

21 October 2025



**NEWCOMER
LEGAL CLINIC**

**The intersections of immigration
status and other legal areas**

Agenda

- 1. About Newcomer
Legal Clinic**
- 2. Migrant Worker
Support Program**
- 3. Scenarios of
Intersectional Issues**

1. About Newcomer Legal Clinic

Newcomer Legal Clinic

- Opened September 2021
- Partnership between TBMA and LU law school
- Civil Society Organization recognized by LSO
- Located on 3rd floor of LU law school
- Core service area: Northwestern Ontario
- Hoping to reach out more and offer consultation services in Northern Ontario



Our Team



Lawyer & Clinic Director
Jennifer Dagsvik



Outreach Coordinator
J. Bianca Espinoza



Lawyer
Robert St. Aubin



Intake Worker
Maria Rojas

Current Volunteers

Cecilia
Divya
Amina

Our Funding and Structure



Lakehead
UNIVERSITY

BORA LASKIN
Faculty of
Law



The Law
Foundation
of Ontario

Advancing access to justice



THE NEIGHBOURHOOD
ORGANIZATION



Thunder Bay
Multicultural Association

**ESDC - Economic & Social
Development Canada**

Needs Identified, Specific to Northern Ontario

- Limited support for complex issues
- Currently ancillary service
- Challenge of navigating portals when not a lot of supports on ground who are familiar with the processes
- Clients end up going to Winnipeg to get what they need
- All specialized clinics are located in the GTA, not fully aware of what is going on out here, and not accessible to clients
- Linguistic barriers
- Clients experience forced migration because of displacement from their own land

Our Goals

1. Fill the access to justice gap for migrants and refugees in Northwestern Ontario
2. Build community knowledge about migrant and refugee rights and processes
3. Train people to serve newcomers, including lawyers

Who We Serve

We provide services to migrants, refugees, and people without status in our catchment area.

This includes:

- Foreign workers and students
- Expired status
- Facing removal from Canada
- Refugees and claimants
- Sponsoring Family

How We Serve

- Information and advice for people with immigration, refugee, or citizenship law questions
- Ongoing guidance and support
- Representation:
 - paper applications
 - Immigration & Refugee Board, Federal Court
- Connecting people with reliable lawyers and representatives here and in other cities
- Referring to local agencies

Changing Migration Landscape In Northern Ontario

- Thunder Bay wants to attract 50,000 newcomers by 2041 (NOSWPB Report 2025)
- Non-permanent residents make up over 100% of Northwestern Ontario's population growth (NOSWPB Report 2025)
- New immigration programs targeted at Thunder Bay
- End of Rural and Northern Immigration Pilot leaving smaller communities in Northern Ontario in the lurch
- At the same time, increased immigration enforcement, border securitization

Eligibility Criteria

- Living in Northwestern Ontario
- Low-income or other barriers
- Issue related to immigration, refugee, or citizenship law

*If you are unsure if they are eligible,
call us*





Immigration and Refugee Legal Help



The Newcomer Legal Clinic offers free legal support in immigration, refugee, and citizenship law to eligible newcomers in Northwestern Ontario. If you would like to ask for an appointment, please click below.

REQUEST AN APPOINTMENT

What we consider when deciding eligibility.

- Income and assets (similar to community legal clinic thresholds)
- Can client access help they need elsewhere?
- Precarious employment
- Geographic isolation
- Discomfort with or limited access to technology
- Disability, health, mental health issues
- Expressed need for local support
- Experiences of racism or discrimination based on immigration status when trying to access local services
- Other barriers identified by the client or referring partner
- Does need fit with clinic priorities?

Needs we prioritize

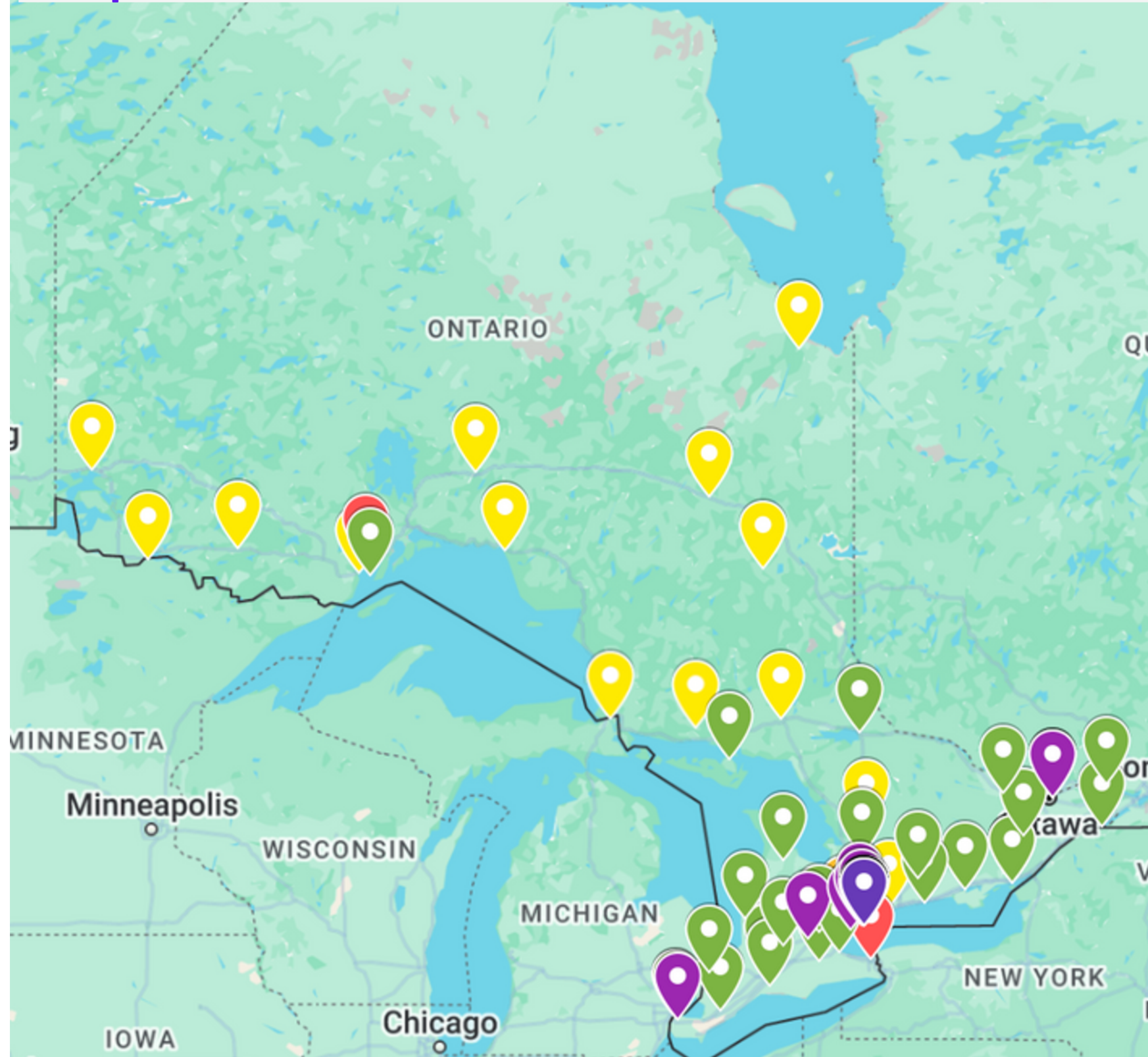
- Resettled refugees trying to **reunite with family**, especially if complex
- Migrant workers dealing with **abuse**
- People dealing with **domestic violence**
- People in **isolated communities** throughout the region
- **Intersections with other areas of law**
- Facing removal, procedural fairness letter, dealing with refusal of an immigration application
- Services for which the client LAO certificate is eligible but cannot find a certificate lawyer willing to work with them remotely (there are no immigration/refugee empanelled lawyers in our region)
- Advice to people seeking family reunification under IRCC public policies for emergency situations (Gaza, Sudan, Ukraine)

What about LAO Certificates?

Certificate Available	Certificate NOT available
• Refugee claims • Pre-removal risk assessments • Temporary resident permits for victims of family violence • Detention (Ref Law Office duty counsel)	• Family reunification for refugees and others • Abused migrant workers • Out-of-status remedies (depending on situation) • Citizenship applications • Work permits and study permits for refugee claimants

Note: no local lawyers on LAO's imm/ref roster

Red: Immigration clinic services
Green: Employment clinic services
Purple: Both



Specialty Clinics with Imm/Ref Services

- BLAC (Black Legal Action Centre)
- SALCO (South Asian Legal Clinic)
- HALCO (HIV/AIDS Legal Clinic)
- CSALC (Chinese and South Asian Legal Clinic)
- JCFY (Justice for Children and Youth)

Who Can Represent And Advise In Imm/Ref

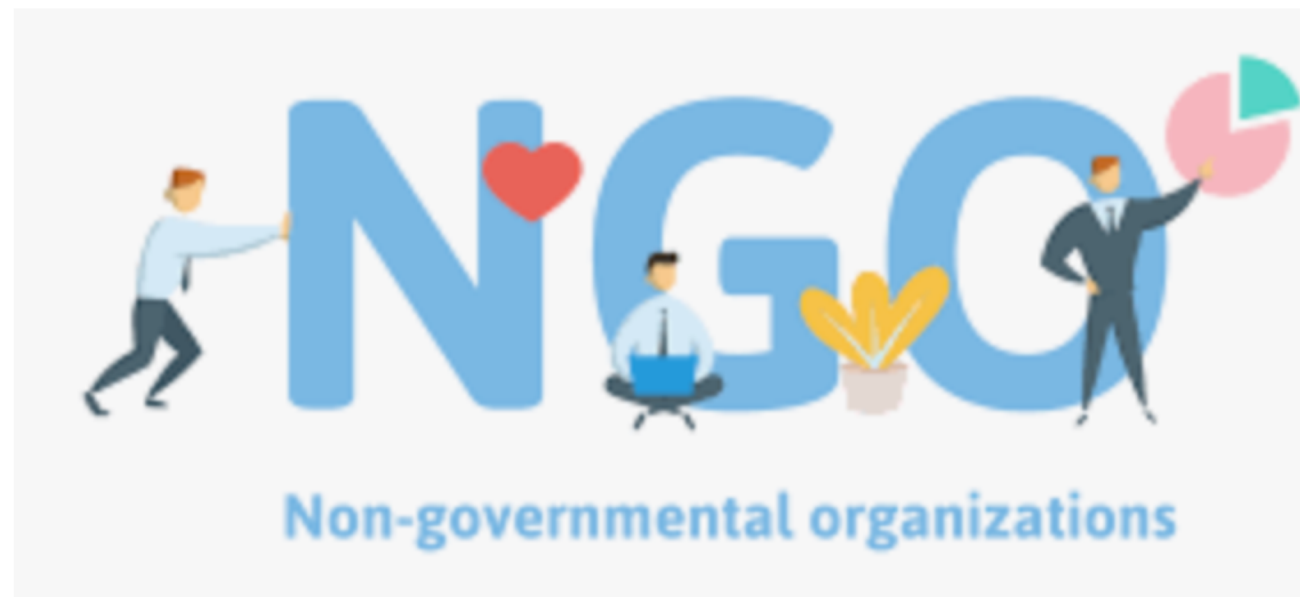
Cases?



- Lawyers
- Paralegals (only before IRB)



- Registered Immigration Consultants (beware “ghosts”)



- NGO workers can help if clients don't pay, but institutional / funder constraints

2. Migrant Worker Support Program

Migrant Workers Support Program

The aim of the program is to:

- Provide information and support to exercise rights
- Increase migrant workers' awareness
- Foster inclusion of migrant workers in the community
- Support migrant workers during emergency situations
- Develop coordinated approaches to supporting migrants in the community

Who are Migrant Workers?

- Anyone in Canada on a temporary work permit tied to their employer
 - Cannot work for any other employer → employer hold significant **power** over worker
 - Worker might be depending on **abusive employer** to stay in Canada → delicate situation
 - Employer might also be landlord → **housing**

abuse

OWP-VW Eligibility.

- Be inside Canada,
- Have an employer-specific work permit that is still valid at the time of submission (has not expired yet),

AND

- Have been abused or are at risk of abuse by your employer.

Employment Protections for Foreign Nationals Act (Ontario)

- Recruiters cannot charge fees to workers
- Employers cannot charge for hiring costs
- Recruiters / employers cannot take property or documents
- Workers cannot waive their rights
- Workers cannot be punished for exercising rights (reprisals)
- Can complain using the Employment Standards Act process



Migrant Workers Support Program

cont'd...

ServiceOntario

Open Work Permit for Vulnerable Workers applications & other legal services

ie. requesting condition changes, assisting with family work and study applications, assisting with providing legal information and referrals to other legal services.

3. Scenarios of Intersectional Issues

Questions for you

1. Do you see people with immigration, refugee, or citizenship issues in your organization?
2. Are there ways that we could work with you in your organization(s)?



Scenario 1 - Legal Worker Example

Client is getting evicted, because there are too many people living in their apartment. They inform you that they are nervous because they are not allowed to work in their current situation.

What follow up questions could help determine if this is related to immigration status?

Three overlapping geometric shapes in the bottom left corner: a large teal triangle, a medium blue hexagon, and a small light green hexagon.

When it comes to immigration status and housing:

- Inform them if they are **worried about their immigration status**, to contact us or an immigration lawyer or registered immigration consultant.
- Landlord and Tenant issues are not something immigration law covers, it will still be a referral to a legal clinic who practices housing law.
- Check if their housing is tied to their employment, if so, refer to NLC.

Scenario 2 - Settlement Worker Example

An LGBTQAI2+ newcomer faces cultural community discrimination. Their health issues get publicized, and they are afraid of reporting it, due to a fear of it affecting their citizenship application.

What information would you provide to this person?

Gender and Sexual Identity Discrimination

PRIVACY BREACH

FEAR OF REPORTING

STIGMA

Scenario 3 - Legal Worker Example

A woman who was financially and emotionally abused lost her opportunity for sponsorship. Her Spousal sponsorship application got stalled because they separated. She left Canada because she thought she was not allowed to stay.

Do you think that leaving Canada was her only option? If so, why? If not, why?



What if a decision-maker tells people they must leave Canada?

- Errors are common in the administration of the immigration legal system
- People being told to leave Canada often need and want legal advice if they want to stay
- Please refer to us!

Scenario 4 - Settlement Worker Example

A woman chooses to remove her hijab and seek more independence after moving to Canada. Their spouse reacts violently, and the police get called and the children get taken away after the incident.

What services do you think they need?
What if you can't communicate with them in their language?

Family Breakdown and Domestic Violence

FAMILY LAW

DOMESTIC VIOLENCE

CULTURAL CONFLICT

Scenario 5 - Legal Worker Example

A refugee claimant just arrived to Dryden three months ago from Syria. They applied for OHIP, but they keep getting their OHIP application denied.

How could we help?

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Status	Document to prove it	Help that might be needed	Health Coverage?
MORE SECURE STATUS			
Canadian Citizen	• Birth certificate • Citizenship card / certificate • Passport	Replacement documents (for birth certificates, possibly refer to Roots Birth Certificate Clinic)	OHIP
Eligible for citizenship but don't have proof yet	• Canadian parent's birth certificate	Consider application to IRCC for proof of citizenship	Possibly OHIP, with advocacy
Permanent Resident (PR)	• Confirmation of Permanent Residence (8.5 x 11" white paper, or more recently, electronic) • PR Card NOTE: they are PRs even if their card is expired (unless it was revoked)	Consider PR Card renewal application if necessary	OHIP
Protected Person	• Notice of positive decision from Refugee Protection Division (RPD)	Consider application for permanent residence Consider OHIP application if eligible	OHIP Possibly IFHP

Status	Document to prove it	Help that might be needed	Health Coverage?
PRECARIOUS STATUS			
Refugee Claimant	Refugee Claimant Identity Document (RCID, "Brown Paper")	Might need support to extend RCID, legal representation for refugee claim	IFHP – RCID proves it
Visitor – generally six months from entry	- Visitor Record (usually for longer stays – rare) - Stamp in passport (rare)	Application to extend visitor status / apply for visitor record	None other than private insurance
Work Permit Holder	- Work Permit - Maintained Status Letter	Obtaining new maintained status letter from IRCC Extending work permit *eligibility requirements can be complex Support to apply for PR Support to change to visitor or other status if permit expired and can no longer work	Usually eligible for OHIP if they have letter from employer NOTE: IRCC issues letters saying that someone has maintained status until a certain date. The letters are misleading - maintained status does not end in law until a decision is made on the person's application. Service Ontario is not always aware of this. Advocacy may be necessary to explain.
International Student	Study Permit	Help extending study permit Support requesting authorized leave from school (can impact future work)	Possibly coverage from University or College Plan Possibly private insurance Not eligible for OHIP
Maintained Status	One of the above documents, but expired, and applied for extension	Help if refused	Possibly OHIP – advocacy might be necessary
Out of Status	One of the above documents, but expired and no application pending	Help with regularizing status	No OHIP or IFHP Consider emergency IFHP application in exceptional cases

Transition Points

Transition	What is happening?
Extension of temporary status	• application to extend status filed before expiry of current status • status usually maintained until new decision made
Out of status to temporary status	• application is pending (restoration or temporary resident permit) • applicant does not have status until approved
Temporary resident or out-of-status to permanent resident	• waiting on PR status • if temporary resident, apply to extend or maintain status • can be a risk to leave Canada - seek legal advice
PR to citizen	• waiting for invitation to oath of citizenship

Scenario 6 - Settlement Worker Example

A newcomer with mental health issues is abandoned by their family and picked up by police after a fight. Due to conflict of interest, Legal Aid was not available.

How can you help them?

Mental Health and Criminalization

MENTAL HEALTH

CRIMINAL LAW

LANGUAGE BARRIERS

Scenario 7 - Legal Worker Example

A temporary resident keeps getting denied their child's birth certificate at Service Ontario because they are on maintained status as a student, awaiting for a decision to be made by an officer from Immigration, Refugee & Citizenship Canada. Are they even eligible for this service?

Where can they go for assistance?

Three overlapping geometric shapes in the bottom left corner: a teal triangle, a blue hexagon, and a light green hexagon.

Immigration status & ID:

- Canadian birth certificates*
- Birth registration
- Health cards
- Verification of status
- Provincial Photo ID cards

Questions for you

1. Do you see people with immigration, refugee, or citizenship issues in your organization?
2. Are there ways that we could work with you in your organization(s)?



Questions?



Thank you!



Survey



NEWCOMER
LEGAL CLINIC



Lakehead
UNIVERSITY

BORA LASKIN
Faculty of
Law

Contact Us!

Newcomer Legal Clinic

807-346-7800

newcomerlegal.admin@lakeheadu.ca

www.newcomerlegal.ca

What We Explain To Clients...

- We **do not** administer immigration programs
- Confidentiality (unless req'd to disclose by law this is rare)
- Do not share information with the government unless instructed by client
- Serve our clients' interests
- Believe that access to justice and legal processes should be **free** and **equal**
- Services guided by an **ethic of care** and ensuring government treats **migrants and refugees according to law**

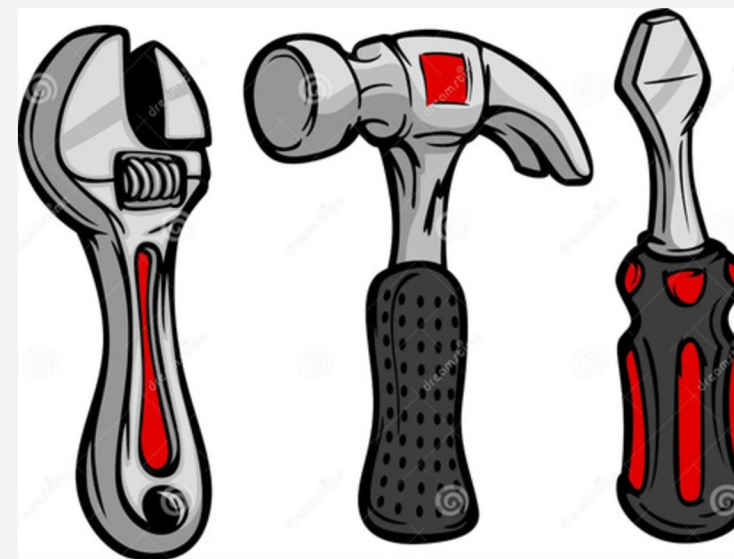
Immigration Legal Services

Why does Northern Ontario need regional immigration and refugee legal services?

- Increased government efforts to limit migration and enforce removals
- No IRCC office located in Northern Ontario (Winnipeg or GTA)
- Needs identified are unique to Northern Ontario

Migrant Workers Support Program

North = different demographics
ie. hospitality



What to do if you suspect employer abuse

- Consider referring to Newcomer Legal Clinic
- There are options for reporting the employer - worker might want to seek immigration advice first
- Worker might want to consider:
 - Human Rights claim
 - Claim under Employment Standards Act