

ACCESS TO SERVICES FOR ASYLUM SEEKERS IN QUÉBEC

Toolkit for Health
Professionals
and Community
Workers

*Centre intégré
universitaire de santé
et de services sociaux
du Centre-Ouest-
de-l'île-de-Montréal*

Québec 

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This Toolkit is a tool from the Centre d'expertise du bien-être et de l'état de santé physique des réfugiés et demandeurs d'asile (CERDA) of the CIUSSS du Centre-Ouest-de-l'Île-de-Montréal.

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Graphic design by the Atypic agency

INTRODUCTION

It can be challenging to understand the services to which asylum seekers are entitled. The process to access these services is often challenging as well.

This Toolkit is primarily for professionals to inform them of different services that asylum seekers can access depending on their status. It also helps asylum seekers to become familiar with and benefit from all available services and to exercise their rights.



The Toolkit:

- ➔ Was last updated in February 2023.
- ➔ Only applies to services offered in the territory of Québec.
- ➔ Indicates whether a *request* can be made for each service identified. There may be a wait time following the request.
- ➔ Does not indicate other eligibility criteria that apply to many of these services.
- ➔ Refers to services to which asylum seekers are officially entitled. However, in practice, barriers may complicate access to these services, i.e., difficulty accessing interpreters; wait times for services; a lack of professionals registered with the Interim Federal Health Program (IFHP), etc.
- ➔ Note that the status of "Asylum seeker who is waiting for an eligibility interview or hearing" is used for concision purposes and encompasses both asylum seekers who are waiting for an eligibility interview and refugee claimants who are waiting for a hearing.
- ➔ Is not exhaustive.

This Toolkit and the references used to design the tool are available at: cerda.info/carnetsderoute

The Toolkit should be cited as follows: CERDA (2023). Access to Services for Asylum Seekers in Québec. Toolkit for Professionals. cerda.info/carnetsderoute

RESOURCES

If you have any questions, please contact PRAIDA:

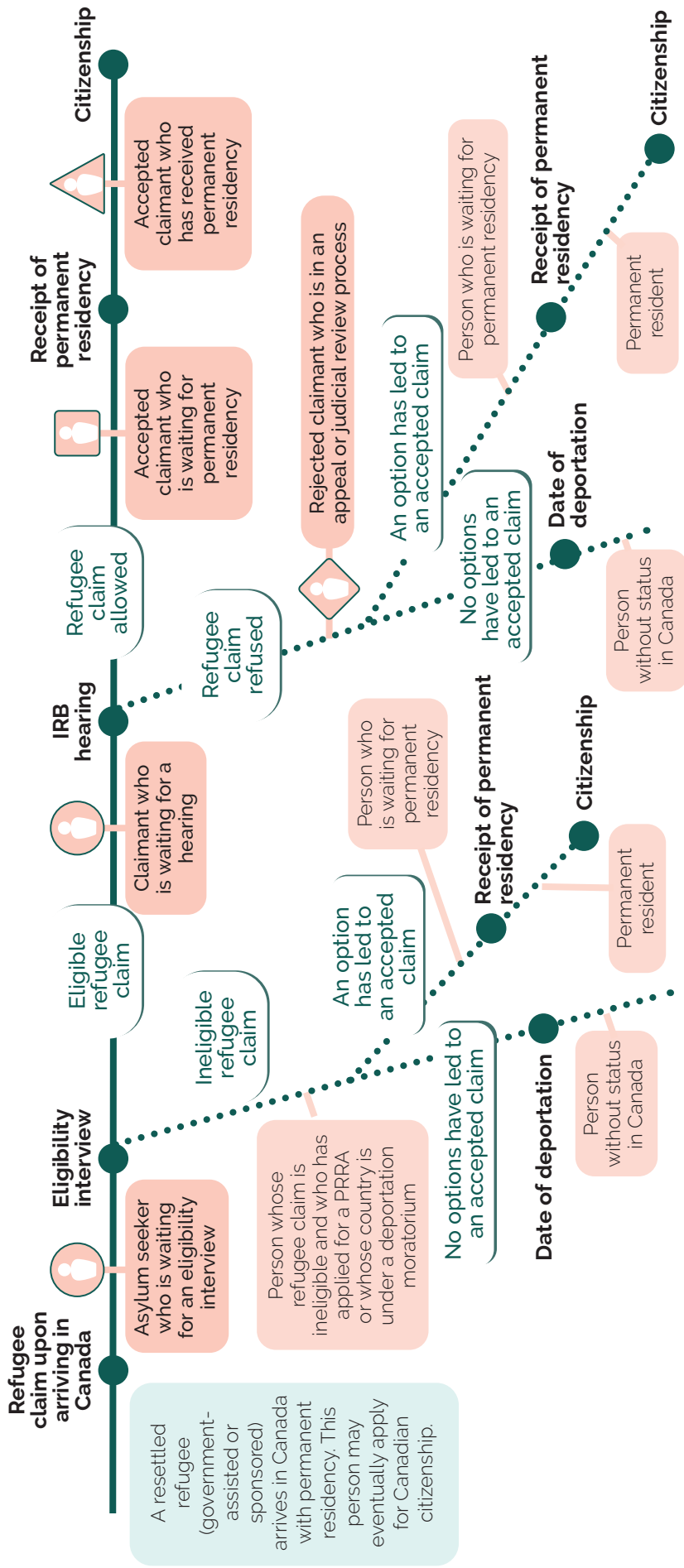
If you are a professional:
514-484-7878, ext. 64850

If you are an asylum seeker:
514-484-7878, ext. 64500

This Toolkit is a precursor to the upcoming *Carnets de route* tool to support refugees and asylum seekers in their journey to settle in their new country and the professionals who assist them. The *Carnets de route* tool provides more information about the circumstances and steps to access the services listed. This tool should be released in January 2024.

The Welcome Guide
from the Welcome Collective
(<https://welcomecollective.zendesk.com/hc/en-ca>) and
My Refugee Claim by Kinbrace
(<https://myrefugeeclaim.ca/en/>)
are also good tools to use
with this Toolkit.

HUMANITARIAN MIGRATION: OVERVIEW OF POSSIBLE STATUS TYPES AND SITUATIONS



A few clarifications...

- The wait times for these different processes are usually a few years.
- Arriving via Roxham Road does not lead to irregular status.
- People entering Canada as **tourists**, **foreign workers**, or **foreign students** may submit a refugee claim online to an IRCC inland office in Canada. They then become asylum seekers and must wait for an eligibility interview (after which they are called claimants) or for a hearing once they begin the process with an inland office.
- In case of an **ineligible refugee claim**, the person can generally fill out a Pre-Removal Risk Assessment (PRRA) request. However, if the person holds citizenship from a country under a deportation moratorium, they do not qualify for a PRRA. In this case, they may be able to make a claim on humanitarian grounds instead.
- At any point in their process, people whose refugee claim is ineligible or has been refused can make a **claim on humanitarian grounds**. If accepted, this claim will lead to permanent

residency. A claim on humanitarian grounds does not protect against deportation.

Members of the same family may have to undergo different legal processes. For example, a Haitian mother whose refugee claim is denied in the United States can make an application on humanitarian grounds in Canada, whereas her child born in the United States can make a refugee claim in Canada.

Legend

- **Eligibility interview:** At this interview, the Canada Border Services Agency (CBSA) decides whether the claim is eligible or ineligible. If the claim is eligible, the case will be sent to the IRB, and the person will have a hearing to determine whether they will be considered a refugee in Canada. If the claim is ineligible, the person cannot continue the refugee claim process in Canada.
- **PRRA:** PRRA stands for Pre-Removal Risk Assessment. A person whose PRRA application is approved is protected from deportation.
- **Countries under a deportation moratorium:** Countries considered too dangerous to deport people to. Canada has Administrative Deferral of Removals or Temporary Suspension of Removals in place for these countries. The list of these countries can be found at: <https://www.cbsa-asfc.gc.ca/security-securite/rem-ren-eng.html>
- **Hearing:** At the IRB hearing, an IRB member will question the asylum seeker to determine whether they can be recognized as a refugee or protected person in Canada.
- **Appeal or judicial review process:** A rejected claimant may have recourse to different protections from deportation:
 - Appeal to the Refugee Appeal Division (RAD)
 - Initial PRRA application
 - Judicial review
 - Deferral of removal
 - Other specific cases

DECISION TREE TO DETERMINE THE PERSON'S STATUS

The questions in this decision tree will help you determine the status of the person you are working with and understand the services that this person is entitled to.

1 Are you waiting for your eligibility interview or hearing for your refugee claim?

Documents the person should have:

Acknowledgement of Claim (white paper)
or the Refugee Protection Claimant Document (brown paper)



YES

NO



Asylum seeker who is waiting for an eligibility interview or hearing.

2 Have you already had your hearing with the IRB and received their decision?

Documents that the person should have:

Notice to Appear



+ Notice of Decision from the IRB



If the person hesitates: The hearing is done over Teams (or in person, as was done before the pandemic). It usually lasts from one to a few hours and is attended by an IRB member (often perceived as a judge) as well as the person's lawyer.

Note: There is a wait time of a few weeks between the hearing and the receipt of the Notice of Decision. People in this situation can access services for asylum seekers who are waiting for a hearing.

YES

NO

They may be a resettled refugee or someone whose refugee claim is ineligible. In this case, the Refugee Protection Claimant Document (brown paper) will state that the person is ineligible to apply for asylum.

3 Was the refugee claim allowed or rejected?

Positive

Negative

4 Have you received your permanent residency?

Document the person should have: **Permanent resident card**



YES

NO



Accepted claimant who has received permanent residency.

Accepted claimant who is waiting for permanent residency.

⚠️ Ask the person if they have applied for the Québec Selection Certificate (CSQ), which they need in order to apply for the RAMQ and to access many services.

Are you in the process of an appeal or judicial review (which protects you from being deported)?

YES

NO



Rejected claimant who is in an appeal or judicial review process.

Rejected claimant who is waiting for a deportation date.

OR

This person may have non-status in Canada.

⚠️ Regardless of the person's immigration status, confidentiality must be upheld. Specifically, members of professional orders and all employees of the health and social services network are legally prohibited from contacting the Canada Border Services Agency (CBSA).

TABLES INDICATING ACCESS TO SERVICES

- A resettled refugee (government-assisted or sponsored) is a permanent resident, which gives them access to most services available to Canadian citizens in addition to some services specifically for refugees.
- A person whose refugee claim is ineligible but who can remain in Canada through regular means (either through a PRRA or because they are from a country on the deportation moratorium list) can access the same services as asylum seekers. These include:
 - IFHP health coverage.
 - Open work permit. (Note: The person must apply for this and pay the necessary fees.)
 - Social assistance.

In practice, however, the person may encounter many barriers that complicate access to these services.

- To access most services, people waiting for permanent residency need the Québec Selection Certificate (CSQ), which they will get approximately one month after their refugee claim is accepted.
- Someone who is non-status in Canada has very limited access to services. Refer to the Clinic for Migrants with Precarious Status run by Doctors of the World.
- Children born in Québec to parents who are seeking asylum or who are non-status are entitled to RAMQ but are not entitled to a spot in subsidized daycare.

IDENTITY DOCUMENTS



Asylum seeker who is waiting for an eligibility interview or hearing

Accepted claimant who is waiting for permanent residency
 ⚠ Important that they have a CSQ

Accepted claimant who has received permanent residency

Rejected claimant who is in an appeal or judicial review process OR waiting for a deportation date

Original identity documents that claimants brought with them to Canada	No. Border officials seized these documents when the asylum seekers arrived. Certified copies of the documents were provided.	Border officials seized these documents when the asylum seekers arrived. Certified copies of the documents were provided. A request can be made to get these documents back.		No. Border officials seized these documents when the asylum seekers arrived. Certified copies of the documents were provided.
Acknowledgement of Claim (white paper)	Yes, to be used pending receipt of the Refugee Protection Claimant Document.	← This document is not necessary once the person has their Refugee Protection Claimant Document. →		
Refugee Protection Claimant Document (brown paper)	Yes, following the eligibility interview. Possible wait time of many months.	← This document is not necessary once the person has their CSQ. →		Yes
Québec Selection Certificate (CSQ)	No	Yes	Yes	No
Permanent resident card	No	No	Yes	No
Travel documents	Travel outside Canada is not allowed.	Travel outside Canada is authorized with refugee travel papers.	Travel outside Canada is authorized with a permanent resident card.	Travel outside Canada is not allowed.
Driver's licence	← The first 6 months: Authorization to drive with a foreign driver's licence. After 6 months: Obligation to obtain a Québec driver's licence. →			

Gives access to the same services

RIGHTS AND PROTECTIONS



Asylum seeker who is waiting for an eligibility interview or hearing

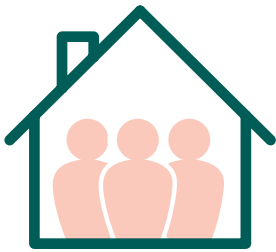
Accepted claimant who is waiting for permanent residency
 ⚠️ Important that they have a CSQ

Accepted claimant who has received permanent residency

Rejected claimant who is in an appeal or judicial review process
 OR
 waiting for a deportation date

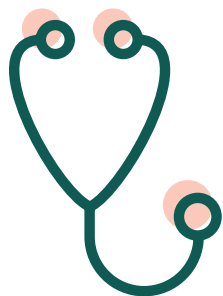
Filing a discrimination complaint	Yes	Yes	Yes	Yes
Police protection	Yes	Yes	Yes	Yes
Many resources for violence, including domestic violence	Yes	Yes	Yes	Yes
Change of sex or gender identifier	From the IRCC: Yes From the Québec and Canadian governments: Yes, after the person has resided in Québec for one year.	Yes, after the person has resided in Québec for one year.		
Change of name	Yes, after the person has resided in Québec for one year.			
Legal aid Legal aid covers some services by attorneys who accept legal aid cases.	Yes	Yes	Yes	Yes





HOUSING



	 Asylum seeker who is waiting for an eligibility interview or hearing	 Accepted claimant who is waiting for permanent residency ⚠ Important that they have a CSQ	 Accepted claimant who has received permanent residency	 Rejected claimant who is in an appeal or judicial review process OR waiting for a deportation date
Support to find housing through community agencies	Yes, from specific organizations: https://www.quebec.ca/en/immigration/refugees-asylum-seekers/asylum-seekers	← Yes, by multiple organizations. →		Yes, by some organizations.
Social housing (HLM)	No	No	Yes	No
Shelter allowance	← Yes. Specific criteria apply. →			
Housing cooperatives	Yes	Yes	Yes	Yes
Housing committees	Yes	Yes	Yes	Yes
Tribunal administratif du logement (TAL or rental board)	Yes	Yes	Yes	Yes

HEALTH CARE








	 Asylum seeker who is waiting for an eligibility interview or hearing	 Accepted claimant who is waiting for permanent residency ⚠ Important that they have a CSQ	 Accepted claimant who has received permanent residency	 Rejected claimant who is in an appeal or judicial review process OR waiting for a deportation date
Coverage under the Régie de l'assurance maladie du Québec (RAMQ)	No ⚠ Children born in Québec are entitled to the RAMQ regardless of their parents' status.	Yes, following receipt of the Québec Selection Certificate (CSQ). ⚠ It is important that the person apply for the CSQ and RAMQ as soon as possible.	Yes	No ⚠ Children born in Québec are entitled to the RAMQ regardless of their parents' status.
Coverage under the Interim Federal Health Program (IFHP) The IFHP covers health care and medication. For details on coverage: cerda.info/dossier-pfsi/	Yes	Only for 90 days after the IRB Notice of Decision has been issued. ⚠ It is important that the person apply for the CSQ and RAMQ as soon as possible.	No	Yes
Hospitals	Yes	Yes	Yes	Yes
CLSC	Yes, subject to exception.	Yes	Yes	Yes, subject to exception.
PRAIDA social workers and nurses	Yes	Yes	No	Yes
Family doctor	No	Yes, the person can register once they are covered under the RAMQ (long wait time).		No
Ma Grossesse service	Yes	Yes	Yes	Yes
Intervention network for persons affected by organized violence (RIVO)	Yes	Yes	Yes	Yes

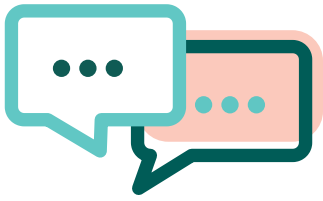
For more information about the IFHP and healthcare access, see: <https://cerda.info/dossier-pfsi/>





FINANCES



	 Asylum seeker who is waiting for an eligibility interview or hearing	 Accepted claimant who is waiting for permanent residency  Important that they have a CSQ	 Accepted claimant who has received permanent residency	 Rejected claimant who is in an appeal or judicial review process OR waiting for a deportation date
Open an account at a financial institution (bank or co-op)	Yes	Yes	Yes	Yes
Social assistance program	Yes	Yes	Yes	Yes
Social solidarity program	Yes	Yes	Yes	Yes
Family allowance (Québec)	No	Yes, upon receipt of the Notice of Decision from the IRB.	Yes	No
Canada child benefit (Canada)	No	Yes, upon receipt of the Notice of Decision from the IRB.	Yes	No
PRAIDA benefits (allowances for families with 3 or more children and for children with special needs)	Yes	No	No	Yes
Tax return (mandatory for everyone)	Yes	Yes	Yes	Yes
Food banks	Yes	Yes	Yes	Yes

FRENCH COURSES



	 Asylum seeker who is waiting for an eligibility interview or hearing	 Accepted claimant who is waiting for permanent residency ⚠ Important that they have a CSQ	 Accepted claimant who has received permanent residency	 Rejected claimant who is in an appeal or judicial review process OR waiting for a deportation date
In-person courses (full-time and part-time)	Yes for courses offered by training centres under the MEQ. No for courses offered by institutions under the MIFI.	Yes	Yes	Yes for courses offered by training centres under the MEQ. No for courses offered by institutions under the MIFI.
Online courses (full-time and part-time)	Yes	Yes	Yes	Yes
Financial assistance for French courses	No	Yes	Yes	No

CHILDCARE AND EDUCATION



Asylum seeker who is waiting for an eligibility interview or hearing

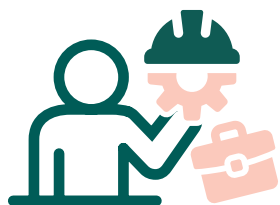
Accepted claimant who is waiting for permanent residency
 ⚠️ Important that they have a CSQ






Accepted claimant who has received permanent residency

Rejected claimant who is in an appeal or judicial review process
 OR
 waiting for a deportation date

	Asylum seeker who is waiting for an eligibility interview or hearing	Accepted claimant who is waiting for permanent residency ⚠️ Important that they have a CSQ	Accepted claimant who has received permanent residency	Rejected claimant who is in an appeal or judicial review process OR waiting for a deportation date
Subsidized daycares	No	Yes	Yes	No
Non-subsidized daycares	Yes	Yes	Yes	Yes
Community drop-in daycare centres	Yes	Yes	Yes	Yes
Advance payments of the tax credit for childcare expenses	No	Yes	Yes	No
Study permit	Yes. Required to study after the age of 18.	Yes. Required to study after the age of 18; must pay the same fees as citizens.	Not required upon receipt of permanent residency.	Yes. Required to study after the age of 18.
Primary and secondary school	Yes, free until the age of 18.	Yes	Yes	Yes, free until the age of 18.
Continuing adult education	Yes, but with payment of all fees (very high).	Yes	Yes	Yes, but with payment of all fees (very high).
CEGEP	Yes, but with payment of all fees (very high).	Yes, with a study permit (same fees as for citizens).	Yes, without a study permit (same fees as for citizens).	Yes, but with payment of all fees (very high).
University	Yes, but with payment of all fees (very high).	Yes, with a study permit (same fees as for citizens).	Yes, without a study permit (same fees as for citizens).	Yes, but with payment of all fees (very high).
Private schools and programs	← Yes, but with payment of all fees (sometimes high). →			

EMPLOYMENT



	 Asylum seeker who is waiting for an eligibility interview or hearing	 Accepted claimant who is waiting for permanent residency  Important that they have a CSQ	 Accepted claimant who has received permanent residency	 Rejected claimant who is in an appeal or judicial review process OR waiting for a deportation date
Open work permit	← Yes. Required for employment. →		Not required once permanent residency has been obtained.	Yes. Required for employment.
Renewal of the open work permit	← Yes. Required for employment. →		Not required once permanent residency has been obtained.	Yes. Required for employment. Fees may apply.
Social Insurance Number	Yes, once the open work permit has been received. Required for employment.	Yes. Required for employment.	Yes. Required for employment. The SIN changes to a permanent number.	Yes. Required for employment.
Community organizations (resume writing, etc.)	Yes	Yes	Yes	Yes
Government employment assistance (Services Québec offices, PRIIME, Emploi-Québec, Carrefour Jeunesse-Emploi)	No	Yes	Yes	No
Recognition of prior learning and acquired competencies by Qualifications Québec	No	Yes	Yes	No
Comparative evaluation by the MIFI	Yes	Yes	Yes	Yes
Licences from regulatory bodies such as professional orders	No	Depends on the organization.	Yes	No
Compensation for workplace accidents and occupational diseases - CNESST	Yes	Yes	Yes	Yes
Compliance with labour standards (paid statutory holidays, etc.) - CNESST	Yes	Yes	Yes	Yes
Advocacy organizations such as the IWC (Immigrant Workers Centre)	Yes	Yes	Yes	Yes

