

# INFORMATION FOR IMMIGRANT WOMEN

Is this the new life  
you wanted?

Do you feel happy with your relationship with your  
husband, partner or sponsoring employer?

Is there a lot of stress and behaviour that you don't  
like in the relationship?

Are you experiencing violence or abuse?

Are you worried that you will lose your ability to stay  
in Canada if you report your problems?



# It is not legal

Moving to a new country has challenges: finding a job, living in a new location, staying connected to family and getting used to Canadian ways. In Canada it is not legal for someone to constrain, threaten, or physically or sexually harm another person. Someone cannot take another person's money without her or his consent, even if they are married. You can report abuse to the City Police or the RCMP (Royal Canadian Mounted Police). You can also report abuse of children to Saskatchewan Social Services.

**Reporting the abuse to the police will have legal consequences for your partner. If convicted of attempting, threatening or causing "bodily harm" he cannot sponsor anyone and could be deported.**

It can be difficult for a woman to have custody of her children if she leaves them behind, and leaving them behind may put the children in danger, so it is best if at all possible to take the children with you when fleeing a violent situation.

**Take the children with you when at all possible if leaving an abusive situation.**

When marriages break down spouses may not want to continue financial support. Sponsors who are unable or unwilling to meet their obligations are usually not allowed to sponsor anyone else in the future. Those who have permanent resident status will not lose this status if they have to apply for welfare.

**A woman who has become a Canadian citizen cannot be deported back to her country of origin if she leaves a partner or husband or reports domestic violence.**

## **The Woman's Risk of Deportation**

Women worry that if they complain about the person who sponsored them into Canada, they will be deported.

**A woman who has permanent resident status cannot lose that status or be removed from Canada only because she leaves an abusive relationship, even if the abuser is her spouse.**

A woman without permanent resident status must always ensure that she complies with her temporary resident visa to ensure valid status (that is, valid visitor, study or work status). She can remain in Canada until her immigration document expires. An application may be made to extend her stay if she wishes to remain in Canada but she should obtain legal advice from an authorized immigration representative to ensure this is done properly and to understand her rights.

## **Sponsored Spouses**

Sponsored spouses must live together in a legitimate relationship with their sponsor for 2 years from the day they received permanent residence status. This applies to all applications post October 25, 2012.

The regulations include an exception for sponsored spouses or partners suffering abuse or neglect. If there is evidence of abuse or neglect by the sponsor then the spouses must not live together for 2 years. This abuse or neglect could be perpetrated by the sponsor or a person related to the sponsor, whether or not the abusive party is living in the household or not during the conditional period. The exception would also apply in the event of the death of the sponsor.

## Entrepreneur Program

If a woman is an accompanying dependant under the Entrepreneur Program and she wishes to separate from her spouse before she gets permanent residence status, she may be at risk of removal from Canada. She may develop her own business but she must have \$300,000 of net worth and 3 years of relevant business experience. These rules are always changing and it is recommended that she should contact an authorized immigration representative.



## Live-in Caregivers

When a live-in caregiver is dismissed or leaves an abusive employer, she must find a new employer, have their offer of employment validated by Service Canada, and obtain a new federal work permit. Until she has a new permit she is not able to work but she can remain in Canada until the work permit expires. She could have difficulty in doing the two years' work that is required in a three to four year time limit so that she can apply for permanent residence.

## Refugee Women

Women who come to Canada because they are fleeing sexual and gender-based violence may be able to file a refugee claim if they were not able to obtain effective protection from their home government to stop the violence. If a woman has made a claim based on her husband or partner's situation and the woman is found to be a Convention refugee, then she is not at risk of removal from Canada if she separates from her spouse or partner. But if her refugee claim is still being settled, and her claim is based on her spouse or partner's fear of persecution, she may have difficulty with her claim if she separates from her spouse or partner. Again, it is recommended that she contact an authorized immigration representative.

# Humanitarian and Compassionate Applications

An application for permanent residence can be made from within Canada if there are sufficient humanitarian and compassionate (H&C) grounds. This is an extraordinary remedy and is only awarded in exceptional circumstances. Family violence is one possible factor that may be considered in this application. An H&C application cannot be submitted while a refugee claim is pending. Failed refugee claimants are barred from requesting H&C for one year following a final Immigration and Refugee Board of Canada (IRB) decision. Exceptions to the bar will be made in cases where removal would subject an applicant to a risk to life caused by the inability of the person's country of nationality to provide adequate health or medical care, or where removal would have an adverse effect on the best interests of a child directly affected. Individuals who have received a final IRB decision must wait for 12 months following that decision before being able to request H&C.

**It is very important to document abuse that occurs: the details, locations, dates; reports from helping agencies, medical or health care professionals, and police; and court information.**

## Pre-removal Risk Assessment - Refugee

Individuals who have received a final decision on their refugee claim from the IRB or a pre-removal risk assessment (PRRA) within the last 12 months are not eligible for a PRRA unless they are eligible for an exemption.

# If a woman has sponsored an abusive partner

She can withdraw her sponsorship if a permanent resident visa has not been issued. If it is an inland spousal partnership, or if a permanent resident visa has been issued, then she cannot withdraw her sponsorship and under recent agreements is financially responsible for 3 years. (Older agreements may be for ten years.)

## Loyalty and Safety

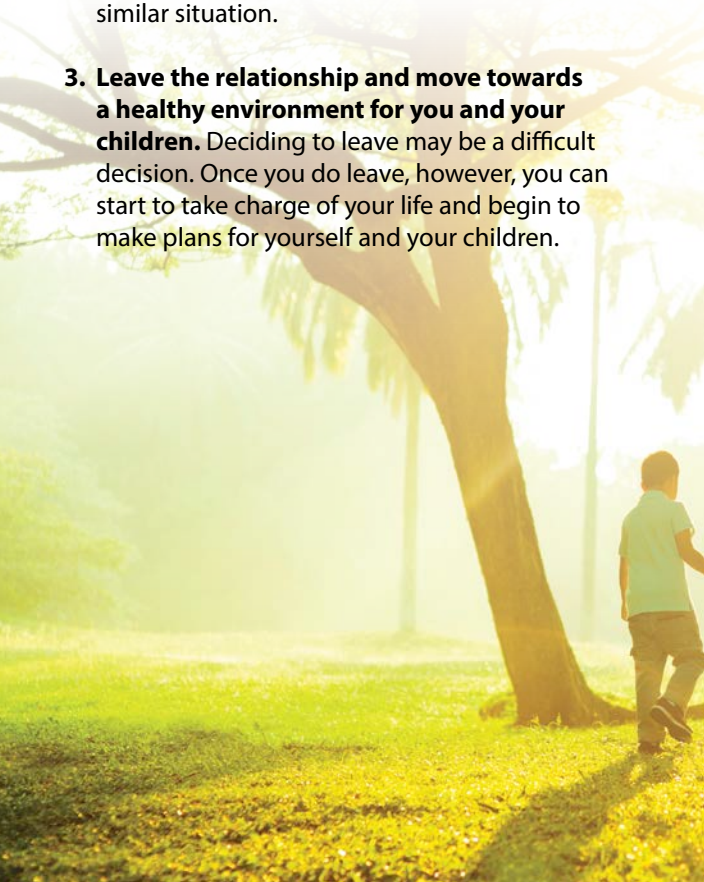
Many immigrant women feel strong loyalty to their partners and spouses – it is the two of them amidst a new world. Some cultures believe that marriage is for life and that a woman should stay with her husband, no matter what happens. If it is safe to do so, tell your husband or partner or get a trusted friend or member of your church or community to tell your husband or partner that abusive behaviour is illegal in Canada. Continuing will have negative consequences for him as well as you and your children. Someone can inform the abusive partner that counselling or other help to stop his behaviour is available.

**We want everyone in Canada to be safe and free from violence. The top priority should be to protect the safety of yourself and your children.**

**If you ever have additional questions or concerns, we highly recommend you contact an authorized immigration representative, such as a lawyer or a certified immigration consultant.**

# What are the options?

- 1. Stay in the relationship and accept it as it is.** This option can be very dangerous. Someone could get badly hurt or die. Your children are also suffering. The effects of seeing abuse may continue into their adult life. When children see violence happening in the home it is considered to be child abuse.
- 2. Stay in the relationship where change is occurring.** Abusers need to recognize that they need professional help and that it is wrong for them to be violent. You cannot make changes for them. You are not responsible for your partner's behaviour. You also need someone to talk to. Find a counsellor with whom you are comfortable. Together you can explore the dynamics of your relationship and rebuild your self-esteem. Join a support group. You'll be surprised how many people have experienced a similar situation.
- 3. Leave the relationship and move towards a healthy environment for you and your children.** Deciding to leave may be a difficult decision. Once you do leave, however, you can start to take charge of your life and begin to make plans for yourself and your children.





# Safety Planning

Think ahead in case you have to leave home quickly.

- Keep an extra set of important items somewhere outside your home - extra set of keys, identification, glasses, bank cards, cash, address book, medication, and important papers.
- Figure out a safe place to go such as a women's shelter.
- Tell friends or neighbours to call the police if they hear angry noises from your home.
- Think of ways you can leave the home if you feel you are in danger.
- Talk to a counsellor or shelter worker to have them help you make your own personal safety plan.



# What help is available?

Emergency Shelters and Transition Houses provide temporary housing, food, and support for women and their children who are fleeing violence.

Typically you can stay from 4 to 6 weeks. Shelters can assist you as you plan for your future by offering safety, a supportive ear, abuse information, and support along with referrals to counselling, financial services, legal support and housing.

2nd Stage Shelters provide women and their children with secure, affordable housing on a longer-term basis. Often women in 2nd stage housing have previously stayed at an emergency shelter or transition house.

Outreach programs are offered out of many emergency shelters and transition houses, and can provide emergency shelter and transportation to shelters, ongoing counselling and support services.

Family Violence Outreach Services provide ongoing and crisis counselling services for victims of violence. As well, family violence programs and programs for children exposed to violence are available at many centres.

**For information about legal issues visit  
<http://www.plea.org/>.**

# Shelters and Services:

## EMERGENCY SHELTERS

**Fort Qu'Appelle** 306-332-6881

**La Ronge** 306-425-3900

306-425-4090 (crisis line collect)

**Meadow Lake** 306-236-5570

**Moose Jaw** 306-693-6511

**North Battleford** 306-445-2742

**Prince Albert** 306-764-7233

**Swift Current** 306-778-3692 | 1-800-567-3334

## REGINA

**Isabel Johnson Shelter** 306-525-2141

**Regina Transition House** 306-569-2292

**WISH - Wichihik Iskwewak**

**Safe House** 306-543-0493

## SASKATOON

**YWCA of Saskatoon** 306-244-2844

**Saskatoon Interval House** 306-244-0185

## YORKTON

**Shelwin House** 306-783-7233 | 1-888-783-3111

**Project Safe Haven** 306-782-0676

## SECOND STAGE

**SOFIA House (Regina)** 306-565-2537

**Prince Albert** 306-764-7233

**Genesis House (Swift Current)** 306-778-3692

**Adele House (Saskatoon)** 306-668-2761

**WISH (Regina)** 306-543-0493

## FAMILY VIOLENCE

### OUTREACH SERVICES

**North East (Melfort)** 306-752-9464

1-800-611-6349

**Hudson Bay** 306-865-3064 | 1-800-611-6349

**West Central (Kindersley)** 306-463-6655

**Envision (Estevan)** 306-637-4004

1-800-214-7083

**Envision (Weyburn)** 306-842-8821

1-800-214-7083

**Partners Family Services**

**(Humboldt)** 306-682-4135



Provincial Association of  
Transition Houses and Services  
of Saskatchewan

2505 11th Avenue  
Regina, Saskatchewan S4P 0K6  
T 306-522-3515  
F 306-522-0830  
W [www.abusehelplines.org](http://www.abusehelplines.org)



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Supporting Solutions  
To Violence and Abuse

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