders that most of the Vietnamese immigrants have moved to another city, and HRM is left with not much of a Vietnamese community. Despite these patterns, a Vietnamese community leader mentioned numerous cases of violence within the Vietnamese community, including cases of murder, and also significant problems in domestic abuse as well as cases of children being taken away from their parents. In sum, the story of Vietnamese immigration, at least from research literature and from this research project, seems to touch on all issues pertinent to immigrants and justice matters. Currently, major justice issues appear to be emerging with African immigrants and

immigrants from Muslim countries. Leaders of some such immigrant communities did discuss complaints in relation to racism and cultural insensitivity. A respondent linked with one Muslim community was particularly concerned with CSIS' anti-terrorism efforts that cast a wide net that jeopardizes recent immigrants who are less aware of their legal rights, and fearful of authorities.

Both immigrants in HRM and immigrants throughout Canada appear to be generally content with the local police services. Also significant is the fact that, while the literature advances the position that many immigrants reportedly do not trust the police, due largely to the corruption of police from their country of origin, this pattern was not evidenced in the three surveys analyzed here nor did it emerge unequivocally from the two sets of interviews. There were suggestions from some interviewees that there may be much crime, particularly at the family / friend level, that remains unreported in the immigrant communities. There does appear to have been quite limited contact with the local police services, according to the research discussed in this report, so the impact of actual experience with police remains to be carefully researched. Such experience could either have the effect of relieving the immigrants' residual fear of the police when they actually come to contact with police and lead to more reporting of criminal incidents, or reinforcing their (latent) fear of the police, especially if the contact with the police is even remotely a negative experience or has implications for immigration status. Specific criticisms and suggestions regarding police services were that, there is a need for improvement in cultural sensitivity on the part of police officers when dealing with immigrants, and more attention to "small" criminal incidents that affects the immigrant victims more than the police officers may appreciate. An ongoing racial tension between African immigrants and police service was also cited by several informants and was suggested, though not clearly evidenced, in crime and court statistics, thus illustrating the priority of resolving this problem.

Overwhelmingly, the majority, if not virtually all the immigrants interviewed, were very much satisfied with Canadian justice system in comparison to the justice system in their country of origin. While this is obviously good news, it certainly is not to say that changes should not be made and indeed some criticism was offered for improvement. It should be noted however, that based on both comparison of literature sources and interviews with immigrants in HRM, it appears that HRM immigrants are more satisfied with court services, compared to immigrants in Canada as a whole. Respondents, like other Canadians, criticized the lack of attention to victims in the criminal courts, and the presumably ineffective sentencing practices for youth; much criticism was also rendered concerning the family justice system (i.e., family courts). Other areas of justice, such as family and regulatory justice, may well be even more crucial to examine and modify than the criminal justice system from an immigrant's perspective. These were alluded to in the interviews (e.g., family conflict, business crimes and other misdeeds, inequities, perceived or real, in municipal and provincial statutes).

It is clear that women's rights within immigrant communities are of significant concern in HRM and throughout Canada. In this pilot research project, there was much emphasis by respondents both on protecting women from abuse, and on a critique of the justice system's approach that presumably opts for separation of the family instead of reconciliation between the spouses / intimate partners. It cannot be denied that, while placing priority on protection of

woman in such situation is significant, there is importance too in keeping the immigrant family together, especially considering that they come from different cultures and standards, and have left much if not everything behind to start a completely new life in a new country. Certainly it is arguable that the stakes are much higher for immigrant families who may have no other families and often no friends in the area, than they are for non-immigrant families, to be split up by command of the law. A domestic violence court is about to be established in Cape Breton and perhaps such a court can yield better programs and treatment for abusers while not ceding anything on the severe sanctioning of the offence. Similar arguments were made by respondents in relation to the criminal court's dealings with children / teens being subjected to physical means of disciplining by their immigrant parents who sometimes seem perplexed by the court's actions.

Repeatedly emphasized by the interviewees, and cited in the literature sources, was the need for professional, reliable interpreters who are trained to be aware of sensitive cultural issues and differences, not only at the court, but in all facets of the justice system. It was said by many interviewees, that *only* if a reliable interpreter were present, many tragic legal consequences to families could have been avoided, in cases of domestic abuse and parental violence against their children. Also possibly significant is the improvement that interpreters could provide to immigrants' access to and effectiveness in dealings with legal counsel, both for criminal and civil matters.

Based on interviewees' responses, immigrants, like most other citizens, prefer as much control in their lives as possible. Recall the survey findings on their high level of personal mastery scores. In the case of issues pertaining to justice, about half of the immigrant community leaders thought they could make a contribution with respect to many justice issues, such as support / facilitation roles on family issues, and in justice programs similar to restorative justice. This could provide a more nuanced approach to justice that would allow for greater cultural sensitivity and input while being rooted in Canadian fundamental principles of justice which is equally as important. One should not forget that despite the various criticisms mentioned here, immigrants were much appreciative of Canadian justice system. It is interesting to note that, while some respondents were more open to taking part in justice issues involving domestic abuse in their communities, and even in other criminal cases, they were much less interested in dealing with troubled youths within the community. Most respondents held that troubled youths, especially in serious cases, should be dealt through the conventional justice system.

Continued consideration and reference given to immigrant "communities" throughout the project left open the question of importance of a "community." Indeed, while some immigrants identified themselves as much engaged in their immigrant communities, some others certainly did not. Clearly, there are many immigrant groupings which do not constitute much of an immigrant "community" in HRM, whether due to cultural characteristics or lack of institutional structure (e.g. services, churches etc) or simply due to the small number of immigrants from their country. Some of these immigrants may assess their immigration experience as a successful, positive one while some may not. Certain immigrants indicated that they do not accord much significance to the idea of an immigrant "community" approach, and preferred more individualized approach to interacting with Canadian society, or even preferred "assimilation," a

concept somewhat frowned upon in a culture that is focused much in theory at least on multiculturalism. Overall, then, for a variety of reasons, the broker / intervener role of the immigrant community per se in justice issues was not emphasized by the respondents, largely, but not only, because of the small size and significant out-migration of the immigrant communities in HRM. At the same time they did advance the concept of immigrant persons being able to contribute – and many wanting to contribute – as individuals with immigration experience, in cases involving other immigrants. Certainly, too, these positions underline the value in HRM and Nova Scotia of immigrant-serving organizations which provide for knowledge dissemination, advocacy and mobilization for immigrants as social groupings “across the board”.

The significance of the immigrant / ethnic community as such was not explored in this modest pilot project but it does deserve research attention since there are indications from the criminal justice field that community has a significant impact on crime prevention and the reintegration of offenders. For example, federal Corrections/Custody data for Atlantic Canada show that Asian federal offenders have received longer sentences than their Aboriginal or Black counterparts but also tend to get out of prison earlier (early parole) and have the least likelihood of re-incarceration (Clairmont, 2010). Researchers have often attributed the relative lack of early parole and high return to custody among Aboriginals and Blacks to a lack of community support, among other things. Presumably the differences among Asian inmates may reflect effective underlying community linkages; no research appears to have been carried out on this issue.

To conclude, the importance of immigrants to HRM is crucial, especially in light of the continuing decline of population in Nova Scotia. Accordingly, at the very least, providing fair, accommodating criminal, family and regulatory justice systems for immigrants is an obvious priority. More policy research and proactive measures should be taken to insure such an environment, in addition to improving the economic environment for recent and new immigrants. HRM - and Nova Scotia - has much to offer already, with its sound justice system and relatively safe environment for immigrants and non-immigrants alike. However, the lives of individuals and communities of immigrants are complex and varied, as recognized by the Canada’s proud principles of multiculturalism. Thus, improving the justice environment for immigrants will require in-depth consideration and in-depth communication given the experience and beliefs held by individual immigrants and among the immigrant communities. There is need for a more user-friendly and engaging justice for immigrants as evidenced in the discussion of restorative justice and the post-Roundtable interviews. If achieved, there will fewer marginalized immigrants (and immigrant communities) and perhaps more immigrants keen to stay in Nova Scotia. More in-depth research would definitely be needed to appreciate how immigrants are involved in and affected by the justice system, what their concerns and suggestions are, and how to improve the fit of the justice systems to their needs and interests within the general context of Canadian law and social policy for which they also express strong support. The research should be of a formative character working closely with the various communities in all phases of research, from establishing the research agenda to determining the appropriate methodologies to feeding back information and findings on a regular basis, and to communicating findings and collaborating in subsequent strategic action planning where possible. The diversity of the immigrant communities

must be respected but this is not an overwhelming challenge as there already are inclusive effective organizational structures serving immigrants in HRM. It would appear crucial too to focus on the three major justice systems, namely criminal, family and regulatory, not solely the criminal justice system. Virtually nothing is available on how immigrants have been coping in the latter two justice areas – do they routinely have legal counsel or even interpreters in the family and regulatory systems? A good deal of research should be undertaken and based on the interviews, leading activists in the various immigrant communities would likely be supportive of such activity were it carried out in the ways suggested above.

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APPENDIX

INTERVIEW GUIDE

Immigrants' View on Justice/Legal Issues Interview Guide 2008

1. From your understanding, what is attractive about HRM for your immigrant community? What about Canada?
2. How do you think HRM meets those expectations for your immigrant community?
3. Approximately, how many families are in HRM from your immigrant community?
4. Do you find HRM to be a safe area? Low/High Crime level?
5. Have you ever been a victim of Crime? If so, did you feel justice was fair?
6. Do you know anyone else that has been a victim of Crime? What's your understanding of the experience for that person?
7. Do you know anyone who has been an offender? Could you speak on the experience of that person?
8. Do you know anyone who's been through the family court process? Could you speak on the experience of that family?
9. Do you know anyone who's been through the civil court process? Could you speak on the experience of that person?
10. For questions #3 to 6, do you know anyone who had an experience related to those issues but did not have access to justice for any reason?
11. What do you think of the police services in HRM? Do you trust the police?
12. What do you think of the court services in HRM?
13. Who do you trust in your community for information on justice/public safety/legal issues?
14. How do you think the justice/legal system in HRM/Canada compares with the one from your country of origin?

15. What are, if any, are some of the differences between the different generations of immigrants when it comes to their approach/understanding/interaction with justice/legal issues?
16. Do you feel there is a strong immigrant community in HRM? Specifically probe if the person considers his immigrant community to be one actively helping each other or if the families tend to keep a distance from one another. In addition, ask if there are any issues related to justice within the relationship among immigrant families.
 - a. To what extent could the community be the central part of solution for different problems? (Like for Restorative Justice, strong communities want to run the program on their own/Justice circles/Advisory group etc.)
 - b. What are your views on how women's rights are protected in your community? Example, when a women gets assaulted in domestic abuse situation, where could she turn for help? Police? Community? Would she or the community feel comfortable dealing with it through the authorities or in their on way? Or both?
 - c. What about when a youth gets into trouble? Would the community have its own way or dealing with it or leave it to the justice system? Or both?
17. Do you feel there is a strong support from non-immigrants in the HRM?

General Questions

1. Any specific positive experiences/thoughts you would like to share with us on any of the points above?
2. Any specific negative experiences/thoughts you would like to share with us on any of the points above?
3. What are some other important justice/legal issues for your community?
4. Anything you think we should, or wish we would consider as a research topic in relation to your immigrant community?
5. Can we email you in the future if we have any additional questions?