

PRECARITY, EVERYDAY LIFE, AND  
ACCESS TO JUSTICE: THE  
EXPERIENCES OF MIGRANTS IN  
SOUTHERN RURAL ONTARIO  
**Academic Report – Grant #1596-22 / Law Foundation of  
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## Project Abstract

### Precarity, Everyday Lives, and Access to Justice: Precarious Status Migrants Seeking Legal Aid in Rural Southern Ontario

Migrants with precarious immigration status in Canada face systemic exclusion from social rights and services, yet their experiences seeking legal aid—particularly in rural settings—remain critically understudied. This community-engaged qualitative study, conducted in partnership with the Community Legal Clinic – Brant, Haldimand, and Norfolk (CLC-BHN), investigates this gap. Through in-depth, trauma-informed interviews with 11 migrants and 10 key informants (legal providers, organizers) in rural Southern Ontario, the research documents the complex pathways and profound barriers to legal aid access. Findings reveal that “access to justice” is structurally sabotaged by the very immigration and labour policies that define precarious status. The weaponized threat of deportation (“deportability”) and unbearable economic trade-offs actively suppress legal claims, while rural isolation amplifies these vulnerabilities, creating a “justice desert.” Within this hostile landscape, trust-based community brokerage emerges as the essential infrastructure for any service engagement, whereas formal legal aid is constrained to a reactive role. The analysis concludes that a paradigm shift is required: from providing legal services to creating foundational “conditions for justice,” including safety through status regularization, resourced trust-building, holistic support, and spatially accessible services. The study contributes empirical and theoretical insights to the fields of migration, legal geography, and access to justice, while providing evidence-based recommendations for policy, funding, and trauma-informed practice aimed at transforming a system designed to perpetuate precarity.

# 1 Introduction: Navigating the Justice Gap in Rural Margins

## 1.1 The Intersection of Precarity, Rurality, and Access to Justice

Migrants with precarious legal status—including temporary foreign workers, international students, refugee claimants, and those without authorization—constitute a vital yet profoundly vulnerable segment of Canada’s social and economic fabric (Goldring, Berinstein, & Bernhard, 2009). Their precarious status is not merely a bureaucratic category; it is a condition that structures everyday life, creating “a set of vulnerabilities” that limit political, civil, employment, and social rights (Goldring & Landolt, 2013, p. 1). This legal precarity translates into tangible exclusions from social services, violations of labour rights, and systemic barriers to securing basic human rights (Strauss & McGrath, 2017; Perry, 2020). Living with precarity means navigating daily instability, where state regulations constrict choices, and the threat of deportation or status loss looms large (Brasch, 2013).

While the challenges of precarious status are well-documented, the critical dimension of **access to justice** for this population, particularly in **rural settings**, remains a significant research and practice gap. Much of the extant literature on migrant precarity focuses on urban contexts. With the exception of studies on agricultural workers, little is known about how the unique socio-geographic dynamics of rural Southern Ontario—characterized by geographic isolation, limited public transit, sparse service infrastructure, and close-knit social networks—intersect with legal precarity to shape migrants’ pathways to legal aid. This gap exists despite clear evidence that rural migrants urgently require legal support to address issues like wage theft, unlawful dismissal, fear of employer reprisal, and difficulties accessing healthcare and other services (Community Legal Clinic – Brant, Haldimand, and Norfolk [CLC-BHN], personal communication). This study addresses this dual lacuna by investigating how migrants with precarious status navigate the complex terrain of seeking legal aid in rural Southern Ontario.

## 1.2 Research Partnership and Problem Statement

This research emerged from a direct partnership between the Community Legal Clinic – Brant, Haldimand, and Norfolk (CLC-BHN) and the Centre for Research on Security Practices (CRSP) at Wilfrid Laurier University. CLC-BHN, a frontline legal aid provider, identified an urgent need to better understand the lived experiences of their precarious status clients—including migrant farmworkers and international students in the region—to inform more effective, responsive, and trauma-informed service delivery. They highlighted clients’ struggles with systemic barriers, fear, and a lack of knowledge about their limited rights.

The core problem this research investigates is therefore both practical and theoretical. **Practically**, there is a disconnect between the formal existence of legal aid and its meaningful accessibility for rural precarious migrants. **Theoretically**, we lack a nuanced understanding of how the condition of precarious non-citizenship (Goldring & Landolt, 2013) is enacted and negotiated within the specific institutional and geographic landscape of rural legal service provision. This study posits that for migrants in rural Southern Ontario, “access to justice” is often an illusory concept without first confronting the designed conditions of legal precarity and rural isolation that frequently make seeking help a riskier prospect than enduring injustice.

### 1.3 Research Objectives and Questions

Guided by this problem statement and the needs of our community partner, this qualitative study is driven by four interconnected objectives:

1. To document the diverse and often informal pathways through which migrants with precarious status seek and access legal aid in rural Southern Ontario.
2. To analyze the nature of the legal aid access process and its profound impact on migrants' everyday lives, mental well-being, and access to essential social services.
3. To determine the key systemic and contextual factors—including institutional barriers, socio-economic constraints, and cultural or community-based supports—that impede or facilitate access to legal support.
4. To analyze the critical, yet constrained, role played by legal aid organizations like CLC-BHN in mitigating vulnerabilities, negotiating legal status, and facilitating access to rights and services.

These objectives are operationalized through the following central research question and sub-questions:

**Main Research Question:** What are the experiences of migrants with precarious status seeking legal aid in rural Southern Ontario?

#### **Research Sub-Questions:**

1. How do precarious status migrants navigate and seek legal aid in the rural context?
2. What are the current systemic supports and constraints that shape their access?
3. What is the impact of having, or being denied, access to legal aid on their daily lives, legal security, and human rights?
4. What factors do participants identify as primary facilitators or hindrances to access?
5. What role do legal aid organizations play in combating vulnerabilities and negotiating status, and what institutional limitations do they face?

### 1.4 Significance of the Study

This research makes significant contributions to academia, policy, and community practice:

- **Theoretical Contribution:** It advances scholarly conversations at the intersection of migration studies, legal geography, and critical access-to-justice literature by centring the rural context and employing a lens of “interlegality” (Valverde, 2009) to understand how immigration, labour, and provincial laws create overlapping zones of exclusion.
- **Practical and Policy Impact:** The study provides CLC-BHN and similar organizations with empirically grounded, actionable insights to develop more effective, culturally safe, and outreach-oriented service models. Findings will inform concrete recommendations

for legal aid funding structures, rural service delivery, and federal immigration and labour policies that currently produce precarity.

- **Community Impact:** By employing a community-engaged, trauma-informed methodology, the research prioritizes the voices and lived experiences of precarious migrants themselves. The commitment to reciprocal knowledge mobilization—through practitioner reports, multilingual resources, and community briefings—ensures the research directly benefits the communities involved, moving beyond extractive academia to promote tangible social justice.

## 1.5 Report Structure

This report is structured to present a comprehensive account of the research. Following this introduction, **Chapter 2** reviews the relevant literature on precarious status, access to justice, and rural service provision, establishing the conceptual framework. **Chapter 3** details the adaptive, trauma-informed qualitative methodology. **Chapter 4** presents the key findings, documenting the architecture of precarity and the realities of the justice-seeking process. **Chapter 5** provides an in-depth analysis and discussion, theorizing the findings and rethinking the concept of access to justice. Finally, **Chapter 6** concludes with a summary of key insights, contributions, and evidence-based recommendations for policy and practice.

## 2 Literature Review and Conceptual Framework

This chapter establishes the theoretical and empirical foundation for the study. It reviews key literature across four interconnected domains: the theorization of precarious labour and immigration status; the lived effects of this precarity; the conceptual challenges of "access to justice" for non-citizens; and the specific context of rural service provision. The synthesis of these bodies of work generates the analytical framework used to investigate the experiences of precarious status migrants seeking legal aid in rural Southern Ontario.

### 2.1 Theorizing Precarious Labour and Precarious Status

Migrant workers with precarious status in Canada are caught in the confluence of two closely related projects of neoliberal legal and political transformation across countries of the Global North: the increasing precariousness of labour and the increasing precariousness of migration (Landolt & Goldring, 2021; Vosko et al., 2019). Precarious employment is generally characterized by "limited social benefits and statutory entitlements, job insecurity, low wages, and high risks of ill-health" (Vosko, 2006, p. 3). This labour precariousness is unevenly distributed across axes of domination, including citizenship, race, gender, and location (Butler, 2006; Lorey, 2017). Migrants with precarious legal status are as good as guaranteed to work precarious jobs due to the design of the programs through which they enter Canada (Binford, 2019; Faraday, 2016; Marsden, 2018; Sharma, 2014).

Precarious status is theorized within a framework that views citizenship and non-citizenship as existing on a continuum rather than constituting a binary (Goldring & Landolt, 2021; Landolt & Goldring, 2021; Stasiulis, 2020). In this framework, citizenship rights—including the right to maintain a legal presence and to access social resources—are not simply "given" or "denied" but

are socially and institutionally negotiated (Bhuyan, 2021; Goldring & Landolt, 2021). Temporary foreign workers occupy a highly vulnerable place on the continuum of citizenship *and* on the continuum of precarious employment (Landolt & Goldring, 2021; Sharma, 2014; Stasiulis, 2020; Vosko et al., 2019).

The key dimension of this precarious non-citizenship is the "**conditionality of presence and access**" (Goldring & Landolt, 2021, p. 3). *Conditionality* is characterized by state-imposed conditions for a legal status category and influenced by the constantly evolving ability of actors to muster the resources to meet those conditions. Status is therefore dynamic and contingent (Marsden, 2018). Workers who enter through so-called low-skilled temporary foreign worker programs experience the most rigid restrictions and the least opportunity for relief (Akbar, 2022).

Critical scholars argue that contemporary temporary foreign worker programs are emblematic of a regime of globalized capitalism that perpetuates historical patterns of racialized exploitation (Sharma, 2006; Walia, 2010). From a political economy perspective, these programs allow the state to manipulate the labour market, where the hyper-exploitation of migrant labour directly enriches corporations and benefits the state (Landolt & Goldring, 2021; Smith, 2013; Stasiulis, 2020; Strauss & McGrath, 2017). This theoretical background informs the understanding that migrant workers *live* their status in interactions with institutions, including legal aid, which becomes a factor in producing the meaning of precarious status.

## 2.2 The Lived Effects of Labour and Migration Precarity

Life for migrants with precarious status in Canada is permeated with uncertainty and fear (Marsden, 2018). This precarity has profound subjective and material effects. Studies link the structural denigration inherent to precarious status with a subjective feeling of not belonging (Basok & George, 2021). Wilson-Forsberg (2018) develops a "right to belong or be present" framework, where access to municipal services is part of that right, bridging subjective feelings and political claims to services like legal aid.

Hennebry, McLaughlin, and Preibisch (2016) describe a state of liminality: "Being liminal involves more than employment precarity. It is about being neither here nor there, about being in between places and categories and time frames" (p. 523). For temporary agricultural workers, this is compounded by "social quarantining," which forces them to perform excessive "social labour" to make connections outside their workplaces, with significant affective and political implications (Horgan & Liinamaa, 2017).

The conditionality of status creates extreme power imbalances. A closed work permit represents an acute form of conditionality, tethering a person's legal presence to a specific employer (Faraday, 2016; Marsden, 2018). This facilitates labour conditions that can resemble modern slavery more than free wage labour (Faraday, 2016; Strauss & McGrath, 2017). The state creates "zones of exceptionality" in sectors dominated by precarious migrants, making otherwise illegal conditions permissible (Faraday, 2016, p. 30). Oppression is both symbolic and material: a Social Insurance Number (SIN) beginning with the digit 9 signals temporary status and subjugation (Landolt & Goldold, 2021; Marsden, 2018), while the denial of family reunification symbolizes the state's perception of migrants as workers, not full human subjects (Faraday, 2016; Stasiulis, 2020).

### 2.3 Theorizing Access to Justice for Migrants with Precarious Status

A critical area where precarity impedes justice is labour law. Barriers include a lack of knowledge of Canadian law, often coupled with literacy and language challenges (Basok & George, 2021; Strauss & McGrath, 2017), and a complaints-based enforcement regime that places the onus on the fearful worker (Faraday, 2016; Vosko et al., 2019). This connects to Valverde's (2009) concept of "**interlegality**," where discrete legal systems (federal immigration, provincial labour, bilateral agreements) interact. When the logics of one order (immigration enforcement) impede another (labour rights), it creates a form of "'bad' legal pluralism" where protections at one scale are invisible at another (Valverde, 2009, p. 142). In the context of precarious migration, immigration and labour law often work together to produce "disposability" (Stasiulis, 2020) rather than in opposition.

The subjective effect of this interlegality is that the threat of federal deportation power "seeps into other institutional contexts" (Marsden, 2018, p. 145). The constant reality is not deportation itself, but **deportability**—the ever-present threat that disciplines workers and prevents them from activating legal protections (Binford, 2019; Marsden, 2018; Stasiulis, 2020). This fear, coupled with rational economic calculations to support families abroad, leads to a "quiet compliance" where claiming rights is perceived as too risky (Binford, 2019).

### 2.4 Social and Health Service Providers for Migrants in Rural Areas

Social and health service providers are implicated in negotiating conditional citizenship. They must manage the risk of adverse legal consequences for clients while attempting to make systems designed for citizens work for temporary workers (Bhuyan, 2021; Hennebry et al., 2016). In rural Ontario, these challenges are compounded. Rural Canadians often experience a greater sense of community belonging but worse healthcare access, lower incomes, and education (Buck-McFadyen et al., 2019). Contextual factors like lack of public transit interact with demographics to determine accessibility (Shah et al., 2020).

For migrant workers without cars and with limited networks, rural isolation exacerbates challenges to access. While health providers have made outreach efforts (McLaughlin & Tew, 2018), legal aid as an institution remains under-explored in this context. Legal aid funding often fails to correspond to need or reflect the realities of interlegality (Zemans & Amaral, 2018). In rural "legal deserts," the loss of lawyers and the interpersonal nature of local courts make direct legal representation particularly essential yet scarce (Statz, Friday, & Bredeson, 2021; Zamans & Amaral, 2018). This study brings the theory of precarious status into the physical and institutional space of rural legal aid, contributing to the literature on both migrant justice and rural service provision.

### 2.5 Conceptual Synthesis: The Analytical Framework

This review synthesizes several core concepts that form the analytical framework for this study:

1. **Precarious Non-Citizenship as Conditionality:** The conditional, contingent, and tiered nature of legal status is the primary determinant of life chances and vulnerability.

2. **Interlegality and Jurisdictional Conflict:** Migrants' justice claims sit at the conflicted intersection of federal immigration law, provincial labour/housing law, and bilateral agreements, creating a "bad legal pluralism" that obscures accountability.
3. **Deportability as a Governing Logic:** The manufactured and wielded threat of removal is a central mechanism of social control that disciplines workers, suppresses claims, and creates a climate of fear that permeates all aspects of life, including seeking help.
4. **The Rural Justice Desert:** Geographic isolation, scarce services, and unique social dynamics of rural communities act as a structural amplifier, intensifying the barriers produced by precarious status and interlegality.
5. **Access to Justice Beyond Procedure:** A critical distinction is required between narrow, procedural access to legal services and substantive justice, which is structurally precluded by the conditions of precarious status itself.

This framework guides the investigation of how these structural forces are experienced, navigated, and negotiated by migrants and legal aid providers in the specific context of rural Southern Ontario. It posits that understanding "access to justice" requires examining how the conditionality of status, the logic of deportability, and the geography of rural service provision interact to facilitate or block pathways to legal remedy and human security.

### 3 Methodology: An Adaptive, Trauma-Informed, and Community-Embedded Approach to Research in Conditions of Precarity

This chapter details the qualitative methodological framework and ethical protocols that guided this community-engaged research. Studying migrants with precarious legal status in rural Southern Ontario required more than a standard research design; it demanded a methodology centered on **relational accountability, trauma-informed practice, and adaptive rigor**. The approach was characterized by deep partnership, responsive recruitment strategies that prioritized trust over timelines, and a reflexive analysis process, all designed to ethically navigate the profound vulnerabilities inherent in the research context and to avoid extractive research practices.

#### 3.1 Research Design and Ethical Foundations

The study employed a critical qualitative research design, utilizing in-depth, semi-structured interviews to explore the lived experiences, navigation strategies, and systemic barriers faced by migrants seeking legal aid. A community-engaged research (CEnR) paradigm was foundational, with the Community Legal Clinic – Brant, Haldimand, and Norfolk (CLC-BHN) serving as the primary knowledge and entry-point partner from conception to dissemination (Israel et al., 1998). This partnership was crucial for grounding the research in practical need and ensuring its relevance to frontline service provision.

Formal ethics approval was granted by the Wilfrid Laurier University Research Ethics Board (REB #8540) on August 23, 2023. The approval process was intentionally thorough, accommodating the development of detailed, trauma-informed protocols for consent, confidentiality, and participant support. The decision to delay formal data collection until these

protocols were fully established, while extending the project timeline, was a deliberate ethical choice to ensure the research did not proceed without the necessary safeguards for a highly vulnerable population.

### 3.2 Participant Recruitment: Building Trust in a Context of Fear

Recruitment was the most significant operational challenge, directly mirroring the study’s core findings about fear, isolation, and institutional mistrust. We moved beyond clinic-based referrals to adopt an adaptive, **community-embedded, peer-driven snowball sampling** strategy (Penrod et al., 2003). Recognizing that **trust is the essential currency for access**, the research team, led by the Principal Investigator (PI), engaged in sustained, non-transactional presence in trusted community spaces beyond the legal clinic. This included repeated visits to The Neighbourhood Organization (TNO) in Simcoe, informal safe houses, and faith-based centres in Brantford and surrounding areas. We participated in community events, legal literacy workshops, and informal gatherings, building researcher credibility and demonstrating commitment without an immediate demand for participants.

This process was intentionally slow, respecting community rhythms and anxieties. As detailed in the project’s interim report, this necessary **trust-building phase was a non-negotiable investment** in the research’s ethical and methodological integrity. The final sample achieved thematic saturation on the core research questions.

#### Participant Profiles:

- **Migrants with Precarious Status (n=11 interviewed, n=9 included in analysis):** Participants included individuals who were undocumented, held temporary status (including Temporary Foreign Workers in agriculture and carnival work), or were international students. They represented diverse gender identities, were primarily aged 30-50+, and originated from Latin America, the Caribbean, and the Middle East/South Asia.
- **Key Informants (n=10):** These were community organizers, lawyers, paralegals, safe house operators, and other frontline service providers with deep expertise in serving migrants in rural Southern Ontario.

Table 3.1: Interview Data Collection Summary

Participant Type	Conducted	Included in Analysis	Data Collection Method	Languages
Migrants	11	9*	3 audio-recorded, 6 detailed notes	English, Arabic, Spanish mix
Key Informants	10	10	8 audio-recorded, 2 detailed notes	English
<b>Total</b>	<b>21</b>	<b>19</b>	<b>11 recorded, 8 notes</b>	

*\* Note: Two migrant participants withdrew post-interview due to deportation fears; their data was immediately destroyed per REB protocol*

### 3.3 Data Collection: Trauma-Informed and Participant-Centered Interviews

Data collection consisted of 21 in-depth, semi-structured interviews (2019 included in analysis). A trauma-responsive framework guided all interactions (Ellis et al., 2020), recognizing the potential for re-traumatization when discussing legal problems, abuse, and immigration status.

#### Key protocols included:

- **Participant-Chosen, Neutral Locations:** Interviews were held in libraries, private rooms in community centres, or other safe, neutral venues.
- **Maximum Flexibility:** Scheduling accommodated evenings, weekends, and last-minute changes to respect unpredictable work and life constraints of participants.
- **Multilingual and Culturally Mediated Communication:** Interviews were conducted in English, Arabic, and with Spanish translation assistance (provided by a trusted community member or, in one case, by a participant themselves). The PI's fluency in Arabic was a critical asset.
- **Emotional Safeguards & Critical Reflexivity:** The interview protocol included regular emotional check-ins. Researchers, trained as social workers, were prepared to pause sessions, provide immediate empathetic support, and offer referrals to counselling services. A stance of **critical reflexivity** (Nikidehaghani et al., 2022) was maintained, with researchers continually evaluating power dynamics and adjusting their approach (e.g., shifting to more open-ended questions) to ensure participant comfort and ethical engagement.
- **Consent as an Ongoing Process:** We utilized **dynamic consent** with multilingual documentation, continually reaffirming participants' right to withdraw without consequence—a right that was actively upheld, as noted above.
- **Equitable Compensation:** Participants received a \$50 grocery gift card, an amount and form determined through community feedback to be respectful and practically useful.

### 3.4 Data Analysis: An Iterative, Collaborative, and Transparent Process

Analysis followed an **iterative thematic analysis** approach informed by constructivist grounded theory (Charmaz, 2014), ensuring findings were deeply rooted in participants' narratives.

#### The process involved seven key steps:

1. **Transcription & Translation:** Audio recordings were transcribed verbatim. Interviews in Arabic or Spanish/English mix were translated into English by the PI or a trusted collaborator, preserving linguistic nuance.
2. **Familiarization:** The research team conducted repeated, immersive readings of all transcripts and detailed notes.

3. **Initial Coding:** The team performed line-by-line coding to identify significant concepts, challenges, and experiences.
4. **Focused Coding & Theme Development:** Initial codes were grouped into broader, analytical categories (e.g., “deportability as paralyzing fear,” “trust as brokerage,” “the rural isolation amplifier”).
5. **Refinement and Categorization:** Themes were reviewed, refined, and explored for intersections to build a comprehensive understanding.
6. **Team-Based Cross-Verification:** Regular research team discussions ensured analytical consistency, resolved interpretative differences, and minimized bias.
7. **Stakeholder Validation & Triangulation:** Preliminary themes were validated through discussions with CLC-BHN and presented at academic conferences (e.g., CAWLS 2025). Furthermore, **data triangulation** was achieved by analyzing migrant narratives alongside key informant perspectives and public policy documents, enriching the analysis and confirming systemic patterns (e.g., barriers to legal aid access were corroborated by both migrants and lawyers).

### 3.5 Ethical Safeguards and Participant Well-being: Beyond Procedural Compliance

Ethics were operationalized as an active, daily practice. Key safeguards included:

- **Dynamic, Informed Consent:** Consent was an ongoing process, explained in plain language (and translated where necessary), emphasizing voluntariness and the right to withdraw at any stage without penalty.
- **Rigorous Withdrawal Protocol:** This right was actively upheld. Two migrant participants withdrew their consent post-interview due to heightened deportation fears. In strict adherence to the REB protocol, their data was immediately and permanently destroyed.
- **Anonymity and Confidentiality:** All participants were assigned pseudonyms. Identifying details of individuals, employers, and specific rural locations were obscured in transcripts and reporting to protect participants from potential reprisal.
- **Non-Extractive Ethic:** The research design explicitly aimed to avoid “helicopter” or extractive research. The commitment to **reciprocal knowledge mobilization**—creating practitioner reports, multilingual infographics, and direct community briefings—was integral to the study’s design, ensuring the research returned value to the community and completed the circle of ethical engagement.

### 3.6 Limitations, Positionality, and Reflexivity

The study has limitations. The sample, while rich and informationally sufficient, is not statistically generalizable. The reliance on snowball sampling may underrepresent the most isolated individuals. Furthermore, confidentiality constraints prevented access to specific legal case files, limiting that dimension of triangulation.

The research team's **positionality** was continually reflected upon. The PI, as an immigrant and scholar with lived experience of navigation, brought deep empathy but also a responsibility to manage potential biases. The team's institutional affiliation with a university required constant work to mitigate power imbalances and build equitable partnerships with community organizations. This reflexivity was crucial for interpreting data and understanding the relational dynamics of the research process itself, which mirrored the very themes of trust, power, and access that the study sought to investigate.

## 4 Findings: The Architecture of Precarity and Institutional Response

This chapter presents the empirical findings from in-depth interviews, detailing the multifaceted and often contradictory realities of seeking legal aid in rural Southern Ontario. The data reveal a system where legal precarity, employer control, and rural isolation converge to create profound barriers. Crucially, the findings also capture the tensions and debates among participants about the nature of this system and the possibilities of redress within it. The chapter is organized to first establish the structural and ideological context, including divergent interpretations of that context, then detail the specific legal issues migrants face, illustrate the navigation process through a detailed case study, and finally, map the institutional landscape and its logistical challenges.

### 4.1 Context: Legal Aid's Institutional Limitations within an Extractive System

Participants consistently framed their experiences within a broader system, but they differed in their interpretation of its fundamental logic. This divergence highlights a central tension in understanding access to justice for precarious migrants.

Some participants, like legal service provider KI8, interpreted the flaws of Temporary Foreign Worker Programs (TFWPs) as a **policy failure to integrate**. From this perspective, the state's goal is successful economic immigration, but it is executed poorly:

*"I'm not going to say all people... are racist... The problem, I think, is... we're creating a very unstable, very precarious class of people... When you have people who don't know where they're going to be tomorrow... it also prevents them from being fully productive - slash - contributing members of the society... if we're going to invite people, let's... set them up for success, rather than setting them up for failure." (KI8)*

In stark contrast, other participants, particularly those with lived experience as migrant workers, framed the system as a **successful project of racialized exploitation**. Activist and former migrant worker KI2 drew a direct, painful lineage:

*"My mother is of African descent... exploited as slaves. My father is of Asian descent... exploited as indentured workers. And me, I came to Canada to be exploited as a migrant farm worker... So for me personally, it has significance to break the cycle of exploitation in my family."*

He explicitly compared closed work permits to human trafficking, separated only by the letter of the law: "It is the difference. Human trafficking is the illegal movement of people... what is the Farm Program, the legal exploitation?" (KI2). This analysis was extended to the Seasonal Agricultural Worker Program (SAWP), where bilateral agreements were seen as outsourcing unemployment from the Global South to fill Canadian labour gaps, benefiting governments and employers at workers' expense.

A critical node in this system is the role of **home country liaison officers**. Participants reported that these officials, theoretically tasked with protecting workers, often acted to maintain diplomatic and economic relationships with Canadian employers. Examples included failing to file taxes in workers' best interests (KI2) and actively discouraging workers from seeking independent legal counsel, sometimes colluding with lawyers to settle for a transfer to another employer rather than pursuing an open work permit (KI5, KI7).

Within this extractive context, the institution of Legal Aid itself was described as structurally ill-equipped. A primary constraint is the **jurisdictional mismatch** between migrant needs and legal aid's siloed service categories. As a community legal worker (KI1) explained,

*"We practice employment law, but often their employment questions are actually immigration questions."*

She described the frustration of monthly legal clinics where "20 different people come, and only one had an issue that we could actually help with."

This problem is acutely felt in rural areas with a shortage of private lawyers willing to accept legal aid certificates. KI8, a legal clinic lawyer, emphasized that clinics are often the only option:

*"legal aid clinic lawyers are the only lawyers who are on a regular basis assisting migrant workers... we are the ones who are creating the knowledge." However, he also critiqued the reactive, piecemeal nature of this help: "having good legal aid access, legal aid clinics is all reactive... To actually deal with the real problem is to... give them status upon arrival."*

This institutional gap creates a vacuum exploited by **predatory immigration consultants**. Key informant KI3, an immigration consultant himself, described a market where migrants desperate to regularize their status are charged exorbitant fees (e.g., \$10,000-\$12,000) for poorly prepared Humanitarian and Compassionate applications that have little chance of success, representing a profound "abuse" of their vulnerability and isolation.

## 4.2 The Triple Bind: Legal Status, Work, and Housing

The data revealed an inextricable link between immigration status, employment, and housing that constitutes a "triple bind" for migrants on employer-specific work permits, rendering each aspect of their life a point of potential control.

- **Employment as a Lever of Coercion:** Closed work permits legally tether a worker's presence to a specific employer, creating a relationship of profound dependency. Abuses reported included sophisticated wage theft (e.g., being given a check for the correct amount, forced to cash it, and return a portion to the employer), unpaid overtime,

dangerous work without training or safety equipment, and verbal abuse including the use of racial slurs.

- **Housing as a Mechanism of Confinement:** For many, employer-provided housing—exempt from the *Residential Tenancies Act*—is a site of control and neglect. Participants described being housed in remote, substandard conditions: trailers without electricity or running water for days or being abandoned without transportation during a tornado warning. Rules against visitors enforced social isolation, turning housing into a "social quarantine."
- **Status as the Ultimate Threat:** The constant, rational fear of contract termination—and thus, deportation—ensures compliance. This fear is weaponized. KI8 shared that employers have tipped off the Canada Border Services Agency (CBSA) about court dates, leading to CBSA officers appearing in courtrooms, a tangible manifestation of the "deportability" that stifles legal action before it begins.

### 4.3 Colonial Continuities and Everyday Racism

Racism was identified as an omnipresent force, operating at structural, discursive, institutional, and interpersonal levels, each reinforcing the other.

Structurally, TFWPs were analyzed as a continuation of colonial labour extraction. Discursively, participants highlighted how media and political portrayals actively shape public perception and migrant vulnerability. KI2 noted the shifting narrative: during labour shortages, international students were "saviours," but later became "the worst devils in Canada," blamed for the housing crisis. Similarly, migrant workers were called "essential" during COVID while their treatment remained exploitative, illustrating a contingent and instrumental form of belonging.

This structural and discursive racism manifested institutionally. Participants reported discriminatory practices by the Workplace Safety and Insurance Board (WSIB), where injured migrant workers were subjected to prolonged, prejudicial questioning about personal habits like drinking and smoking to deny claims, a practice described as "incredibly racist and bad" (KI7).

At the interpersonal level, migrants experienced overt racism from residents, with key informants noting more intense racism in Haldimand-Norfolk compared to other regions. This everyday racism had a direct, corrosive impact on trust in services. As KI1 explained, if migrants are subjected to racist abuse while grocery shopping, they logically conclude, "Why would I access any of these people's services?" This fosters a deep, justifiable mistrust of all Canadian institutions, creating a primary barrier to accessing legal aid itself.

### 4.4 What Issues Lead Migrants to Seek Legal Aid?

Migrants typically contacted legal services not as a first, deliberate step, but as part of a desperate attempt to escape active abuse. As safe house operator KI5 stated, "They just want to get away from their abuse... then they tell us their story, and it adds up." The journey to legal aid is thus often a story of crisis management.

The primary legal issues were:

1. **Abusive Employment & Wage Theft:** The most common catalyst, encompassing non-payment, unsafe conditions, and harassment. Participants like MP1 sought compensation for being called the n-word at work through the Human Rights Tribunal.
2. **Immigration Status Regularization:** Seeking open work permits for vulnerable workers or pathways to permanent residence. The one-year Open Work Permit for Vulnerable Workers was widely described as a flawed "band-aid." KI2 explained the painful choice it forces: "We can help you to get out of your abusive situation, but there's no guarantee that you continue to work in Canada." Migrant MP2 hesitated to apply because, "I don't have anywhere to go... where I gonna live, where I gonna get some food."
3. **Benefits Access:** Assistance claiming EI, CPP, or fighting for WSIB benefits. KI7 highlighted the success of a long-term "deeming" campaign, organized with migrant workers, to force WSIB to continue paying wage-loss benefits to injured workers after they returned to their home countries.
4. **Undocumented Status:** Those without status, like MP3 who was hired illegally after arriving on a visitor visa, faced even more overt exploitation (sub-minimum wage, no recourse) and extreme fear, relying on service providers to navigate basic healthcare by pretending to have a work permit.

#### 4.5 A Narrative Case Example: The Fragmented Journey of Six Carnival Workers

The complex, multi-actor, and fragmented pathway to legal aid is powerfully illustrated by the case of six Jamaican carnival workers (including MP1 and MP4). Their story underscores the necessity and fragility of community brokerage.

1. **Crisis and Informal Advocacy:** Enduring wage theft, unsafe work, and abandonment, they were connected by a coworker to "L.," a volunteer advocate. L. introduced them to a Jamaican-born paralegal.
2. **Systemic Rejection and Escalation:** The paralegal's application for vulnerable worker permits was denied for "insufficient evidence." L. then helped them report abuses to Service Canada, triggering a government inspection.
3. **Safe Haven and Fragmented Legal Connection:** A government agent, seeing the seriousness of the case, connected them to The Neighbourhood Organization (TNO). TNO connected them to a safe house and a Jamaican-born immigration lawyer in Toronto. The safe house organizers drove the workers to the city for immigration matters.
4. **Parallel Legal Tracks:** Simultaneously, the local community legal clinic (CLC-BHN) took on their employment case with the Ministry of Labour, which awarded each worker \$20,000 for stolen wages and damages (a decision under appeal).
5. **Outcome:** The immigration lawyer secured the vulnerable worker permits on reconsideration. This case exemplifies how **justice is not accessed through a single institution but assembled through a patchwork of formal and informal actors**, with community brokers providing the essential glue and logistics that the formal legal aid system lacks.

## 4.6 Institutional Cooperation and Logistical Barriers

Formal legal aid services are almost entirely dependent on a pre-existing ecosystem of community organizations, faith groups, and grassroots advocates. Legal clinics "piggyback" (KI1) on this trust-based work because, as KI8 noted, "lawyers are not necessarily good organizers or good outreach workers."

This relationship is fraught with a **critical tension between resourcing and co-optation**. While funding grassroots initiatives (like the safe house receiving support from TNO) can expand capacity, it also risks depoliticizing migrant justice work, sowing competition, and subordinating activist goals to funder mandates (KI7). KI2 accused a large non-profit of avoiding labour standards cases and advocacy, focusing only on less politically charged immigration applications. This tension underscores that the pathway to legal aid is also a political landscape where the definition of "help" is contested.

Outreach itself confronts physical barriers. To reach isolated farmworkers, advocates like KI2 deliberately contravened "No Trespassing" signs on farms, arguing that isolating workers from visitors is itself a dehumanizing injustice that must be challenged.

**Logistical barriers** in the rural context are severe, mundane, and consequential:

- **Geographic & Social Isolation:** Workers lived in remote locations with no transportation and infrequent time off, experiencing "social quarantining" that prevented them from even learning about services.
- **Language, Literacy, and Cultural Understanding:** Beyond translation needs, workers spoke Indigenous languages or dialects like Jamaican Patois. Low literacy required painstaking verbal explanation. Cultural concepts differed; KI1 noted that the term "health unit" did not translate conceptually for Mexican workers, requiring alternative descriptions.
- **Technological & Temporal Incompatibility:** Migrants' reliance on *WhatsApp* (due to lack of Canadian phone plans) clashed with institutions' use of landlines and email. Service provider hours (weekdays) directly conflicted with migrant work schedules.
- **Fear as the Primary Filter:** Above all, the pervasive fear of reprisal and deportation acted as the ultimate logistical and psychological barrier, determining whether any other service could even be contemplated.

In summary, the findings depict a justice-seeking landscape of profound complexity. Migrants navigate a system designed to make them vulnerable. Their pathways to help are not linear but are fragmented journeys across a landscape of isolated services, reliant on the unpaid labour of community brokers and a fragile coalition of organizations. Every step is hampered by logistical obstacles that are both banal and systemic, all under the shadow of a fear that the system itself manufactures and wields.

## 5 Analysis and Discussion: The Structural Sabotage of Justice and the Imperative for a New Paradigm

This chapter moves beyond description to analyze the deeper meanings and systemic implications of the findings. It argues that for migrants with precarious status in rural Ontario, the very concept of “access to justice” is systematically undermined by the legal and political architecture designed to govern them. Through the lenses of precarious non-citizenship, interlegality, and the geography of rural services, we demonstrate how justice is sabotaged at the point of claim, how legal aid is forced into a reactive and constrained role, and why a fundamental reorientation—from providing services to creating conditions for justice—is required.

### 5.1 Access to Justice in an Unjust System: Deconstructing the Conceptual Gap

This research confronts a foundational tension. While we document efforts to improve *access to justice*—operationally defined by institutions like the United Nations and Legal Aid Ontario as the ability to obtain legal advice, representation, and judicial remedies—the data persistently reveal a system where the underlying condition of *justice as fairness* is structurally precluded. This is not a failure of service delivery but a feature of the system’s design.

Precarity is not an accidental outcome but an “institutionally produced” condition (Goldring & Landolt, 2021, p. 3). As scholar Nandita Sharma (2014) argues, temporary foreign workers are “*made* unfree by Canadian immigration law” (p. 29). This analysis was crystallized by key informant and former migrant worker KI2, who tied justice directly to legal status: “And the same thing that can help them to access justice: status... Not giving me status, it denies me justice.” This reframes the central problem: the primary barrier is not a lack of lawyers, but the political decision to deny permanent status and full rights, rendering migrants’ presence conditional and their vulnerability a policy outcome.

This engineered conditionality creates two tiers of injustice:

1. **Rights Formally Denied.** The most significant right withheld is a reliable pathway to permanent residency, a design feature to maintain a temporary, disposable workforce. Those on closed work permits are legally bound to a single employer, stripped of the fundamental labour right to freely choose employment—a stark contradiction in a state that professes belief in a free market (KI8). This exclusion is compounded for agricultural workers in Ontario, who are exempt from key provisions of the *Employment Standards Act*. As safe house operator KI5 noted, this creates a common struggle: “anybody, whether you’re Mexican or whether you’re white, Anglo Saxon, Canadian, whatever, you’re not protected as an agricultural worker.”
2. **Rights Hollowed Out.** Even where rights are formally extended, systemic barriers render them inaccessible. Protections under employment or housing standards are typically complaint-driven. For a migrant whose future in Canada depends on their employer’s approval, filing a complaint is an intolerable risk. The result is a regime of de facto unenforceability. This reality led migrant participant MP1 to a stark conclusion: when asked about his rights, he responded, “Rights?... I don’t think we have any rights in

this country.” His statement is an accurate reflection of a system where rights exist *de jure* but are nullified *de facto* by the structure of deportability.

The implications for legal aid are profound. Its work is forced into a **reactive bind**, addressing symptoms of a system it cannot fundamentally alter. “Success” must be recalibrated, often meaning securing a small wage claim rather than achieving safety, which places significant moral and emotional burdens on practitioners. This necessitates that legal aid organizations adopt a **dual mandate**: providing essential individual services *within* the unjust system while simultaneously advocating *for* the systemic changes—primarily, permanent immigration status and the removal of discriminatory labour exemptions—that would make justice genuinely accessible.

## 5.2 Systemic Disincentives: Coercion, Constraint, and the Non-Pursuit of Legal Claims

The non-pursuit of legal action is not a failure of legal awareness but a rationalized outcome of systemic coercion and economic constraint. The findings illustrate two interlocking mechanisms that suppress legal mobilization.

1. **Coercion Through the Weaponization of Deportation Power.** The structure of Temporary Foreign Worker Programs formally delegates immense authority over a migrant’s legal status to their employer. The fear this generates is not paranoia but a rational assessment, as evidenced by the harrowing account of a sexual assault survivor who dropped her tribunal case, convinced her employer would have Canada Border Services Agency (CBSA) officers waiting (KI8). This example exposes a **privatization of border enforcement**, where private actors wield the threat of state authority to quash legal challenges, transforming courtrooms from sites of remedy into potential sites of arrest.
2. **Constraint Through Unbearable Economic Trade-offs.** For migrants supporting families abroad, pursuing a legal claim presents an impossible calculus: a potential future remedy versus certain present economic survival. This pressure is intensified by the significant debts many incur to migrate. As MP1 reasoned, enduring abuse was preferable to returning to Jamaica having “spent \$3000 US coming here... with nothing.” This **debt-financed migration** becomes a tool of discipline. For others, continued access to Canada’s healthcare for a workplace injury, or the distant promise of pension benefits, becomes a tether to abusive conditions. These are not free choices but survival calculations made within a system that financially precaritizes migrants to ensure their compliant labour.

These disincentives place legal aid practitioners in an impossible **practitioner’s bind**, expanding their role from legal advocate to risk counselor. They must engage in the fragile work of mitigating justifiable terror, often resulting in client attrition—clients “dropping out” of valid claims. This attrition is not a professional failure but a key metric of systemic failure. As KI8 concluded, legal aid work within this framework is inherently “reactive.” The proactive solution is structural: “give them status upon arrival.”

### 5.3 Trust as Foundational Infrastructure: The Indispensable Role of Community Brokers

Given the systemic coercion and the institutional limitations of formal legal aid, the findings reveal that **trust is not a preliminary step but the essential hard infrastructure of access**. In an environment where all formal systems are viewed with justifiable suspicion, the pathway to any service is mediated by trusted community brokers.

These brokers—volunteer advocates, safe house operators, faith-based volunteers—operate in the gaps left by the formal system. They perform the initial, vital work of **creating safety and building bridges**. They meet migrants on their own terms, in neutral spaces, providing non-judgmental support long before a legal issue is formally defined. The narrative of the six carnival workers exemplifies this: their journey was initiated by a trusted peer connection and depended entirely on a chain of informal brokers who provided logistics, shelter, and credibility.

This reliance creates a **critical tension between grassroots brokerage and institutional service provision**. While organizations depend on these brokers for outreach, there is a risk of **institutional co-optation**, where activist energy is depoliticized and subordinated to funder mandates (KI7; Weiler & McLaughlin, 2019). The formal system benefits from the trust and labour of grassroots actors without necessarily challenging the structures that make such brokerage indispensable. This tension underscores that the ecosystem of access is also a political field where the definition and goals of “help” are contested.

### 5.4 The Rural Isolation Amplifier: Legal Geography of the “Justice Desert”

The rural context of Southern Ontario is not a neutral backdrop, but an **active amplifier** of the vulnerabilities produced by precarious status. It intensifies barriers, creating what can be termed a **“justice desert.”**

The concept of **“social quarantining”** (Horgan & Liinamaa, 2017) is vividly borne out in the findings. Geographic isolation on remote farms, coupled with employer control over transportation and leisure time, physically severs migrants from community networks and service locations. A lack of public transit is not merely an inconvenience; it is a primary structural barrier that interacts with restrictive work schedules to make a trip to a legal clinic a logistical impossibility. This isolation is compounded by technological incompatibility (e.g., the mismatch between migrants' WhatsApp use and institutions' landlines) and the absence of linguistically and culturally appropriate information in the spaces migrants can access.

Furthermore, the **interpersonal nature of rural legal and social systems** cuts both ways. While it can foster stigma and racism, as participants experienced in Haldimand-Norfolk, it also means that the reputation and personal relationships of a single local lawyer or service provider become disproportionately important (Statz et al., 2021). The loss of even one certificate lawyer in a rural region thus represents a catastrophic collapse of access, not just a numerical reduction. The rural context concentrates and intensifies the dysfunctions of the broader system, making the justice gap not just a gap, but a chasm.

## 5.5 Synthesis: From “Access to Justice” to “Conditions for Justice” – A Necessary Paradigm Shift

The analysis necessitates a paradigm shift. The traditional model of “access to justice” focuses on providing services to individuals with legal problems. This research demonstrates that for precarious status migrants, this model is engaged only *after—if*—they overcome a prior set of conditions: the fear of deportation, the calculus of economic survival, the absolute lack of trust, and the logistical impossibility of reaching a service.

Therefore, we argue that meaningful engagement requires a prior focus on creating “**conditions for justice.**” These are the foundational prerequisites without which procedural access is moot:

1. **Condition of Safety:** The mitigation of deportability through status regularization and the dismantling of employer-tied permits.
2. **Condition of Trust:** The active, resourced building of genuine, long-term relationships through community-embedded, culturally safe brokerage.
3. **Condition of Holistic Support:** The integration of legal aid with material supports (housing, income, healthcare) to address the multiplier effect of legal precarity.
4. **Condition of Spatial Accessibility:** The re-design of service delivery for rural geographies through mobile, virtual, and transportation-supported models.

In this framework, the project’s original objectives are met by concluding that access is not a technical problem of service delivery but a political problem of structural design. Legal aid organizations are thus positioned in a dual, tension-filled role: as essential providers of reactive care within the unjust system, and as indispensable advocates for the transformative changes that would establish the **conditions for justice**. Without advocacy for the first condition—**status for all**—their vital work will remain perpetually reactive, addressing the symptoms of a system whose core logic remains the ultimate barrier to justice.

## 6 Conclusion and Recommendations: Forging Pathways from Precarity to Justice

This study set out to investigate a critical gap: the experiences of migrants with precarious status seeking legal aid in rural Southern Ontario. Through the voices of migrant participants and key informants, the research has documented not merely a series of barriers, but a system in which the promise of justice is structurally sabotaged. This concluding chapter synthesizes the key insights, outlines the contributions of the research, and proposes a set of evidence-based recommendations aimed at transforming the conditions that currently preclude meaningful access to justice.

### 6.1 Summary of Key Insights: Justice as a Condition of Safety

The central finding of this research is that for migrants with precarious status, “**access to justice**” is an **inaccessible abstraction without first establishing the “conditions for justice.”** The legal, economic, and geographic architecture of their lives is designed to suppress

claims and enforce compliance. The pervasive fear of deportation (“deportability”) acts as a paralyzing force, outweighing even the most egregious labour and human rights violations. This fear is rational, grounded in a system where employer control is outsourced immigration enforcement and where economic survival for families abroad depends on enduring abuse in Canada.

The rural context acts as a powerful amplifier of this precarity, creating a “justice desert” where isolation, lack of transportation, and the scarcity of services compound the vulnerabilities produced by immigration status. Within this hostile environment, **trust becomes the essential, hard infrastructure for access**, built not by institutions but by community brokers, safe houses, and grassroots advocates who operate in the gaps of the formal system. Legal aid organizations, while providing vital services, are trapped in a reactive bind, addressing the symptoms of a system whose foundational logic—the conditional, temporary, and exploitable status of migrant workers—remains unchallenged.

Therefore, the answer to the main research question—*What are the experiences of precarious status migrants seeking legal aid?*—is that they experience a profound disconnect between nominal rights and tangible recourse, navigating a landscape where seeking justice is often riskier than enduring injustice. Their pathways are fragile, reliant on a patchwork of community support, and ultimately limited by political choices that prioritize a disposable workforce over human rights.

## 6.2 Contributions of the Study

This research makes significant and multifaceted contributions, extending beyond academic inquiry to generate tangible impacts for public understanding, policy discourse, community practice, and the development of emerging scholars. This research makes significant contributions across the following domains:

- 1. Theoretical and Empirical Contribution:** The study advances scholarly understanding by applying and extending theories of precarious non-citizenship (Goldring & Landolt, 2021) and interlegality (Valverde, 2009) to the under-researched rural legal aid context. It introduces the concepts of the “justice desert” and “conditions for justice” as analytical frameworks to understand how geography and systemic design interact to block access. It provides rich, empirical evidence of how deportability is weaponized in everyday practice and how trust is built and operationalized at the grassroots level.
- 2. Methodological Contribution:** The project demonstrates a model for ethical, adaptive, and trauma-informed community-engaged research with highly vulnerable populations. Its reflexive account of building trust, navigating fear, and prioritizing participant safety over rigid timelines offers a valuable template for future justice-oriented research in rural and migrant communities.
- 3. Practical and Community Contribution:** The research directly fulfills its partnership mandate with the Community Legal Clinic – Brant, Haldimand, and Norfolk (CLC-BHN). It translates complex lived experiences into actionable insights for frontline service providers, validating the challenges they face and highlighting the critical importance of their community-embedded work. The findings provide a robust evidence base for advocacy and policy reform.

**4. Contribution to Policy Discourse: Evidence for Specific Levers of Change:** The research provides robust, empirical evidence to inform and strengthen advocacy around discrete policy levers at multiple levels of government:

- **Federal Immigration Policy:** The findings offer irrefutable evidence of the harms caused by employer-specific work permits and the denial of permanent status. They directly support advocacy for "Status for All" and the abolition of closed permits, grounding these demands in lived experience rather than abstract principle.
- **Provincial Labour Policy:** By documenting the consequences of excluding agricultural workers from the *Employment Standards Act*, the research supplies concrete ammunition for campaigns to extend full labour protections to this sector, illustrating the shared vulnerability of migrant and citizen farmworkers.
- **Legal Aid & Service Funding Policy:** The analysis of jurisdictional mismatch and rural service gaps provides a clear evidentiary base for advocating to reform Legal Aid Ontario's funding models. It makes the case for dedicated immigration law funding, integrated service models, and specific investments in rural outreach and community brokerage.

**5. Contribution to Public Understanding: Shifting the Narrative**

This study challenges pervasive and simplistic narratives about migration in rural Ontario. It moves public understanding beyond seeing migrant workers merely as "essential labour" or "temporary guests," and instead:

- **Humanizes the Architecture of Precarity:** By centring migrants' own voices, the research reveals how everyday life is shaped by designed vulnerability, fear, and isolation—not by individual circumstance.
- **Reframes "Access to Justice":** It introduces the public and stakeholders to the critical concept that justice requires foundational conditions of safety and trust, which are systematically eroded by current policies. This shifts the conversation from one about service shortages to one about systemic design.
- **Documents Rural Realities:** It brings to light the specific, compounded challenges of the "rural justice desert," providing a counter-narrative to predominantly urban-focused migration stories and highlighting how geography actively deepens exclusion.

**6. Contribution to Community Partner Capacity: Equipping Frontline Practice**

True to its community-engaged design, the project was co-produced with the Community Legal Clinic – Brant, Haldimand, and Norfolk (CLC-BHN), resulting in direct capacity-building:

- **Evidence-Based Practice Tools:** The **Practitioner-Friendly Research Report** and accompanying materials translate complex findings into actionable frameworks (e.g., the "Conditions for Justice," trauma-informed intake protocols) that CLC-BHN staff can immediately integrate into their service delivery and outreach strategies.

- **Strengthened Advocacy Portfolio:** The research provides CLC-BHN with a rigorous, localized evidence base to strengthen its submissions to government, funders, and the public, moving from anecdote to systematic data in their calls for systemic change.
- **Enhanced Research Partnerships:** The collaborative process established a model for equitable university-community research that CLC-BHN can leverage in future projects, building internal confidence and skills for engaging in knowledge-generation that serves their mission.

## 7. Contribution to Student Training: Developing Future Scholars and Practitioners

- The project served as a vital training ground, building human capital in the fields of migration studies, socio-legal research, and community-engaged scholarship:
- **Advanced Qualitative Research Skills:** Graduate and undergraduate research assistants gained hands-on expertise in trauma-informed interviewing, ethically complex recruitment, multilingual data management, and iterative thematic analysis with vulnerable populations.
- **Knowledge Mobilization Competency:** Students contributed directly to creating diverse outputs—from academic manuscripts to infographics and presentation materials—learning how to tailor research communication for academic, policy, and community audiences.
- **Ethics of Community-Engaged Work:** Through direct involvement in the partnership with CLC-BHN, students learned the principles of reciprocity, respect, and shared decision-making, preparing them to conduct research that is both rigorous and socially accountable in their future careers

## 6.3 Recommendations

The following recommendations, derived directly from participant testimony and the preceding analysis, are structured to address the systemic, institutional, and community-level dimensions of the problem.

### A. For Federal and Provincial Policymakers: Dismantling the Architecture of Precarity

1. **Abolish Employer-Specific Work Permits and Provide Status on Arrival:** As the most frequent and fundamental recommendation from participants, the federal government must end programs that tie a migrant’s legal presence to a single employer. All migrant workers should receive open work permits and a clear, accessible pathway to permanent resident status upon arrival, dismantling the primary tool of coercion.
2. **Extend Full Labour Protections to Agricultural Workers:** The provincial government must repeal the exemptions for agricultural workers in the *Employment Standards Act*, including granting them the right to unionize, guaranteeing overtime pay, and mandating rest periods.

3. **Implement Proactive, Unannounced Enforcement:** Replace the complaint-driven enforcement model in labour and migrant housing with a system of routine, unannounced inspections by adequately resourced and linguistically diverse officers.
4. **Fund and Mandate Legal Aid for Immigration Matters:** The federal government must provide sustained, adequate funding to Legal Aid Ontario specifically for immigration and refugee law services, recognizing its jurisdiction over the status that underpins all other legal issues.

## **B. For Legal Aid Ontario and Institutional Funders: Building a Responsive System**

1. **Fund Integrated, Holistic Service Models:** Move beyond siloed funding to support community legal clinics in hiring immigration lawyers, system navigators, and outreach workers. Fund models that integrate legal services with housing support, mental health care, and material aid.
2. **Prioritize and Fund Rural Service Delivery:** Allocate specific resources for rural legal clinics to establish satellite offices, mobile legal units, and reliable transportation support for clients. Increase the remuneration for certificate lawyers in rural areas to stem their attrition.
3. **Resource Trust-Building and Outreach as Core Services:** Fund positions for community-embedded outreach workers (not just lawyers) from migrant communities, with the multilingual and cultural skills necessary to build bridges. Support the development and use of accessible communication tools (e.g., official WhatsApp lines).
4. **Support the Grassroots Ecosystem:** Create grant streams that provide core, flexible funding to grassroots organizations, safe houses, and migrant-led groups that perform the indispensable trust-building work, ensuring this support does not co-opt their advocacy missions.

## **C. For Community Legal Clinics and Service Providers: Enhancing Trauma-Informed Practice**

1. **Adopt a “Conditions for Justice” Framework:** Internalize the paradigm that safety and trust are prerequisites. Practice should involve immediate, non-legal support to address crises (housing, food, healthcare) as a first step in legal engagement.
2. **Formalize and Strengthen Referral Networks:** Proactively build and maintain collaborative partnerships with shelters, health units, faith groups, and ethnic community associations. Create shared, confidential protocols for warm referrals.
3. **Commit to Systemic Advocacy:** Dedicate organizational capacity to policy advocacy, coalition building, and public education based on frontline evidence. Challenge the laws that render clients vulnerable, moving beyond a purely service-based mandate.

## **6.4 Limitations and Avenues for Future Research**

This study has limitations. Its qualitative sample, while rich, is not statistically generalizable. The focus on Southern Ontario means findings may not fully reflect realities in other provinces

or more remote northern regions. The reliance on key informant perspectives, while crucial, may not capture the full range of institutional viewpoints.

Future research should:

- Conduct longitudinal studies to trace the long-term impacts of legal aid interventions (or the lack thereof) on migrant trajectories.
- Investigate the specific experiences and strategies of undocumented migrants in rural areas.
- Explore comparative models of rural legal service delivery and migrant integration in other national contexts.
- Examine the mental health impacts on legal practitioners working within structurally unjust systems.

## **6.5 Final Reflection**

This research has laid bare the stark contradiction between Canada's professed values of justice and fairness and the realities of its temporary migration programs. The experiences documented here are not anomalies but the predictable outcomes of policy choices. Addressing the justice gap for precarious migrants in rural Ontario therefore requires more than better signage or more clinic hours; it demands a courageous re-imagining of the relationship between migration, labour, and rights. It requires moving from managing precarity to abolishing it, and from providing access to justice to finally creating the conditions in which justice can exist. The recommendations presented here offer a roadmap for that essential work.

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## Appendices

### Appendix A: Executive Summary

#### **Precarity, Everyday Life, and Access to Justice: The Experiences of Migrants in Southern Rural Ontario**

June 2025

**Principal Investigator:** Dr. Nuha Dwaikat-Shaer, Centre for Research on Security Practices, Wilfrid Laurier University

**Community Partner:** Community Legal Clinic – Brant, Haldimand, and Norfolk (CLC-BHN)

**Funder:** Law Foundation of Ontario (Grant #1596-22)

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#### **1. The Problem: A Justice Gap Engineered by Law and Geography**

Migrants with precarious immigration status—including temporary foreign workers, international students, and refugee claimants—are a cornerstone of rural Southern Ontario’s economy, particularly in agriculture, food processing, and service sectors. Despite their essential contributions, Canadian immigration policy is designed to keep their status temporary, conditional, and tied to a specific employer. This legal architecture does not just create vulnerability; it actively manufactures a barrier to justice. For these migrants, having a legal problem and being able to safely seek a remedy are two profoundly different realities.

This crisis is intensified in rural settings. Geographic isolation, a severe lack of public transportation, the scarcity of specialized services, and the social dynamics of small communities transform barriers into near-insurmountable obstacles. There is a critical lack of research on how this “rural justice desert” intersects with migrant precarity. This community-engaged study, born from a direct request from our partner CLC-BHN, was designed to fill this gap and generate evidence to inform policy, funding, and trauma-informed practice.

#### **2. The Study: A Community-Engaged, Trauma-Informed Inquiry**

From 2023 to 2024, we conducted a rigorous qualitative study using in-depth, semi-structured interviews. We spoke with **21 participants: 11 migrants** with diverse precarious statuses (undocumented, temporary workers, international students) and **10 key informants** who are frontline legal providers, community organizers, and safe house operators in the region.

The methodology was intentionally **adaptive and trauma-informed**. Recognizing the profound fear and risk participants faced, we built trust through long-term engagement with community spaces (churches, safe houses, the CLC-BHN), offered interviews in multiple languages (English, Arabic, Spanish), used neutral locations, and guaranteed strict confidentiality. This approach was essential to capture honest testimony about a system that often silences those within it.

### 3. Key Findings: A System Designed to Suppress Justice

Our research documents not just individual hardship, but a system whose logic ensures that legal rights for precarious migrants are theoretical, not real.

**a) Fear of Deportation is the Supreme Law.** The most powerful barrier is not a lack of knowledge or services, but the rational, all-consuming fear that asserting any right will lead to termination, repatriation, and blacklisting. This “deportability” is a tool of control. One legal aid lawyer shared that employers have called the Canada Border Services Agency (CBSA) to report migrants on the day of their tribunal hearings, causing clients to drop valid cases out of terror. Migrants are thus forced into a brutal calculus: endure abuse or lose your livelihood and presence in Canada.

**b) The “Rural Justice Desert” Magnifies Every Vulnerability.** Rurality is an active amplifier of precarity. Participants described:

- **Physical & Social Quarantining:** Living on remote farms with no transportation, controlled schedules, and rules against visitors.
- **Impossible Logistics:** Service providers work 9-5 in towns; migrants work 12+ hour days with no transit. Institutions use landlines; migrants rely on WhatsApp.
- **Scarcity & Stigma:** A dire shortage of immigration lawyers willing to take legal aid cases, coupled with experiences of racism in small towns, fosters deep mistrust of any official institution.

**c) Trust is Built by Grassroots Brokers, Not Institutions.** In this landscape of fear and isolation, **community brokers** are the indispensable first responders. Migrants’ pathways to help almost never begin with a lawyer. They begin with a trusted volunteer, a safe house operator, a church volunteer, or a cultural mediator. These individuals and groups build the **essential infrastructure of trust** that formal legal aid lacks. As one safe house operator stated, migrants “just want to get away from their abuse... then they tell us their story.” Legal clinics rely entirely on these grassroots networks for referrals.

**d) Legal Aid is Structurally Limited and Forced into a Reactive Role.** Frontline legal providers face a system stacked against them and their clients.

- **Jurisdictional Mismatch:** A migrant’s problem is often a tangle of immigration, labour, and housing law, but legal aid services are siloed. “We practice employment law, but often their employment questions are actually immigration questions,” explained one clinic worker.
- **Funding Misalignment:** There is little funding for the outreach and holistic support needed to engage this population, and a critical lack of funded immigration lawyers in rural areas.
- **The Reactive Bind:** Providers described their work as “reactive.” They treat the symptoms—wage theft, injuries, abuse—but cannot cure the disease: the temporary, exploitable status imposed by law.

#### 4. The Imperative: From “Access to Justice” to “Conditions for Justice”

The findings compel a paradigm shift. We cannot simply provide more “access” to a system that is designed to deny justice. We must first create the foundational “**Conditions for Justice.**”

1. **CONDITION OF SAFETY:** Dismantle the architecture of fear. This requires **abolishing employer-specific work permits** and providing **clear pathways to permanent residence** for all migrant workers.
2. **CONDITION OF TRUST:** Recognize, fund, and support the **community brokerage ecosystem**. This means core funding for grassroots groups, and for legal clinics to hire outreach workers from migrant communities.
3. **CONDITION OF HOLISTIC SUPPORT:** Integrate legal aid with housing, income, mental health, and crisis support. Legal problems cannot be solved while clients are in immediate material crisis.
4. **CONDITION OF SPATIAL ACCESSIBILITY:** Redesign rural service delivery through mobile legal clinics, robust transportation support, virtual options, and services offered during evenings and weekends.

#### 5. Core Recommendations for Action

##### To Federal & Provincial Policymakers:

- **Abolish closed work permits** and create a “Status for All” regularization program for migrant workers.
- **Repeal the exemptions** for agricultural workers in the Ontario *Employment Standards Act*, granting them full rights to overtime, rest, and unionization.
- **Mandate and fund proactive, unannounced enforcement** of labour and migrant housing standards.
- **Provide permanent, increased federal funding** to Legal Aid Ontario specifically for immigration and refugee legal services.

##### To Legal Aid Ontario & Institutional Funders:

- **Pilot and fund integrated service models** in rural clinics that combine legal, social work, and outreach positions.
- **Establish a rural legal services fund** to support satellite offices, mobile units, and transportation solutions. Increase remuneration for certificate lawyers in rural areas.
- **Create dedicated grant streams** for the stabilization and growth of migrant-led and grassroots community organizations, protecting their advocacy role.
- **Resource “trust-building” as a core service line** in legal clinic budgets.

##### To Community Legal Clinics & Service Providers:

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- **Institutionalize partnerships** with grassroots networks through formal referral protocols and shared training.
- **Adopt a “client safety first” protocol** that addresses housing, food, and healthcare needs as the first step in legal engagement.
- **Dedicate a portion of organizational capacity to systemic advocacy**, using collected data to publicly campaign for the policy changes outlined above.

## 6. Conclusion

This research, conducted in deep partnership with a frontline legal clinic, provides an unequivocal evidence base: the justice system is failing precarious migrants in rural Ontario by design. The testimonies collected are a call for transformation, not incremental adjustment. The recommendations provide a roadmap to build a system where justice is not a privilege for the secure, but a condition accessible to all who live and work here. Implementing them is a matter of fundamental rights and collective moral urgency.

**For the complete research report with detailed methodology, full participant narratives, and comprehensive analysis, please contact:** Principal Investigator: [ndwaikatshaer@wlu.ca](mailto:ndwaikatshaer@wlu.ca)

## Appendix B: Practitioner-Friendly Research Report

### Bridging the Justice Gap: Supporting Precarious Migrants in Rural Southern Ontario

#### A Community-Engaged Research Partnership Between:

Centre for Research on Security Practices (CRSP), Wilfrid Laurier University  
Community Legal Clinic – Brant, Haldimand, and Norfolk (CLC-BHN)

**Funded by:** Law Foundation of Ontario

**Research Team:** Dr. Nuha Dwaikat-Shaer (PI), with research assistants and community partners

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### Introduction: Why This Research Matters to Your Work

If you're reading this report, you likely work with migrants in rural Ontario. You've seen the challenges firsthand: clients who endure abuse rather than risk deportation, workers who can't reach your office, complex cases that don't fit neatly into legal categories. This research was designed **with and for** practitioners like you, in partnership with CLC-BHN, to document these challenges and identify practical solutions.

**Our Core Question:** What are the real experiences of precarious status migrants trying to access legal aid in rural Southern Ontario, and what can service providers do about it?

**What We Did:** Between 2023-2024, we conducted confidential interviews with **11 migrants** (temporary workers, international students, undocumented individuals) and **10 frontline providers** (lawyers, organizers, safe house operators) in rural Southern Ontario. We used trauma-informed methods that prioritized safety and trust.

**What You'll Find Here:** This report skips academic jargon to give you:

- **Real stories** from migrants and providers
- **Clear patterns** of barriers and what actually helps
- **Practical tools and strategies** you can use immediately
- **Advocacy points** for systemic change

### Key Finding #1: Fear Isn't Just a Feeling – It's the Main Barrier

#### What We Heard:

"The biggest challenge still is the fact that the employer has the power to deport... even if you figure out a way to get wherever you need to go, you still have that first hurdle of fear." – Legal Service Provider

"I don't think we have any rights in this country." – Migrant Worker

#### What This Means for Your Practice:

- **Recognize that fear is rational:** Your clients' hesitation isn't lack of awareness – it's a survival strategy in a system where complaining can mean deportation.
- **Safety first, paperwork second:** Before discussing legal options, address immediate safety concerns. Where will they sleep tonight? Are they safe from their employer?
- **Build confidentiality into everything:** Be explicit about what you will and won't report. Assume your clients believe employers can track their movements.

### Immediate Action Steps:

1. **Develop a "Safety First" intake protocol** that prioritizes housing, food security, and physical safety before legal issues.
2. **Create plain-language confidentiality guarantees** in multiple languages that explain your role clearly.
3. **Train all staff** on trauma-informed approaches that recognize fear as a primary barrier, not resistance.

## Key Finding #2: The "Rural Justice Desert" – Isolation Isn't Just Geographic

### What We Heard:

- Workers living on farms with no transportation, one Sunday off every three weeks
- Service providers working 9-5 in towns; migrants working 12+ hour days with no transit
- Institutions using landlines; migrants relying on WhatsApp
- "Social quarantining" where workers aren't allowed visitors at employer housing

### What This Means for Your Practice:

- **Your office location is a barrier:** Even if you're in the county seat, you might as well be in another province for clients without transportation.
- **Your hours are a barrier:** Standard business hours exclude clients who work those exact hours.
- **Your communication methods are a barrier:** No WhatsApp = no contact for many migrants.

### Immediate Action Steps:

1. **Adopt flexible communication:** Set up a dedicated WhatsApp line for client contact. Use voice messages for clients with literacy challenges.
2. **Rethink service hours:** Offer evening/weekend clinics. Partner with organizations that see clients during off-hours (churches, community dinners).

3. **Go mobile:** Partner with public health units, food banks, or faith groups to offer "pop-up" legal clinics where migrants already go.
4. **Create "bridge" transportation:** A small fund for taxi vouchers or a partnership with a local ride service can be transformative.

### Key Finding #3: Trust is Built by People, Not Institutions

#### What We Heard:

"They just want to get away from their abuse... then they tell us their story." – Safe House Operator

"We [legal clinics] piggyback on whatever anyone was doing, because it's a lot of work doing outreach work." – Community Legal Worker

#### The Trust Pathway We Documented:

Most migrants' journey to legal aid follows this pattern:

1. **Crisis** (abuse, injury, non-payment)
2. **Trusted Person** (volunteer, church member, former worker, safe house operator)
3. **Basic Support** (shelter, food, emotional support)
4. **Legal Referral** (only after safety and trust are established)

#### What This Means for Your Practice:

- **You're not the first stop:** Most clients will come to you through community brokers.
- **Your credibility depends on these relationships:** Migrants trust the broker who brings them, not your institutional reputation.
- **These brokers are doing unpaid, essential work** that makes your services possible.

#### Immediate Action Steps:

1. **Map your community brokers:** Identify the safe houses, faith leaders, store owners, and volunteers who migrants trust. Build formal relationships with them.
2. **Compensate this work:** If possible, provide honoraria or find funding for these essential brokers. At minimum, recognize their role publicly.
3. **Simplify referrals:** Create warm referral protocols with one-page forms in multiple languages. Offer to meet clients with their broker present.
4. **Train brokers in basic rights:** Offer regular, simple training to trusted community members on recognizing abuse and making referrals.

## Key Finding #4: Legal Problems Don't Come in Neat Categories

### What We Heard:

"We practice employment law, but often their employment questions are actually immigration questions. I do the drop-in legal clinic once a month... I had 20 different people come, and only one had an issue that we could actually help with." – Legal Clinic Worker

### The Reality:

A migrant worker's "employment" case is often actually:

- An **immigration** issue (status tied to abusive employer)
- A **housing** issue (living in employer-provided substandard housing)
- A **human rights** issue (racial discrimination at work)
- A **health** issue (injury without proper care)

### What This Means for Your Practice:

- **Siloed services fail migrants:** An employment lawyer can't help if the real issue is immigration. An immigration consultant can't help with wage theft.
- **Coordination is non-negotiable:** You need reliable partners in other legal areas and in social services.
- **Your funding model might be part of the problem:** Categorical funding prevents holistic service.

### Immediate Action Steps:

1. **Create internal "triage teams":** Bring together staff from different areas (if available) to assess migrant cases holistically.
2. **Build formal referral networks:** Develop memoranda of understanding with immigration services, housing supports, and mental health providers.
3. **Document the mismatch:** Keep records of cases you can't help due to jurisdictional limitations. Use this data for funding proposals and advocacy.
4. **Advocate for flexible funding:** Make the case to funders for "whole person" service models that break down categorical silos.

## Key Finding #5: The System is Designed to Keep Migrants Precarious

### What We Heard:

"And the same thing that can help them to access justice: status. The same thing, if you deny them status, you basically, you denying them justice." – Former Migrant Worker/Activist

"I mean, having good legal aid access, legal aid clinics is all reactive... To actually deal with the real problem is to... give them status upon arrival." – Legal Aid Lawyer

### **The Hard Truth:**

No matter how good your services are, you're working within a system designed to:

1. Keep migrants temporary and disposable
2. Give employers control over immigration status
3. Make enforcement complaint-driven (knowing migrants won't complain)
4. Exclude agricultural workers from basic labour protections

### **What This Means for Your Practice:**

- **You will experience moral distress:** You'll see excellent legal cases that clients drop due to fear. You'll know the law is failing your clients.
- **Individual service isn't enough:** You need a dual role – service provider AND advocate for systemic change.
- **Your frontline knowledge is power:** You see how policies fail in real time. This evidence is crucial for advocacy.

### **Immediate Action Steps:**

1. **Build advocacy into your work:** Dedicate a portion of staff time (even 10%) to documenting systemic failures and participating in advocacy coalitions.
2. **Join migrant justice networks:** Connect with organizations like Justice for Migrant Workers, Migrant Rights Network, or local coalitions.
3. **Use client stories strategically:** With proper consent and anonymization, share how specific policies harm real people in your community.
4. **Advocate for these specific changes:**
  - **Status for All:** Permanent residency for migrant workers
  - **Open work permits:** End employer-tied permits
  - **Full labour rights:** Include agricultural workers in employment standards
  - **Adequate legal aid funding:** Specifically for immigration services in rural areas

## Toolkit: Practical Resources for Frontline Providers

### 1. Trauma-Informed Intake Checklist for Migrant Clients

- Immediate safety assessment (housing, food, physical safety)
- Confidentiality explanation in plain language
- Permission to use WhatsApp/Signal for communication
- Identification of trusted support person
- Assessment of immediate practical needs before legal issues
- Explanation of what you can/cannot do about immigration status

### 2. Community Broker Engagement Guide

- **Identify brokers** (faith leaders, store owners, former workers, volunteers)
- **Build relationships** (attend community events, offer training)
- **Create simple referral tools** (one-page forms in relevant languages)
- **Provide recognition and support** (letters of support, small honoraria if possible)
- **Maintain communication** (regular check-ins, updates on referred cases)

### 3. Rural Service Adaptation Strategies

- **Mobile services:** Partner with public health or libraries for pop-up clinics
- **Flexible hours:** Evening/weekend availability
- **Technology adaptation:** WhatsApp business line, voice message options
- **Transportation solutions:** Taxi vouchers, volunteer driver networks
- **Culturally responsive materials:** Use appropriate terminology (e.g., not "health unit" but terms clients understand)

### 4. Holistic Service Coordination Framework

- **Internal coordination:** Regular case review meetings across service areas
- **External partnerships:** Formal MOUs with housing, mental health, settlement services
- **Client-centered planning:** One client, one plan that addresses all needs
- **Data tracking:** Document how often cases involve multiple intersecting issues

## Conclusion: A Call to Action for Practitioners

### What We Learned Together:

This research confirms what many of you experience daily: the system is stacked against the migrants you serve. The barriers aren't accidental – they're designed into temporary migration programs and exacerbated by rural geography. Yet, we also found remarkable resilience and effective strategies.

### Your Three Essential Roles:

1. **Trauma-Informed Service Provider:** Recognize fear as the primary barrier. Build trust slowly. Address safety before legal issues. Work holistically.
2. **Community Network Builder:** You cannot do this work alone. Identify, support, and partner with the community brokers who build the trust you need. They are your most important colleagues.
3. **Systemic Advocate:** Use your frontline knowledge to demand change. Document policy failures. Join advocacy efforts. Remember: no amount of excellent service delivery can fix fundamentally unjust laws.

### Final Thought:

One provider told us, "We are the ones creating the knowledge." This is true. Your daily work with migrants generates the evidence needed to transform the system. This report is just a starting point – the real change happens in your offices, in community spaces, and in the halls of government where you bring migrants' voices forward.

### Continue the Conversation:

We invite you to share your experiences, adaptations, and challenges as you implement these findings. Your knowledge makes all of us stronger in serving some of Ontario's most vulnerable residents.

### For More Information, To Share Your Experience, or To Request a Briefing:

Contact: PI Dr. Nuha Dwaikat-Shaer: [ndwaikatshaer@wlu.ca](mailto:ndwaikatshaer@wlu.ca)

Full Academic Report Available: [Link/Contact Information]

Community Resources & Multilingual Materials: [Link/Contact Information]

### Acknowledgements:

We extend our deepest gratitude to the migrant participants who shared their stories despite real risks, and to the frontline providers who gave their time and insights. This report is a testament to your courage and commitment.

Funding from the Law Foundation of Ontario made this community-engaged research possible.

## Appendix C: Migrant "Know Your Rights" Resource Package

### About This Resource

*This practical guide was created based on research with migrants in rural Southern Ontario. It is designed to be clear, practical, and safe to use. **Remember: You have rights in Canada, even with temporary status.***

### IMPORTANT SAFETY NOTES

#### Before using this information:

1. **Phone numbers can change** - check with local organizations for current contacts
2. **For updated local information**, dial **2-1-1** (free, multi-language service information)
3. **Talk to a trusted community worker** about your specific situation
4. **Keep this information somewhere safe** - not where your employer can find it

**This information is for your knowledge and safety. It is not legal advice. Always speak with a community or legal worker about your specific situation.**

## Section 1: Emergency & Essential Numbers

### IMMEDIATE EMERGENCIES (24/7):




- **Police, Fire, Ambulance: 9-1-1**
- **Telehealth Ontario** (Free nurse advice): **1-866-797-0000**
- **Assaulted Women's Helpline: 1-866-863-0511**

### FREE INFORMATION SERVICES:

- **2-1-1** - Community & social services information (multi-language)
- **3-1-1** - Municipal information in many areas
- 

## Section 2: Your Work Rights - Quick Guide

### You Have the Right To:

-  **Be paid for ALL hours** you work
-  **Get pay slips** showing your hours and deductions
-  **Minimum wage** (\$17.20 /hour in Ontario, starting October 1, 2025) (Check current Ontario rate at [Ontario.ca/minimumwage](https://www.ontario.ca/minimumwage) or call 1-800-531-5551)

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- ✓ **Keep your passport** and documents (employers cannot take them)
- ✓ **Refuse unsafe work**
- ✓ **Join or form a union** (in most sectors)

### **If You Are NOT Paid:**

1. **Keep records** - take photos of clocks, write notes of your hours
2. **Contact your community legal clinic FIRST** for safe guidance
3. **Ministry of Labour** can help: **1-800-531-5551**
5. **If You Are INJURED at Work:**
  1. **Get medical help immediately** - you have health insurance
  2. **Tell your supervisor** and get a written report
  3. **Contact WSIB** (Workplace Safety): **1-800-387-0750**
  4. **You cannot be fired** for reporting an injury

## **Section 3: Housing & Living Conditions**

### **Even in Employer-Provided Housing, You Deserve:**

- **Safe, clean living space**
- **Working electricity and running water**
- **Reasonable privacy**
- **Ability to have visitors** during your free time
- **Protection from discrimination**

### **If Your Housing is Unsafe:**

1. **Take photos** of the problems
2. **Contact your local public health unit**
3. **Reach out to a community legal clinic** for advice

## **Section 4: If You Experience Problems**

### **Racism or Harassment:**

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- **Human Rights Legal Support Centre: 1-866-625-5179**
- **No one should call you names** or treat you with disrespect
- **Document what happened** - write down dates, times, what was said

### **Threats or Fear of Deportation:**

- **Contact a migrant support organization FIRST**
- **You may qualify for a "Vulnerable Worker" permit** if experiencing abuse
- **Getting help does NOT automatically mean deportation**

## **Section 5: Getting Help SAFELY**

### **How to Contact Services Privately:**

- **Use WhatsApp or Signal** for private messages
- **Meet in public places** - libraries, community centres, parks
- **Ask about confidentiality** before sharing personal information
- **You can say "I have a friend who needs help"** if nervous

### **Trusted Places for Help:**

- **Community health centres** (they won't ask about immigration status)
- **Food banks and community meal programs**
- **Public libraries** (free internet and private space)
- **Faith communities** (churches, mosques, temples)
- **Migrant worker support groups**

## **Section 6: Local Contacts in Southern Ontario**

### **Legal & Community Support:**

#### **Community Legal Clinic - Brant, Haldimand, Norfolk:**

- Brantford Office: **519-759-4150**
- Simcoe Office: **519-426-9733**

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- *Services: Employment issues, housing problems, some immigration guidance*

### **The Neighbourhood Organization (TNO) - Simcoe:**

- Migrant Worker Support: **519-426-0895**
- *Services: Settlement support, referrals, community connections*

### **Migrant Workers Alliance for Change:**

- Hotline: **1-877-297-8635**
- Website: [migrantworkersalliance.org](http://migrantworkersalliance.org)
- *Services: Advocacy, rights information, emergency support*

## **Health Services:**

### **Public Health Units:**

- Haldimand-Norfolk Health Unit: **519-426-6170**
- Brant County Health Unit: **519-753-4937**
- *Services: Health inspections, vaccination clinics, general health advice*

### **Finding a Doctor:**

- Health Care Connect: **1-800-445-1822**
- *Helps you find a family doctor accepting patients*

## **Section 7: Documents You Should Keep Safe**

### **Make Copies of These:**

1. **Your work permit**
2. **Your employment contract**
3. **Your SIN (Social Insurance Number) card**
4. **Passport identification page**
5. **Pay slips and hour records**
6. **Photos of your housing and workplace**

### **6. Store Them:**

- **With a trusted friend** in Canada

- **In a secure digital folder** (password protected)
- **Not all in one place** with your employer

## **Section 8: Audio Information Available**

**Scan this QR code to listen to this information in:**

- Spanish • Jamaican Patois • Punjabi • Tagalog • Arabic • French

**[QR CODE PLACEHOLDER - LINK TO SECURE WEBSITE WITH AUDIO FILES]**

*Audio files explain your rights in simple language you can listen to privately.*

## **Section 9: Common Questions Answered**

### **"Can my employer deport me?"**

No. Only Canadian immigration officials can make decisions about your status. Employers can end your job, but they cannot deport you.

### **"What if I don't speak English well?"**

Many services have translators. You can also ask a bilingual friend to help you call. Say "I need an interpreter" when you call.

### **"Is it safe to complain?"**

Talk to a community organization FIRST. They can help you understand your options and risks.

### **"Can I change employers?"**

Sometimes yes. This depends on your permit type. A legal clinic can advise you.

## **Section 10: Your Safety Plan**

### **3 Steps to Be Prepared:**

1. **SAVE** important numbers in your phone under different names
2. **SHARE** concerns with at least one trusted person (in Canada or back home)
3. **KNOW** where to go if you need immediate help

### **If You Need to Leave Quickly:**

- **Safe locations:** Hospital emergency room, police station, public library
- **What to bring:** Passport, work permit, medication, important phone numbers
- **Who to call:** Start with a migrant support organization, not your employer

## **Quick Reference Card - Cut & Keep**

EMERGENCY: 9-1-1  
Free Service Info: 2-1-1  
Legal Help: 519-759-4150  
Health Advice: 1-866-797-0000  
Work Problems: 1-800-531-5551  
Migrant Support: 1-877-297-8635

*Keep this card in your wallet or phone case*

### **About This Resource Package**

**Created Through:** Community-engaged research partnership between Wilfrid Laurier University and Community Legal Clinic - Brant, Haldimand, Norfolk

**Based On:** Interviews with migrant workers and service providers in Southern Ontario (2023-2024)

**Research Funded By:** Law Foundation of Ontario

**Intended For:** Free distribution to migrant communities through partner organizations

**Verification Date:** December 2025 - *Please check with local organizations for current information*

**For More Copies or Updates Contact:**

Community Legal Clinic - Brant, Haldimand, Norfolk  
519-759-4150 | [Website/Email of CLC-BHN]

## Appendix D: Interview Guides

### (Key Informants)

**Title of Study:** Precarity, Everyday Lives, and Access to Justice: Precarious Status Migrants Seeking Legal Aid in Rural Southern Ontario

**Sponsor(S)/Funder:** The Law Foundation of Ontario; Centre for Research on Security Practices (Wilfrid Laurier University) in partnership with the Community Legal Clinic – Brant, Haldimand, and Norfolk (CLC-BHN)

**Principal Investigator (PI):** Nuha Dwaikat-Shaer, PhD., MSW

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Email: ndwaikatshaer@wlu.ca

Co-researchers: Dr. Bree Akesson/WLU; Dr. Carrie Sanders/WLU; Dr. Jessica Braimoh/York U.

### Research main question

*What are the experiences of precarious status migrants seeking legal aid in rural Southern Ontario?*

### Interview Sub-Questions/ Key informants

When interviewing key informants about how precarious status migrants seek and access legal aid in rural Southern Ontario, it's important to frame questions that will elicit detailed and insightful responses. Here are some suggested interview questions:

#### Background and Context

1. Can you describe your role and experience working with precarious status migrants in this region?
2. What are the most common legal issues faced by precarious status migrants in rural Southern Ontario?

#### Access to Legal Aid

3. How do precarious status migrants typically learn about available legal aid services?
4. What barriers do they encounter when trying to access legal assistance?
5. Are there specific organizations or resources that you would recommend for migrants seeking legal aid?

#### Outreach and Engagement

6. What strategies have been effective in reaching precarious status migrants to inform them about their legal rights?

7. How do cultural or language differences impact the ability of migrants to access legal aid?

### **Collaboration and Support**

8. How do you collaborate with other organizations or agencies to support precarious status migrants?
9. What role do community organizations play in facilitating access to legal aid for these individuals?

### **Legal Processes and Outcomes**

10. Can you share any examples of successful legal interventions or support that made a significant difference for a precarious status migrant?
11. What challenges do legal aid providers face when working with precarious status migrants?

### **Future Improvements**

12. In your opinion, what improvements could be made to the current legal aid system to better serve precarious status migrants?
13. What policies or initiatives do you think would help enhance the legal rights and protections of precarious status migrants in this area?

### **Personal Insights**

14. What motivates you to work with precarious status migrants?
15. Are there any misconceptions about precarious status migrants that you would like to address?

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### (Migrants with precarious status)

Title of Study: Precarity, Everyday Lives, and Access to Justice: Precarious Status Migrants Seeking Legal Aid in Rural Southern Ontario

**Sponsor(S)/Funder:** The Law Foundation of Ontario; Centre for Research on Security Practices (Wilfrid Laurier University) in partnership with the Community Legal Clinic – Brant, Haldimand, and Norfolk (CLC-BHN)

**Principal Investigator (PI):** Nuha Dwaikat-Shaer, PhD., MSW

Assistant Professor, Lyle S. Hallman Faculty of Social Work; Steering Committee Member, Centre for Research on Security Practices, Wilfrid Laurier University, Brantford.

Phone number: 519-884-0710 ext. 5920

Email: ndwaikatshaer@wlu.ca

Co-researchers: Dr. Bree Akesson/WLU; Dr. Carrie Sanders/WLU; Dr. Jessica Braimoh/York U.

#### Research main question

*What are the experiences of precarious status migrants seeking legal aid in rural Southern Ontario?*

#### Interview Sub-Questions

1. How do precarious status migrants seek and access legal aid in rural Southern Ontario?
  - May you please walk me through your experience seeking legal aid?
    - Where and when did you seek legal aid? How did you know about the legal aid services available for you?
    - Why did you seek legal aid? What are the issues that led you to seek legal aid?
    - When you contacted (name of the organization), what are the legal aid services you were looking for?
    - Walk me through the process:
      - How did you arrive to the organization? Challenges faced, support received, cost (accessibility)
      - When you arrived, how were you received and by whom? What happened during this first meeting? What are the legal services that were available for you? How did the organization help you?

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- What are the legal services that you needed but you couldn't access or were not available? Have you been referred to any other organizations?
2. What are the current contextual supports/constraints to precarious status migrants accessing legal aid in rural Southern Ontario?
    - What are the current contextual supports that helped you seeking access to legal aid? (ex. social connections, positive and supportive relationships, community and organizations- integration caseworkers, youth workers, volunteers (i.e., buddies, mentors), cultural and religious institutions, diaspora communities, fluency in the language, education, counselling etc...)
    - What are the current contextual constraints that negatively impacted you accessing legal aid in rural Southern Ontario?
  3. What are the impacts of having/not having access to legal aid on your everyday life, ex. access to social services: education, health care, childcare etc...; labor rights; mental well-being?
  4. What factors do you perceive as supporting/hindering access to legal aid?
  5. What is the role of organizations providing legal aid to precarious status migrants in combatting their vulnerabilities, negotiating their legal status, and facilitating their access to social services and human rights?
    - How did the (name of the organization provided legal aid) assist you negotiating your legal status (maintain it/ renew it and or obtain it).
    - How did the (name of the organization provided legal aid) assist you to access social services and your human rights?
  6. Would you like to share any recommendation to improve your experience? Are there any final thoughts that you would like to share with me?