



# STEPS TO JUSTICE

## *REFUGEE LAW*

An OJEN workshop demonstrating a CLEO  
public legal information resource.



**CLEO**

Community Legal Education Ontario  
Éducation juridique communautaire Ontario



## True or false?

1. I'm seeking to enter Canada as a refugee, but I also found a form for an H&C application. I've heard the wait times for refugee applications are long, so I think I'll file an H&C application since it seems like the same thing and it might be quicker.

**TRUE OR FALSE:** A "refugee claim" and a "humanitarian and compassionate application" (H&C) are the same thing.



## True or false?

2. I'm thinking of moving to Canada, but I don't want to go through the whole process of getting a visa for immigration. I'm thinking of making a refugee claim, because anyone can do it and it's a lot less time and paperwork.

**TRUE OR FALSE:** Anyone can make a refugee claim.



## True or false?

3. I made a refugee claim to Australia 2 years ago, but they never got back to me, so I'm going to try and make one in Canada. They're nicer!

**TRUE OR FALSE:** If you have not received a decision on your refugee claim in another country, you may apply again to another country.



## True or false?

4. I recently came to Canada as a refugee, but I have had trouble finding a job since I arrived. I've been told to apply for social assistance through Ontario Works, but I don't think I'll get it because it's likely only for citizens and permanent residents.

**TRUE OR FALSE:** Ontario Works is only for citizens and permanent residence, and as such is not available for refugees.



## True or false?

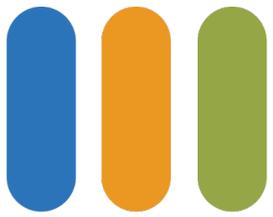
5. I came to Canada to escape violence, but when I got here I was told I am not eligible to even make a refugee claim. I am terrified of being sent back to my home country, but I am out of options in Canada.

**TRUE OR FALSE:** Refugee claims are the only way one may seek to escape violence in their home country to come to Canada; a denial of refugee status ultimately is a full denial of entry.

# Refugee Law in Ontario: *What is covered?*

- Making a Refugee Claim
  - Making a claim
  - Separating or joining claims
- Completing your basis of claim form
- Being Detained & Criminal Charges
- Refugee Hearings
- Making a Pre-Removal Risk Assessment
- Getting benefits and services
- Becoming a permanent resident
- Appeals and judicial review
- Getting legal help

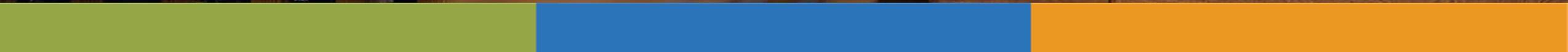




# Real Life Legal Problems

## *Demonstration Scenario*

I have been living in Detroit for the past 4 years, but I have been living in terrible conditions. I came for the American dream, but things didn't turn out as I had hoped. Can I make a refugee claim to Canada even though I live in the U.S.?



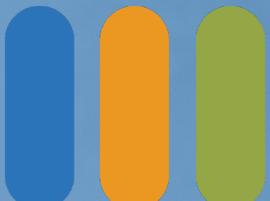


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**Start on the Steps to Justice topic, “Making a refugee claim” with the question, “Can I make a refugee claim in Canada?”**

**Some questions:**

- What are the basic things you need to prove?
- What is the Safe Third Country Agreement and what happens if it applies to me?
- What are the exceptions to the STCA?
- What happens if the STCA does not apply?



**Using the  
Steps to Justice  
Website**

# Steps to Justice



**Steps to Justice**  
Your guide to law in Ontario

Franglais

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**Steps to Justice**  
Step-by-step information about legal problems.  
Reliable, practical, and easy to understand.

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- Housing Law
- Human Rights
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Live chat  
Mon-Fri 11am-1pm



## Group Work

1. Navigate to the Steps to Justice website:  
<http://stepstojustice.ca>
2. Read your scenario with your group.
3. Try to identify the main legal issues.
4. Imagine that you are the person in the scenario. Use the Steps to Justice website to answer the questions on your handout.
5. As you browse, try to find out more about how the law would affect the person in your scenario. What does it say? What are their options?
6. Record your answers on the handout.

If you get stuck, ask for help!



# Large Group Scenario

## FOCUS AREAS:

- 1) Getting help with refugee law
- 2) What happens at a refugee status hearing?
- 3) Best interests of children

I am a mother of two kids and I came to Canada to visit the country but I want to stay here because it's unsafe for me to go back. There is a war in my country. Famine is spreading and I want to give my children the best chance at a normal life. I want to find out if I can qualify as a refugee. I have heard that this involves a legal hearing of some sort but I don't know what to expect or where to look for help. What should I do? Do I need a lawyer?

