

Practicum placement report: Halifax Refugee Clinic

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The Halifax Refugee Clinic is a privately funded organization that provides legal representation to asylum seekers in Nova Scotia. This legal assistance is vital, particularly because of the fact that Nova Scotia legal aid services are not extended to asylum seekers. Prior to the clinic's founding in 2000, asylum seekers were forced to navigate their refugee hearings with little to no assistance. This is an extremely daunting task, particularly for asylum seekers with little knowledge of the bureaucracy of refugee hearings, and/or without fluency in English or French. The Halifax Refugee Clinic is thus an integral part of the community, particularly in aiding asylum seekers in integrating into Halifax's community. In addition to legal assistance, the Refugee Clinic also provides much-needed settlement services for asylum seekers such as housing, employment, education, healthcare, and general advocacy support. Julie Chamagne is the Executive Director of the clinic, and acted as my supervisor. Julie also put me in touch with staff lawyers on the team, who would reach out to me with any legal research they needed assistance with. As a practicum student, my role was to assist the team of staff lawyers, including Julie, with legal research for specific cases.

The research mostly involved an investigation into country conditions. In a refugee hearing, the Immigration and Refugee Board (IRB) member residing over a case will be expecting information about the specific conditions in a country that make it dangerous for an asylum seeker to return. The asylum seeker must prove that, due to the nature of their identity or beliefs, they are persecuted in their country of origin, and that the state is either the perpetrator of this harm, or is unwilling or unable to assist them escape the non-state perpetrator. Further, they must prove both an objective and subjective fear of persecution. This means that, in addition to objective evidence that a country is unsafe for claimants of a particular background or identity, the claimants must prove that, as an individual, they fear persecution in their country of origin.

According to the Refugee Convention, there are five grounds upon which a claim of persecution can be made: religion, race, nationality, political opinion, or membership in a particular social group. The last of these grounds has a wide range of definitions, but, in my experience, was most often applied to individuals being persecuted on the basis of their sexuality and/or gender identity.

In order to facilitate the research process into specific country conditions, the IRB has compiled National Documentation Packages (NDPs). NDPs are an incredibly useful tool for country condition research. They essentially act as a master document for specific conditions in refugee-producing countries, including groups that are discriminated against, health conditions, religious freedom, and the treatment of journalists and political activists. For a few cases, I was asked to prepare a summary of the most relevant sections of a country's NDP to a given client's case. This involved sifting through a large amount of information and identifying what would be useful to draw an IRB member's attention to in a particular hearing. There is some information, however, that may not be available in a country's NDP. My research thus also led me to investigate news sources, as well as peer-reviewed journal articles that outlined, for example, the effect that a claimant's mental health may have on refugee hearing procedures.

Outside research into country conditions varied greatly from case to case. Sometimes there would be only one ground of persecution my research had to prove, while other times multiple and overlapping grounds for persecution had to be proved. In cases where multiple grounds of persecution were at play, it could be difficult to find resources that reflected the particularly unique situation of a given client. Research for these cases was thus comparable to searching for multiple puzzle pieces that, once put together, formed an image of the client's unique claim.

The most common grounds for persecution in the cases I was assigned were sexuality and/or gender identity, as well as religion. There were also cases in which an asylum seeker's family had been targeted by violent criminal groups, and my research had to prove that there were no Internal Flight Alternatives (IFAs) for these individuals. An IFA is an area outside of the asylum seeker's home region, yet still in their country, to which they could move and safely live. IFAs were often not available to individuals being targeted by powerful criminal gangs, particularly when these gangs were notorious for bribing the police and government officials in exchange for impunity.

Among other benefits, this practicum placement has helped me sharpen my research skills. In some instances, cases required extremely specific research that was not popularly available online. In other cases, sources would not explicitly state that a certain group was persecuted. For example, if I needed to prove that a certain ethnic group in a country was being persecuted, it could be hard to find sources that explicitly detailed this persecution. I thus learned how to prove certain kinds of persecution alternatively, such as finding articles that outlined historical ethnic tensions, or evidence of conflict between two countries that could lead to nationals from an 'enemy' country being persecuted. Other research skills I learned in this placement included learning how to choose the best search terms, how to identify a reliable source in countries whose news sources I was not familiar with, and, ultimately, persistence in my search. For example, in order to evaluate the reliability of unfamiliar sources, I often checked on the Immigration and Refugee Board's website, to see if that source had been used as a part of a National Documentation Package (NDP). After some time, I accumulated a list of the most often cited news and country conditions websites in NDPs, and began my outside research with these sites.

Furthermore, in conducting research into specific country conditions, I was able to learn about global politics on a level I would not have otherwise delved into. While I am of course generally aware of events occurring in global politics, my time at the Refugee Clinic allowed me to research the specific and complex politics behind civil wars, persecution, and discrimination around the world. In this way, my time at the Refugee Clinic was extremely educational on multiple scales. Not only did I gain an in-depth understanding of the process of refugee hearings, but I also gained an in-depth understanding of both the international and domestic politics at play behind specific country conditions.

Often my research into country conditions was based on personal interviews that lawyers at the clinic had conducted with asylum seekers. Reading these lived experiences provided an invaluable insight into the humanitarian effects of global politics: a subject that is often discussed, especially in academia, in abstract and sweeping terms. Civil war, social instability, poverty, the long-term effects of colonization, and foreign interference have led to heartbreaking and debilitating consequences for millions of human lives.

Reading these interviews and conducting subsequent research can be emotionally exhausting work. I would alert students who are considering working at the refugee clinic to this fact, and to the consequential fact that this kind of work can lead to much faster burn out than work at other placements might. That being said, it is extremely important and meaningful work. Each week I was honored to be trusted with the work I was assigned. Even if a refugee claim fails before the IRB, the work done by the refugee clinic is nonetheless important. The stories you will encounter are often wrought with hopelessness, so I would imagine that the hope and support that the refugee clinic aims to provide is extremely important, no matter the outcome of the refugee claim itself.

Although my experience at the Refugee Clinic was ultimately quite rewarding, the relatively underfunded nature of the clinic meant that it could be difficult to stay in consistent communication with staff. I was hoping that I would have the opportunity to work at the clinic in person, or observe a refugee hearing that I had worked on, but was unable to do this. Because of the overwhelming workload, the staff at the clinic are extremely busy, and communications with my supervisors would often get lost in their inboxes. This meant that, for certain weeks, my workload was quite light. The staff lawyers, however, answered questions quite quickly, and were extremely helpful in their responses.

As mentioned above, the Refugee Clinic also provides refugees with settlement services such as employment, housing, and education. I have previously volunteered with the settlement services side of the refugee clinic as an English tutor and had thoroughly enjoyed the one-on-one experience with asylum seekers that it provided. In my practicum placement, I would have enjoyed having this kind of direct communication with asylum seekers, whether on the legal or settlement side of the clinic's services.

Working on an asylum claim involves many steps. Lawyers must, through conversation with the asylum seeker, construct a coherent narrative of the asylum seeker's experience of persecution and journey to Canada. Background evidence of the asylum seeker's country conditions must be gathered and submitted to the IRB. At the trial itself, lawyers must support the asylum seeker as they recount their own story of persecution. Furthermore, if a claim is successful, the Refugee Clinic will help that refugee to apply for permanent residence and will also help these successful asylum seekers obtain housing, employment, social assistance, or education if they wish. If a claim is not successful, the clinic will help that asylum seeker with an appeal, or with an application to stay in Canada on humanitarian and compassionate grounds.

Although my placement offered me an in-depth look at one of these steps, I would have enjoyed helping with the other steps as well. It would have been interesting to gain insight into what happens after an asylum seeker's claim is successful, and that individual officially becomes a refugee. I only really saw the side of the asylum-seeking process that happens before a trial, but am still very interested in seeing what happens on the other side of the trial.

Although there were certain shortcomings to my placement, it was ultimately a rewarding experience. Working from home, for example, allowed me to take short breaks if research into a case became distressing or frustrating. Having this kind of flexibility was ultimately beneficial for this kind of work, which, as I mentioned above, can lead to faster burn out than other types of work. Although the senior staff of the clinic were often hard to stay in contact with, staff lawyers kept in regular contact, and were quick to answer any questions I may have had. I think it is also important to note that this under-communication likely resulted from the relatively underfunded and consequently short-staffed nature of the clinic. The refugee clinic operates entirely from private donations and funding, with no funding from the provincial or federal government. This speaks to the need for these kinds of organizations to have access to government funding, to enhance their productivity and ability to protect vulnerable populations, that, under the Refugee Convention, Canada has a responsibility to protect.

Overall, I feel very grateful to have had my practicum placement at the Halifax Refugee Clinic. As someone with an interest in working with immigrant and refugee populations in the future, this has definitely given me a glimpse into what that kind of work might look like. As there were certain aspects of the placement that were lacking, it certainly incited me to search for further experience in this field. In the future, I hope to work directly with refugees in assisting them through both the legal and settlement process. My placement at the clinic also provided me

with general research and communication skills, which can be beneficial in any line of work.

Finally, this placement enhanced my awareness of the political complexities underlying international migration and refugee movements. I have certainly emerged from this placement more aware of global politics, international relations, and conflict around the world.

Furthermore, it has encouraged me to stay aware of events happening outside of my own country. Therefore, despite its shortcomings, this practicum experience brought not only professional experience, but personal growth. I will certainly consider working at the Refugee Clinic a highlight of my undergraduate career.