

Immigrants and Refugees

Newcomers to Canada are considered more vulnerable to the harms of abuse due to many barriers to service and resources. It is important to recognize the differential impacts of violence on different survivors with their unique identities and experiences.

- ☐ Regardless of your legal status, you have rights once you are on Canadian soil.
- ☐ Your (ex)partner **does not** have the right to have you deported. Only federal immigration authorities have this ability.
- ☐ If you are a permanent resident with no conditions, you **cannot** lose that status because you leave an abusive relationship. This is true even if your abusive partner is your sponsor. Authorities may investigate if your (ex)partner claims your relationship was not genuine or if missing or inaccurate information was provided on your Immigration application.
- ☐ If you have conditions on your permanent resident status, you **do not** have to live with your partner (sponsor) for 2 years (this condition was removed in April 2017).
- ☐ If you have a current application for Inland Spousal Sponsorship and your (ex)partner withdraws the application, you may be forced to leave Canada if this is the only immigration status you have. If you have a work, study, or visitor permit, then you can stay in Canada.
- ☐ If you have temporary status or no status (refugee), you should seek out legal advice about your options. Immigration may not do anything if you leave your partner, but you may be forced to leave Canada.
- ☐ You are entitled to get and give accurate information about your situation. You can ask for an interpreter when accessing services, including police and child welfare.
- ☐ If you contact Police, they will not necessarily ask about your immigration status, but may have to act if there is a current warrant for your arrest if you haven't shown up for Immigration hearings/appointments or were scheduled to leave Canada on a specific date.

- ☐ You may be entitled to get a Legal Aid Certificate. If you have experienced domestic violence and there are children involved, and you need help applying for legal aid, you may call 1-800-668-8258, or contact your local community legal clinic, or local women's shelter.
- ☐ Check out helpful information which is published by Community Legal Education Ontario (CLEO) regarding immigration status and the particular challenges for abused women, including family law. Visit https://www.cleo.on.ca/sites/default/files/book_pdfs/handbook.pdf, or www.cleo.on.ca to learn more about humanitarian and compassionate application.
- ☐ Plain language legal information on women's rights under Ontario Family Law is available in 11 languages at www.onefamilylaw.ca
- ☐ If you have legal questions regarding immigration/refugee law and domestic violence, contact <http://schliferclinic.com/> or seek out other legal advice.

Items needed to prove cohabitation and evidence of abuse

If you lived with your (ex)partner/sponsor as a couple until the separation and the abuse/neglect was the cause of the separation. Examples showing cohabitation includes:

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| ☐ Joint bank accounts or credit cards | ☐ Mailing address is the same as (ex)partner/sponsor |
| ☐ Joint ownership of a house or joint receipts or utility accounts | ☐ Social activities – being seen as a couple |

Evidence of abuse or neglect can include:

- ☐ Police reports
- ☐ Court documents
- ☐ Letters of support (Shelters, Victim Services, etc)
- ☐ Medical reports
- ☐ Photographs
- ☐ Email messages/voice messages
- ☐ Sworn statements