

Read this fact sheet if:

- you're an immigrant in Canada sponsored by your partner;
- you're afraid for your safety (or your children's safety) because your partner is abusing you; and
- you want to know how to protect yourself or your children.

Can the police help?



Yes, they can. You might feel scared about getting help from the police or RCMP. But remember that abuse is the abuser's fault. *Abuse against you isn't your fault.*

It's a crime for your partner to threaten or hurt you. If you're in immediate danger:

- Call **911**. If you don't speak English, ask 911 for an interpreter.
- If your area doesn't have 911 service, call your local emergency police or RCMP.

If your partner has abused you, the police may take them away or take you and your children to a safe place, like a safe house, transition house, or a friend or relative's home. The police can also take you to a hospital or doctor if you're hurt.

Where else can you get help?

If you need help right away, call VictimLinkBC. They give help to victims of abuse in 110 languages. They can tell you where to find an emergency shelter (a safe house) or a transition house, a victim service program, or a referral for legal help.

1-800-563-0808
victimlinkbc.ca

Can you leave your partner?



Yes. If your partner abuses you, you can leave the relationship, *even* if your partner is your sponsor. You can also take your children with you. And you can take your identification papers and documents that show your immigration status in Canada and your children's immigration status. Also take anything that belongs to you and what the children need.

- If you have permanent resident status and you leave your partner, you won't be deported or have to leave Canada. You can stay even if your partner is your sponsor.
- If you don't have permanent resident status or you're a refugee claimant, and you leave your partner, get legal help right away. Call Legal Aid BC.

Humanitarian and compassionate applications

Generally, if you don't have permanent resident status, and you leave your sponsor partner or your sponsorship is cancelled, you may apply for permanent resident status for humanitarian and compassionate (H&C) reasons. Immigration legal aid may help you with the application to Immigration, Refugees and Citizenship Canada (IRCC).

To assess H&C applications, IRCC considers:

- how much hardship you would face if you had to go back to your home country;
- whether your work skills, training, and family and community support could help you adapt to life in Canada; and
- whether your children's best interests would be harmed if you had to leave Canada.

IRCC also looks at documents you include with your application, such as police reports and letters from doctors, teachers, employers, and other people you know.

If your application is approved, you'll be allowed to stay in Canada as a permanent resident.

If your application *isn't* approved, you may have to go to an immigration hearing sometime to decide if you have to leave Canada.

Can you get financial help?



If you're a permanent resident, you can apply for **income assistance** (also called **welfare**). This is money from the provincial government for basic needs such as housing, food, and clothing. This has no impact on your immigration status in Canada.

If you don't have permanent resident status and need financial help, talk to a lawyer, advocate, or settlement worker (also called an immigrant settlement worker, who helps newcomers to Canada find services) before you apply for welfare. If you already receive welfare as a refugee or refugee claimant, these payments won't be cancelled because you leave an abusive partner.

The online application for welfare is available at www2.gov.bc.ca. (Click Family and Social Supports and then Income Assistance.) Before you apply, gather your permanent resident papers and any documents that may help support your application. When you apply for income assistance, it's important to say if you've been threatened or abused by your partner.

If you don't have all your identification documents or your Social Insurance Number (also called a SIN), you can still apply for **hardship assistance**. This is emergency money for food, housing, or medical needs. But to get this, you must prove that you're a permanent resident. You must also show that you're doing everything you can to get your SIN and/or other identification documents.

To find out more, see *What to Do About Money*.

Can you get spousal or child support?

If you and your partner separate or divorce, your partner still has a legal responsibility to help support your children. This is called **child support** or **maintenance**. They may also have to give you support payments. This is called **spousal support**.

You can go to court to apply for child or spousal support from your spouse. If you don't want to go to court, you and your spouse can try to work out an agreement with a mediator, lawyers, or a family justice counsellor.

Need help to get your immigration documents?



Your partner might have your immigration documents. If you're afraid to ask for them, or you think your partner won't give them to you, you can apply for a certified copy of your permanent resident papers or a replacement permanent resident card. Call Immigration, Refugees and Citizenship Canada:

1-888-242-2100
cic.gc.ca

An advocate or settlement worker can help you ask the police to go with you to your partner's house to get your documents. The police will probably not make your partner give you the papers, but they can make sure you're safe while you're there.

What can a lawyer do for you?



It's a good idea to talk to an immigration lawyer to get legal advice before you speak to anyone at Immigration, Refugees and Citizenship Canada.

It's also a good idea to talk to a family law lawyer to help you:

- apply for a court order telling your partner to stay away from you and, if necessary, from your children (see *Protection Orders*); and
- apply for spousal support, child support, and parenting orders (see *Keeping Your Children Safe* and *What to Do About Money*).

If you're sponsoring your partner and they abuse you, get legal help right away.