



Handbook

On

Empowering Immigrant Mothers and Their Vulnerable Children:

Addressing Legal and Practical Challenges Against Family Violence and Abuse

Submitted by:

Tania Ferdous

Student ID: T00759715

Practicum Student

MA in Human Rights and social Justice

Thompson Rivers University

Practicum Site:

Big Bear Child and Youth Advocacy Center (CYAC)

Kamloops, British Columbia

Canada

Submission Date:

August 11, 2025

Welcome Note

Welcome to the Handbook on Empowering Immigrant Mothers and Their Vulnerable Children of Kamloops, British Columbia, Canada.

This handbook is designed to explain newcomer immigrant mothers with clear and simple language about their rights, relevant laws and practical steps to protect their vulnerable children (Department of Justice Canada, 2024). It also emphasizes on the importance of reporting child abuse and maltreatment. As an immigrant mother if you suspect that your child is a victim of abuse you must report it immediately.

If you suspect that someone who is under the age of 19 is being harmed:

- If in immediate danger call 9-1-1.
- If the child/youth is not in immediate danger but you have reason to believe the occurrence of abuse or neglect- call the Ministry for Children and Family Development at : 1-800-663-9122, toll- free (24 hours a day).

Big Bear Child and Advocacy Centre (CYAC) can be available to help you through the reporting process (Big Bear Child and Advocacy Center, 2025). Contact of Big Bear: phone: 778-470-8888, 250-571-9995, and Email: info@bigbearcyac.ca

As a trauma informed, culturally sensitive and client driven organization, Big Bear can help guide and support you and your children/youth before, during and after becoming involved with the Justice system. Big Bear can work alongside you during the reporting stage, the investigational processes (as you become involved with various professionals), and then can help bridge and connect you with additional services that will support you

and your child's individual healing needs - promoting long-term well-being. The Centre can aid in how to access support from government and non-government organizations in Kamloops (Government of British Columbia, 2024), as well as how to overcome cultural, legal, and systemic barriers that may create challenges (Department of Justice Canada, 2021).

By reading this handbook, newcomer mothers will be able to better understand common fears and misconceptions (Department of Justice Canada, 2021), importance of reporting child abuse and where to report it, will recognize available resources for further support (Legal Aid BC, 2024). This handbook can help immigrant mothers feel more confident to overcome their challenges and to help understand what the different agencies in Kamloops have to offer during such a time (Kamloops YMCA-YWCA, 2024). The language is kept straightforward so that it is easy to understand and apply in real life situations.

The goal is to empower mothers to feel confident in seeking help, knowing that they are neither helpless nor alone, there are organizations, service providers, and laws here to protect them and their children during difficult times (Child, Family and Community Service Act, RSBC 1996, Family Law Act SBC 2011).

About the Author

My name is **Tania Ferdous**. My academic background of study is law. I earned my **LLB (hons)** degree from the **University of London, UK**. Thereafter, and to gain practical legal skills, I completed the **Bar Professional Training Course (BPTC)** at **City University, London, UK**. Following the BPTC course I was formally **called to the bar at Honorable Society of Inner Temple** in United Kingdom, in 2014.

In my professional career, I worked as an **Advocate** at the **Supreme Court of Bangladesh** for more than 5 years. I also worked at **Bangladesh National Woman Lawyers' Association (BNWLA)**, a Non-Governmental Organization, where I worked on project regarding legal rights of women and children in Bangladesh. I am currently completing my **Master of Arts in Human Rights and Social justice (2024-2025)** at **Thompson Rivers University (TRU), Kamloops BC**.

In partial fulfillment for the degree of Master of Arts in Human Rights and Social Justice, I am undertaking my practicum at **Big Bear Child and Youth Advocacy Centre**, where my focus of work is to address legal, systemic and cultural challenges faced by immigrant mothers in protecting their vulnerable children in Canada.

I hope that this handbook is a culturally sensitive guide that will meet your needs and will be helpful in building your life in Canada.

Contents

Introduction	5
Section A	7
Barriers that Immigrant new comer mothers face:	7
Legal knowledge Barriers	8
Isolation barrier	10
Linguistic Barrier	10
Cultural Barrier	11
Financial Barriers.....	12
Misconceptions (as a barrier) of Immigrant mothers	13
Section B	15
Laws of Canada and BC on family violence, abuse and negligence.....	15
The Criminal code (Canada) 1985:	15
Family Law Act (BC) 2011	16
Child, Family and Community Service Act (CFCSA) (BC) Act, 1996	18
Divorce Act (Federal Law) 1985.....	20
Section C	22
How to overcome challenges and where to contact.....	22
Contact other service providers for overall support and help:	25
Reference:.....	32

Introduction

This handbook was created during my practicum at Big Bear Child and Youth Advocacy Centre (CYAC) in Kamloops, BC, with the aim to guide immigrant and newcomer mothers while protecting their vulnerable children in times of family violence or any other forms of abuse they may be experiencing.

Immigrant mothers have different cultures and norms. In some parts of the world, marriage is sacred and women are accustomed to be in their marriage at any cost. Unfortunately, this mindset can sometimes expose women to family violence and abuse (Delara, 2016).

When immigrant mothers and their children move to Canada, they often carry with them cultural values and traditions that shape how they adjust to their new environment (Delara, 2016). As a multicultural state, Canada welcomes people from different backgrounds and encourages newcomers to celebrate their own culture, religion and to practice their own ways of life (Government of British Columbia, 2023). However, it is very important to understand that, practicing one's ways of life cannot be in conflict with Canadian legal system. All newcomers should maintain their family life without breaching the laws (Child, Family and Community Service Act, RSBC 1996, Family Law Act, SBC, 2011).

Mothers often share a uniquely close relationship with their children, as children may confide in them more openly than in others (Department of Justice Canada, 2024). It is often for abuse to be inflicted by somebody who is already a member of a family. It can

be the child's father, uncle, grandfathers, grandmothers, or anybody (Department of Justice Canada, 2024). In such cases, an immigrant newcomer mother should know how to seek help for her beloved child (Department of Justice Canada, 2024). Their sufferings can increase when mothers do not speak English or the language commonly used in a Canadian community, are not aware of Canadian laws, or have great economic dependency on the abuser and abusers' family members (Alaggia & Vine, 2012).

It is a hard struggle for immigrants to settle in Canada, coming from their home country to a new place, and then it is even more difficult and painful for them to suffer with family violence, abuse and maltreatment with all those settlement hardships (Alaggia & Vine, 2012). Leaving abuse unaddressed, these harms may cause permanent damage on children's minds, which may last for life (Alaggia & Vine, 2012). Prolong maltreatment and neglect may lead to severe consequences which may be detrimental to the mental health of the mother and children (Alaggia & Vine, 2012). Moreover, not informing to police or child protection services about maltreatment or family violence, will be an offence by itself (Child, Family and Community Service Act (RSBC, 1996)). Therefore, mothers should know their rights and most importantly duties to protect their children in Canada (Child, Family and Community Service Act (RSBC, 1996)).

Big Bear along with other community service providers such as Kamloops Immigrant Service (KIS) and Legal Aid BC, can provide necessary supports to these affected mothers so that their children can be protected (Kamloops Immigrant Service, 2025, Big Bear Child & Advocacy Centre, 2025).

This handbook is designed to provide immigrant mothers with knowledge, confidence and better tools which are required to protect their children, access available supports, and adapt Canadian standard of parenting practices.

Section A

Barriers that Immigrant new comer mothers face:

When newly arrived in Canada, immigrant mothers encounter diverse barriers in seeking help (Department of Justice Canada, 2021). It is not easy to seek help considering one's various personal circumstances. Most common barriers are a lack of knowledge on the English language, lack of knowledge on Canadian laws, unaware about their rights, inability to take appropriate steps to protect their vulnerable children, and insufficient financial support. These are prime reasons that make it difficult for newcomer mothers to take legal actions against their abusers (Department of Justice Canada, 2021). Apart from these, they also have various misconceptions or misunderstandings which cause delays in seeking help. They feel fear, isolated, shame due to different cultural aspects (Delara, 2016).

(Child, Family and Community Service Act, RSBC, 1996). Due to knowledge gaps, immigrant women and mothers can be challenged find the right direction to get over of their sufferings. The knowledge gaps are very normal for them, because, in many cases, these mothers arrive in Canada as family class immigrants, which means, their Canadian immigrant husbands have brought them in Canada (Department of Justice Canada, 2021).

In the above scenario, these women are more dependent on their husbands and other in-laws' family members for housing, foods, shelter, communication and other needs (Department of Justice Canada, 2021). This dependency is particularly dangerous for the immigrant mothers and their children, because the abusers feel more powerful and act fearlessly thinking that their victims have no voice or confidence to seek help. (Department of Justice Canada, 2021).

In cases, where children experience abuse from family members or any others, they often express about it at first to their mother, expecting protection and help (Department of Justice Canada, 2021). However, because of a lack of awareness and resources, many women with immigrant backgrounds feel helpless. Eventually they suffer because they have no place to go, no shelter, face food insecurity and lack access to legal aid (Department of Justice Canada, 2021). Therefore, the main barriers have been identified for these groups of women with vulnerable children are: legal knowledge barriers, isolation, language barriers, cultural barriers, and financial barriers (Department of Justice Canada, 2021). However, Canada and British Columbia protect everyone, irrespective of their cultural differences.

Legal knowledge Barriers

Immigrants encounter lots of difficulties for to their unfamiliarity with Canadian laws since as newcomers, they are uncertain about new cultures, laws and overall environment (Department of Justice Canada, 2021). This deeply affects the lives of immigrants, especially for women who are even more marginalized because of their gender and status (Department of Justice Canada, 2021).

Many immigrant women arrive in Canada under the category of family class. Because of their culture and status, they heavily rely on their husband or in-laws for shelter, housing, food to a greater extent (Department of Justice Canada, 2021). In a study, it was found that women who filed complaints about family violence and child custody, mostly came to Canada as family class (Department of Justice Canada, 2021). Family class means, her spouse is a permanent resident or citizen of Canada who brought her from another country as his wife (Department of Justice Canada, 2021). When the relation is abusive between the spouses, then the victim becomes even more vulnerable (Department of Justice Canada, 2021).

Research findings show (based on Greater Victoria and Vancouver, BC) that even immigrants with a university-level high educational background expressed their concern that they do not understand what steps they should take if they are in legal trouble (Department of Justice Canada, 2021). Research participants from this study, expressed that more expert supports from human rights organizations, lawyers or other legal professionals, should be more accessible (Department of Justice Canada, 2021). They also suggested that access to simple, easily understandable versions of advice or legal information is necessary, instead of laws explained in technical and complicated language (Department of Justice Canada, 2021). Therefore, unfamiliarity with Canadian family laws, difficult technical language creates significant barriers against access to legal support and services for immigrant women in Canada (Department of Justice Canada, 2021).

Isolation barrier

In research, it was found that the women with an immigration background who reported their legal issues had arrived in Canada as a family class (Department of Justice Canada, 2021). Therefore, they depend on their husbands and in-laws' house members largely for their basic needs (Department of Justice Canada, 2021). This dependency isolates them socially and limits opportunities for them to be integrated into Canadian society (Department of Justice Canada, 2021).

In many cases, the in-law's family members exploit this dependency and trust of these immigrant mothers and misguide them with false, incorrect information about Canadian laws, including child custody, divorce, or family violence (Department of Justice Canada, 2021). As a result, these women keep suffering and fail to seek help (Department of Justice Canada, 2021).

This kind of house environment is unsafe for children because the well-being of children is impacted not only by direct abuse but also by exposure to family violence and domestic violence (Department of Justice Canada, 2021). If a child is not directly abused but sees, hears, or experiences domestic abuse (physical, mental, emotional), it will affect his or her wellness (Department of Justice Canada, 2021).

Linguistic Barrier

Many immigrant women rely on their husbands or extended family members during their initial years in Canada, which often limits their opportunities to learn English (Delara, 2016). They often do not have their own bank account due to a language barrier (Delara, 2016). Many newcomers also face challenges in seeking health care services due to their

language and cultural differences (Cheang, 2023). Immigrant newcomers have a cultural stigma that sometimes prevents them from seeking help (D'Souza, 2025).

Cultural Barrier

Culture defines a lot in people's character. Women from different parts of the world, like India, Bangladesh, and countries from the African continent, are accustomed to behaving and accepting gender roles (Delara, 2016). Women are less likely to go outside for work; instead, they normally take care of their children, whereas men go outside for work and share little responsibilities in child care at home (Delara, 2016). As a result, men, who are earning money, take charge of the home, and women become dependent on their husbands (Delara, 2016). This dependency is even more dangerous when domestic violence takes place in the family. In many cultures, it is even normal to accept domestic violence to a certain extent (Delara, 2016). For example, a mother from Bangladesh or India may feel compelled to accept domestic violence, emotional abuse just to save the marriage. However, this kind of family environment is not healthy and safe for the children's well-being according to Canadian law, and it is illegal (Child, Family and Community Service Act, RSBC, 1996). So, for the sake of children's good health and proper upbringing, parents should control their behavior (Delara, 2016).

Culture is a significant barrier for women to come out and seek help. In many countries, sexual abuse is a matter of shame (Delara, 2016). People want to hide sexual abuse because it is a matter of shame and dishonor. In many countries, victims of sexual violence hide their oppression in fear of society, because society will make them feel

ashamed (Delara, 2016). This is another big reason for not exposing this kind of violence (Delara, 2016).

This kind of behavior is not acceptable under Canadian laws, and this will cause severe mental and physical trauma to the victim (Delara, 2016). So, as a mother and a primary caregiver, under Canadian law, she should take the right step to protect her child from sexual violence (Delara, 2016).

Another aspect of cultural barrier is using force on children in the name of disciplining them (Department of Justice Canada, 2021). In many countries of the world, it is common to beat children when they do not listen to their parents or they can't achieve something (Department of Justice Canada, 2021).

In developing countries, using force, slapping, and spanking is very common, and parents are practicing this disciplining method regularly (Department of Justice Canada, 2021). These parents, when they come to Canada as immigrants, face problems in understanding Canada's standard method of disciplining children (Department of Justice Canada, 2021). It is illegal to use physical force, including beating, in Canada (Department of Justice Canada, 2021).

Financial Barriers

Lack of Financial support, shelter, and food insecurity are also very significant barriers in seeking redress against violence against children and women (Alaggia. R., et al, 2012). Many Immigrant women do not earn enough money to feed themselves and their children well. Whatever little amount of salary that they earn in most cases is not enough to live a

decent life (Alaggia. R., et al 2012). Moreover, in situations when court may need to be involved to resolve challenging family matters, it becomes very difficult for the mother to bear the legal expenses. As a result, the abusers keep coming back to the lives of vulnerable children (Alaggia. R., et al 2012).

Misconceptions (as a barrier) of Immigrant mothers

Immigrant mothers face almost all kinds of gender discrimination, just like any other Canadian women, because of systemic issues. Still, according to intersectionality theory, immigrant women suffer from other forms of discrimination also, including class, race, and non-permanent status (Alaggia, R., et al, 2012). Lots of immigrant women keep their domestic violence secret because they fear that if this matter is exposed, then they will be deported (Immigration, Refugees and Citizenship Canada, 2025). In most cases, immigrant women come to Canada as family class, and so they fear deportation, they think that if they do not stay with their husbands, then they will have to leave Canada (Immigration, Refugees and Citizenship Canada, 2025). However, according to Canadian Immigration law, no such woman will be deported (Immigration, Refugees and Citizenship Canada, 2025).

Another misconception is, immigrant women keep silent about family violence because they fear the 'Ministry of Children and Family Development' (MCFD) will take away their children from them due to exposure to violence. This is again a misconception because MCFD has rules and guidelines that they follow (Child, Family and Community Service Act, RSBC, 1996). When MCFD gets a report on child maltreatment or abuse, then MCFD will first investigate the identified report, observe the situation over a period, will make

sure that the parents know what their duties towards the child are, how to behave in front of a child, and how to discipline a child. They will give parenting tips, guidelines on how to manage family and children (Child, Family and Community Service Act, RSBC, 1996). MCFD will take away a child from the family's house only in cases where both parents are unsafe for the child, including the mother (Alaggia, R., et al, 2012). If the mother is not abusive and takes good care of her child, then there is no question of taking away the child from the parent's custody (Alaggia, R., et al, 2012). It is important to note that not informing the police about child abuse at home is a crime; keeping silent will increase the risk to the child's safety (Alaggia, R., et al, 2012).

Another misconception is that immigrant mothers also fear losing their children to their husbands or in-laws' family members (Alaggia. R., et al 2012). They think, just like their home country family law, in Canada, they also have no rights to be custodians or guardians of their children. (Alaggia. R., et al 2012). This is not true because, according to Canadian law, both parents will be considered as guardians and enjoy the right to share parenting time with children (Family Law Act, SBC 2011). In other part of the world, such as India, Bangladesh, the guardianship rule may be different, where, mothers are not allowed to be a legal guardian of her child, in presence of father, but in Canadian family law, both father and mother are allowed to be the guardians of their child (Family Law Act, SBC 2011). If there is a question of custody or guardianship arises, then the court will consider what is in the best interest of the child. (Family Law Act, SBC 2011).

Section B

Laws of Canada and BC on family violence, abuse and negligence

Immigrant mothers with vulnerable children in BC should know at least four main laws that give them wide protection against family violence. There are both federal and provincial laws that define family violence and its scope and remedy. The most significant laws are the 'Family Law Act, 2011, (BC) 2011', the 'Child, Family and Community Service Act (BC)', 1996', (CFCSA), the 'Divorce Act, 1985, (2nd Supp.)' (Canada), and the 'Criminal Code, 1985, (Canada). The First two laws are provincial, meaning these two laws apply to BC residents, whereas the latter two laws are federal laws, which means those laws will apply to everyone in Canada, including immigrants and residents of British Columbia.

The Criminal code (Canada) 1985:

At first, immigrant mothers should be aware of the Criminal Code 1985. This law is vast and gives protection against almost all kinds of violence and abuse, including various forms of family violence (Criminal Code, R.S.C., 1985). Although there is no particular offence labeled as 'family violence' in this law, most domestic and child abuse offences are addressed in this comprehensive law (Criminal Code, R.S.C., 1985). If anyone, including a family member, intimate partners, such as a husband, commits any domestic or child abuse, then they might be charged under this law by police (Department of Justice Canada, n.d).

In this context, for example, if any immigrant mother or her children experience any physical torture, beating, sexual torture, assault, threat, any harassment, bullying, mental torture, from the woman's husband or the child's father, or family members then, under this Criminal Code the husband or the father can be arrested (Criminal Code, R.S.C., 1985). Under the Criminal Code, if anyone, including an immigrant mother and her child, suffers the abovementioned torture, then the offender could be arrested and charged under this law (sections 265-268) (Criminal Code, R.S.C., 1985). If any child is kidnapped and confined by any spouse, then the offender could be detained under section 279 of this law (Criminal Code, R.S.C., 1985). If mother or child suffers sexual abuse, torture, or harassment, then the offender could be charged under sections 271-273 of the code (Criminal Code, R.S.C., 1985). If any child of the immigrant family suffers any sexual abuse, torture by a family member, then the offender could be charged under sections 151-155 & 170-172 (Criminal Code, R.S.C., 1985). Besides, under section 163, this code also gives protection to children who are victims of child pornography where a family member is responsible for that (Department of Justice Canada, n.d).

The immigrant mother must inform the police if the above-mentioned abuses are suffered by them and their children (Department of Justice Canada, n.d). It does not matter whether the woman is an immigrant or a Canadian, a foreign worker or an international student, or a family member of a foreign worker; the law is the same for all. The law will treat everyone as same (Department of Justice Canada, n.d).

Family Law Act (BC) 2011

Secondly, immigrant mothers should know about the 'Family Law Act (BC) 2011. This Act is particularly applicable for BC residents, including immigrant mothers and their children, temporary residents, such as foreign workers and their families, and international students and their families (Government of British Columbia, 2025). Under this Act, all kinds of violence, including physical, psychological, sexual, and emotional abuse, are prohibited (Government of British Columbia, 2025). Apart from direct abuse, a child's well-being can also be harmed by exposure to abuse (Government of British Columbia, 2025). By recognizing that, this law clearly states that, if a child, even if not attacked or abused directly, but observes, hears, or experiences violence that is caused to some other family member, then the child will be regarded as affected and unsafe under this law (Family Law Act BC, 2011). For example, if a mother from India is regularly being tortured or abused physically or emotionally by her husband, and her child observes this behavior, or hears all the abusive words, then under this Act, this child is considered to be in an unsafe condition and needs protection. (Family Law Act BC, 2011).

Sections 183 to 189 of this Act state in detail about family violence and remedies that are available (Family Law Act BC, 2011). One of the important remedies or solutions is to get a **protection order** from the court under this law (Family Law Act BC, 2011). So, a Protection order will be given by the court to protect the family member from the abuser, and if the protection order is breached, police will protect (Government of British Columbia, 2025). This protection order will keep the victim safe from the abuser because, court will give restrictions on what the abuser can and cannot do (Family Law Act BC, 2011). Basically, within the period of a protection order, the abuser will not be able to see or contact the abused family members (Family Law Act BC, 2011).

In a situation where both parents are separated due to family violence, in such a case court will decide under this law, with whom their child will stay, how the parenting time will be divided, and who will make decisions for the child (Family Law Act BC, 2011). Here, the court will see what will be best for the child under section 37 of this law (Family Law Act BC, 2011). In a case of family violence, based on the severity of the violence, the court will decide with whom the child will stay. The seriousness of the family violence, which caused harm to the child physically, psychologically, and emotionally, will be accounted for by the court in deciding the best interests of the child (Government of British Columbia, 2025). Therefore, if a husband or other family member is an abuser, then it is likely that the court will impose restrictions upon abusers for the best interest of the child (Government of British Columbia, 2025).

Child, Family and Community Service Act (CFCSA) (BC) Act, 1996

Another important law that immigrant mothers should be aware of is the 'Child, Family and Community Service Act 1996' (CFCSA). This law imposes duties on everybody, including a mother of a child to inform police or to the proper child protection authorities about any form of child abuse (CFCSA, 1996, section 14). Therefore, this rule imposes obligations on mothers as well as teachers, doctors, nurses, or neighbors, whoever knows about the torture, abuse, or negligence of any child (CFCSA, 1996).

The laws of British Columbia emphasize the child's safety and protection; therefore, according to this law, every child should be protected from all kinds of abuse, danger, and neglect (CFCSA, 1996, section 2). This law also defines when a child needs protection (CFCSA, 1996, section 13). In section 13, it is stated that if a child is abused, the harm

can be physical, sexual, or emotional, then the child needs protection. (CFCSA, 1996). For example, every child needs a fair amount of food, education, and other basic needs. If the child does not get it from parents, then it will be considered negligence (CFCSA, 1996).

Similarly, if a child lives in an environment where the child is exposed to domestic violence or abuse, then this environment is unsafe for the child. (CFCSA, 1996). If a child is left completely alone or if somebody is in charge of the child who is not safe, then this will also be considered an unsafe environment for the child (CFCSA, 1996, section 13). The province of British Columbia imposes responsibility on everyone to report child abuse, whoever suspects that a child is in danger or an unsafe condition (Child, Family and Community Service Act, RSBC, 1996).

For example, a teacher hears from a child in school about the unsafe living conditions at home, then the teacher must report the abuse to the police or the Ministry of Children and Family Development (MCFD) (CFCSA, 1996, section 14). The rule is the same for all, including the mother of the abused child. So, the law imposes a duty on an immigrant newcomer mother to inform or report about her child's unsafe condition (CFCSA, 1996).

As a primary caregiver and a guardian, an immigrant mother should understand that there is no harm in reporting it, other than the benefits of the child (CFCSA, 1996). If the mother does not report knowing that her child is suffering from abuse, then it will bring harsh, unfavorable consequences for her, and she may lose custody of her child (Child, Family and Community Service Act, RSBC 1996).

As a mother, one shouldn't fear that MCFD will take away her child from the family's house because of a child abuse report. After a family is identified, MCFD observes the child with the family and does not remove the child unless it is an emergency. MCFD will monitor the child with the parents to see whether the unsafe conditions improve (CFCSA, 1996). Under sections 5 to 12, MCFD deals with the identified family and monitors them for the protection of the child (Child, Family and Community Service Act, RSBC 1996, sections 5-12).

Divorce Act (Federal Law) 1985

Lastly, immigrant mothers also should know about the 'Divorce Act' because this law deals with parenting time and ensures the custody decision of the court, which is guided by the 'best interest' principle for the child (Divorce Act, R.S.C. 1985, 2nd Supp). Under this law, family violence is defined broadly, and this will be taken into consideration while deciding the best interest of the child (Divorce Act, R.S.C. 1985, 2nd Supp, Section 16). If parents are divorced or separated, then the best interest principle allows the safe parent to be the custodian of the child. However, according to this law, the unsafe parent will still have to pay financial support (child support) along with the other parent (Divorce Act, R.S.C. 1985, 2nd Supp, Section 17).

As a federal law, which applies to the whole of Canada, and not only to BC, Divorce Act defines family violence in the section 2 which states that any physical torture, any forms of abuse by a family member upon another family member, is family violence (Divorce Act, R.S.C. 1985, 2nd Supp, Section 2). This section also confirms that if a child sees or hears or experiences any domestic violence, then it will also be considered as family

violence against that child (Divorce Act, R.S.C. 1985, 2nd Supp, Section 2). When a family goes through divorce, the court will consider the family violence situation and, based on this aspect, overall parenting time, guardianship of a child will be considered (Divorce Act, R.S.C. 1985, 2nd Supp, Section 16). The court will always measure the best interest of a child by considering the family violence factor (Divorce Act, R.S.C. 1985, 2nd Supp, Section 16).

However, a child has the right to get financial child support from both parents (Divorce Act, R.S.C. 1985, 2nd Supp, Section 17). Moreover, if the father is identified as an abuser and he earns more money than the mother, then he will have to pay more for the child support (Divorce Act, R.S.C. 1985, 2nd Supp). Apart from basic child support, the parents should also pay other special expenses for the child (Divorce Act, R.S.C. 1985, 2nd Supp.).

Altogether, these four Acts work together to address child protection issues. Firstly, provincial law, the 'Family Law Act (BC) 2011', defines what is family violence and provides rules for protection orders and parenting guidelines. Secondly, another provincial law, the 'Child, Family and Community Service Act (CFCSA) (BC) 1996', imposes a duty on everyone to report any child abuse incident so that the Ministry of Child and Family Development (MCFD) may act to protect the child. Thirdly, federal law, the Divorce Act 1985, protects children when a family goes through a divorce. Fourthly, the Criminal Code of Canada 1985, which protects children, if any person, including any family member, commits any criminal act, harm, threat, wrong, violence, sexual crime, or emotional abuse. These laws will apply to immigrant mothers, their children, and newcomers to British Columbia, Canada.

Section C

How to overcome challenges and where to contact

Immigrant mothers in British Columbia do not need to suffer silently if abused. It is important to understand that as an immigrant mother, you are not helpless in Canada, or you should not feel isolated and or ashamed for your condition (Delara, 2016). As a mother, you should understand that you have responsibilities to protect your child and ensure their well-being. Therefore, take steps immediately to protect your child's future, mental health, and well-being (Delara, 2016). There is no shame in seeking help. If no steps are taken, abused children will suffer immensely throughout their whole lives, and they will bear the scar for life (Delara, 2016).

It is illegal to hide child abuse in British Columbia; therefore, as a mother, you must report child neglect and abuse as soon as you become aware of it (Child, Family and Community Service Act, 1996). If, as a mother, you do not report, the MCFD can remove your child from you for your child's benefit (Legal Aid BC, 2025). You should also report the matter to the police, and child protection authorities (Big Bear, 2025). You should also seek support from other service providers, based on your condition. The following are some important resources that will help and guide you in your needs.

For emergency report of abuse, call 911: Call 911 if you are facing an emergency to report. Request for an interpreter if you are not fluent in English. The emergency service center will provide you with an interpreter through whom you can express the matter in your language (Legal Aid BC, 2025).

Contacting the police will give you a wide range of emergency support. Family violence is crucial, and police take these kinds of reports very seriously. Based on your call, police can make a visit to your residence, and if required, may arrest the abuser or arrange for you and your children's emergency shelter (Legal Aid BC, 2025). Based on the situation, police can also take you and your child to the hospital for medical support (Legal Aid BC, 2025).

For reporting abuse also contact VictimLink BC: To report the abuse you can also call or write an email to 'VictimLink BC'. You can contact for counselling as well. This is a hotline support system for anybody who suffers from family violence or any form of violence, and they provide 24/7 support. You can call or text them or email them. The phone number is: VictimLink BC: 1-800-563-0808 (for call or text), email address: VictimLinkBC@bc211.ca. you can ask for an interpreter if you need one (Legal Aid BC, 2025).

VictimLink can also support you additionally by introducing you to other organizations, depending on your needs, for example, immediate Shelter support, counselling support, victim support, and legal support (Legal Aid BC, 2025).

To report child abuse contact MCFD : It is the rule of BC that anyone if aware must report child abuse to the police, 'Ministry of Children and Family Department (MCFD) (Child, Family and Community Service Act, 1996). So, contact MCFD to report the abuse. Knowing about the abuse, MCFD will take steps to guide you (Legal Aid BC, 2024). The phone number of MCFD is 1-800-663-9122; the service is open seven days, twenty-four hours (Government of British Columbia, 2025).

Connect with Big Bear Child and Advocacy Centre (CYAC): Vulnerable children need

trauma-informed support. Big Bear Child and Youth Advocacy Centre (CYAC) is a key organization in Kamloops, British Columbia to provide trauma-informed support (Big Bear Child and Advocacy Centre, 2025). Big Bear Child and Youth Advocacy Centre (CYAC) coordinates among various agencies that deal with child abuse, including the RCMP, Child protection services like MCFD, Crown prosecution and others (Big Bear Child and Advocacy Centre, 2025). This organization is child-specialized, trauma-informed and culturally safe (Big Bear Child and Advocacy Centre, 2025). The Traditional investigation procedure is straightforward and thus can be harsh for children. On the contrary, Big Bear has a beautiful, welcoming environment which will help reduce the stress of vulnerable children (Big Bear, Child and Advocacy Centre, 2025). Big Bear helps coordinate investigations of child abuse with RCMP and child protection in a child-friendly way and in a warm and welcoming environment so that children and families feel safe and are supported (Big Bear Child and Advocacy Centre, 2025). Big Bear can work alongside you during the reporting stage, the investigational processes (as you become involved with various professionals), and then can help bridge and connect you with additional services that will support you and your child's individual healing needs - promoting long-term well-being.

Big Bear CYAC accepts self-referrals and referrals from other agencies such as MCFD, RCMP, or Kamloops Immigrant Services (Big Bear Child and Advocacy Centre, 2025). Big Bear supports not only children but also their families in their crisis. As an immigrant mother, you are welcome to contact Big Bear to ensure they are aware of your situation and can offer their services. (Big Bear, Child and Advocacy Centre, 2025). The contact

number is (778) 470 8888 (Main office), email address: info@bigbearcyac.ca (Big Bear, Child and Advocacy Centre, 2025).

Connect with KSACC: When you or your child is abused sexually, you can connect with the 'Kamloops Sexual Assault Counselling Centre' (KSACC). KSACC particularly deals with sexual violence cases in Kamloops. They have a 'Anti Violence Crisis Line' which supports 24/7 for victims of sexual violence (Kamloops Sexual Assault Counselling Centre, 2024). They can provide you with support such as advice, counselling, and refer you to medical or legal services (Kamloops Sexual Assault Counselling Centre, 2024). For medical support and forensic matters, KSACC can provide you with a person who can help you with hospital care (Kamloops Sexual Assault Counselling Centre, 2024). The phone number to contact is 1-888-974-7278. their office address is 601-235 (1st Avenue), (in Lansdowne Village mall) (Kamloops Sexual Assault Counselling Centre, 2024).

Contact service providers for overall support and help:

For Legal support contact Legal Aid: For criminal matters, you do not need a lawyer; however, if your case goes to family court for custody or parenting time, protection order, you may get free legal support by applying to 'Legal Aid BC (Legal Aid BC, 2024). If you meet certain criteria, such as low income, then you can avail free legal aid service (Legal Aid BC, 2024). For free legal support, you can contact 'Legal Aid BC' at their phone number at 1-866-577-2525 from anywhere inside BC. As a resident of Kamloops, you may call 250-314-1900. The Kamloops legal aid office address is at 455 Columbia Street, BC V2C 0C9 (Kamloops courthouse). You can contact for legal support by going there in person or by calling them (Legal Aid BC, 2024).

You can get two kinds of restriction orders to protect yourself and your children from the abuser. One is from the Criminal Court, which is called a 'Peace bond', and the other one is from the Family Court, named 'Family law Protection Order' (Legal Aid BC, 2024).

For criminal matter: In case of a criminal matter, the case will be investigated by the police, and if evidence supports, then a charge will be framed against the abuser. The matter will go to the Criminal Court, and the court will order a '**Peace Bond**' upon your application (Legal Aid BC, 2024). That means, your husband or any abuser will no longer follow you, disturb you or your children, even if they are on bail (Legal Aid BC, 2024). If they disturb you or violate the restriction order/peace bond, you should contact the police again, and the police will protect you, because breaching a restriction order is a crime in Canada (Legal Aid BC, 2024). Normally, this kind of bond is valid for up to 1 year. You do not need a lawyer for the criminal case. Crown prosecution will fight the legal battle on your behalf (Legal Aid BC, 2024).

For Family court matters: If your case is civil, such as Divorce, parenting time, or protection order, then you have to apply to Family court (Legal Aid BC, 2024). For Family court legal matters, you may need a lawyer to fight your case in Family court. The Crown Prosecution Service will be available only for criminal matters (Legal Aid BC, 2024). For safety from the abuser, you have to apply for a protection order to the Family court (Legal Aid BC, 2024). This kind of protection order is also valid for up to 1 year (Legal Aid BC, 2024).

Family court will also decide about parenting time. In deciding parenting time, the court will consider what is best interest of the child. Family violence matters will be taken into consideration in deciding parenting time (Legal Aid BC, 2024).

Apart from that, you can also get a court order in your favor to live in your family's house, without the presence of the abuser. To get that, you have to apply for an 'exclusive occupancy order', but in that case, you will need a lawyer and you will have to take the matter to the Supreme Court (Legal Aid BC, 2024).

To avail free legal support, you can contact Legal Aid BC and apply to determine your eligibility (Legal Aid BC, 2024).

Another helpful resource is [legalformsbc.ca](https://www.legalformsbc.ca), which is a resourceful website hosted by Courthouse Libraries BC (Amici Curiae Legal Forms BC, 2025). Immigrant women and mothers can seek legal help, regarding family matters, custody, child protection, divorce, for free of cost from them by booking a free appointment with AC (Amici Curiae) friends of court at (<https://www.legalformsbc.ca/legal-subject-areas.html#/>) The website is www.legalformsbc.ca, email: lagalformsbc@gmail.com. helpme@legalformsbc.ca

Phone: 778.522.2839 (unattended, has to leave a message) (Amici Curiae Legal Forms BC, 2025).

For Health matters contact HealthLink BC, call 811: if you or your child has suffered bodily harm, you can contact HealthLink BC by dialing 811 and you can talk about your health injury, and these will be confidential (Kamloops Immigrant Service, n.d.).

For emergency shelter support Y Women's emergency shelter: In case you feel the urge to take emergency shelter support for you and your children because of domestic or family violence, you can contact Y Women's Emergency Shelter. This emergency shelter can be provided for 30 days at no cost (Kamloops YMCA-YWCA, n.d.). The emergency shelter has 7 bedrooms with 23 beds. The shelter support for 30 days also includes food, clothing, and other supports (Kamloops YMCA-YWCA, n.d.).

Their website is Kamloopsy.org. Phone number is: for call: 250-374-6162, for text: 250-682-7931. You can get support 24/7 (Kamloops YMCA-YWCA, n.d.). However, after the 30-day emergency shelter support, you can plan for longer-term shelter support. (DomesticShelters.org, 2022). Your children may come with you if they are in immediate danger. The law permits you to take your child along with you if they are in danger, and taking a child to protect them from the other spouse is not kidnapping according to the law (Legal Aid, BC, 2025). Another issue is that you may return with the help of the police if you didn't have a chance to take your child with you when you left for emergency shelter (Legal Aid, BC, 2025).

For victim service contact Kamloops RCMP Victim services unit: after reporting your case to police you can seek emotional support from **the** Kamloops RCMP Victim Services Unit. You can get any information and emotional support from them (Government of British Columbia, 2024).

For Immigration matter: A lot of Immigrant women and mothers are fearful to take action against abuse because they think they will be deported for reporting. Many immigrant mothers who have permanent resident status and are sponsored by their husbands are fearful of deportation. They think reporting against their husbands, who have sponsored them to Canada, will negatively impact their immigration status (Legal Aid, BC, 2025). This is not true, because there is no such rule of deportation for permanent residents (Immigration, Refugees and Citizenship Canada (IRCC), 2025). You can call for more information to IRCC's **Client Support Center agent**.

In case of temporary residents, even then, IRCC will not deport you immediately (Immigration, Refugees and Citizenship Canada (IRCC), 2025). In such a case, you will

have to get support from a lawyer. You should seek legal support from Legal Aid BC by contacting them **at 604-408-2172 (Greater Vancouver) or 1-866-577-2525 (for other areas of BC)** (Legal Aid, BC, 2025).

If you are a temporary resident and sponsored by your husband, and you got separated due to domestic violence, in such a case, IRCC will not deport you immediately. You will get 12 months of temporary resident permit (TRV) with work permission as a victim of family violence according to IRCC rules (Immigration, Refugees and Citizenship Canada, 2025). You will also get health benefits along with trauma counselling. You can contact with IRCC's **Client Support Center agent at 1-888-242-2100**. You can call this number and learn more about your visa permit due to family violence (Immigration, Refugees and Citizenship Canada, 2025).

Kamloops Immigrant Service (KIS): KIS helps migrants to get settled in Canada, and they serve not only permanent residents but also temporary residents of Canada as well (Kamloops Immigrant Service, n.d.) In Kamloops, they have an office where you can contact and seek additional support. As an immigrant mother, you can avail their counselling service, make a safety plan for short-term and long-term, information on financial support, information on legal support, interpreter support, parenting class support, referral support to Big Bear CYAC or other agencies, information on shelter support (Kamloops Immigrant Service, n.d.).

As part of counselling support, KIS informs immigrant women about their rights, family violence, as well as provide trauma support to those who experienced domestic and family violence (Kamloops Immigrant Service, n.d.). They inform victim mothers that to provide a healthy environment, mothers should not live and keep their children in an

abusive atmosphere (Kamloops Immigrant Service, n.d.). So, mothers will get information on possible legal solutions, including divorce and separation (Kamloops Immigrant Service, n.d.). They also provide information on safe shelter, such as 'Y Women's shelter', where mothers can get housing support for the initial days. For longer shelter support, mothers should contact 'BC Housing' for subsidy (Kamloops Immigrant Service, n.d.). KIS provides information on how to avail financial support from 'income Assistance', child support from the government, and the other spouse (Kamloops Immigrant Service, n.d.). All these aspects KIS will assess to make a safety plan for you and your child (Kamloops Immigrant Service, n.d.).

Apart from the abovementioned supports, KIS also provides interpreter support so that you can express yourself in your language (Kamloops Immigrant Service, n.d.). At the same time, they can help you to enroll in free language classes where you can improve your English (Kamloops Immigrant Service, n.d.). They also have parenting classes to help you raise your children according to Canadian standards (Kamloops Immigrant Service, n.d.).

You can directly contact KIS at their victim service line on 778-694-3884. You can also write your matter through email at darcy@kcris.ca. the office address of KIS is 448 Tranquille Road, Kamloops (North Shore), where you can go in person as well (Kamloops Immigrant Service, n.d.).

Kamloops & District Elizabeth Fry Society (KDEFS): KDEFS supports low-income women who have been victims of family violence and came into contact with the justice system. They provide shelter and housing support for the long term to the victims (Kamloops & District Elizabeth Fry Society, n.d.). This is a shelter support that you can

avail for more than 30 days and as long as you become financially independent. You will have to be referred by BC Housing or by another shelter home (Government of British Columbia, 2023). You can contact at 250-374-2119 (office), their address: 827 Seymour Street, Kamloops, BC V2C 2H6 (Kamloops & District Elizabeth Fry Society, n.d.).

Interior Community Service: This organization has parenting programs that guide parents on how to deal with young children (Interior Community Service, n.d.). Parenting classes can be beneficial, particularly for immigrant families, because they address the cultural gap between Canada and immigrants' home countries (Interior Community Service, n.d.). This organization, through its parenting classes, informs and educates parents on how to deal with their children according to the Canadian standard (Interior Community Service, n.d.). If you are experiencing difficulties in understanding the Canadian parenting style and laws, you should join their parenting programs. You can contact Kamloops Immigrant Service (KIS) for referrals, and they can refer you to Interior Community Service for parenting classes (Interior Community Service, n.d.). You can also contact them at the Office address: 396 Tranquille Road, Kamloops, BC, V2B 3G7. Phone: 250-554-3134.

How to improve the current system

In the end, this paper demonstrates some measures that should be taken to improve the existing system so that immigrant mothers and children can be supported more efficiently.

To improve the overall system, we need:

- Need more interpreters

- A government initiative that explains Canadian Laws in simple language so that people can understand easily.
- More pro bono Lawyers.
- More English classes (free)
- Better case management systems
- More parenting classes
- More settlement agencies
- Better understanding about providing trauma-informed and culturally safe services

Reference:

1. Alaggia, R, & Vine. C, (2012), Cruel but not unusual: Violence in Canadian families (2nd edition), Wilfrid Laurier University Press.
2. Amici Curiae Legal Forms BC (2025), Legal subject areas. Legal Forms BC.
Retrieved from <https://www.legalformsbc.ca/legal-subject-areas.html#/>
3. Big Bear Child & Youth Advocacy Centre (2025), Retrieved from <https://bigbearcyac.ca/>
4. Cheang, C.L. (2023, December 27), The linguistic barriers of immigrants seeking healthcare. Retrieved from <https://generation1.ca/2023/12/27/the-linguistic-barriers-of-immigrants-seeking-help-from-health-care-providers/>
5. Child, Family and Community Service Act, RSBC, 1996, Retrieved from https://www.bclaws.gov.bc.ca/civix/document/id/consol21/consol21/00_96046_01
6. Criminal Code, R.S.C. (1985), Retrieved on July 3, 2025, from <https://laws-lois.justice.gc.ca/eng/acts/C-46/section-265.html>

7. Department of Justice Canada, (2021, December 6), Discussion and analysis – A qualitative look at serious legal problems faced by immigrants in Greater Victoria and Vancouver, British Columbia, Retrieved from <https://www.justice.gc.ca/eng/rp-pr/jr/ivvbc/discussion-analyse.html>
8. Delara M., (2016), Social determinants of immigrant women's mental health. Advances in Public Health, Retrieved from <https://doi.org/10.1155/2016/9730162>
9. Department of Justice Canada (2021, December 8), Criminal Law and Managing Children's Behavior, Retrieved from <https://www.justice.gc.ca/eng/rp-pr/cj-jp/fv-vf/mcb-cce/index.html>
10. Department of Justice Canada (2024), 'About family violence, Government of Canada, Retrieved from <https://www.justice.gc.ca/eng/cj-jp/fv-vf/about-apropos.html>
11. Department of Justice Canada (n.d.), Family violence laws, Retrieved on July 2, 2025, from <https://www.justice.gc.ca/eng/cj-jp/fv-vf/laws-lois.html>
12. Divorce Act, R.S.C. 1985, c.3 (2nd Supp.), 16, (2025), Justice Laws Website, Retrieved on July 4, from <https://laws-lois.justice.gc.ca/eng/acts/d-3.4/page-6.html#h-173240>
13. DomesticShelters.org. (2022, December 1), Y Women's Emergency Shelter in Kamloops, BC. DomesticShelters.org. Retrieved on July 27, 2025, from <https://www.domesticshelters.org/help/bc/kamloops/v2c2l7/y-women-s-emergency-shelter>
14. D'Souza, M.S. (2025), Culturally Sensitive approaches in psychosocial interventions for immigrant women in BC: The role of language and health literacy.

International Journal of Environmental Research and Public Health, 22(3), Article 335. <https://www.mdpi.com/1660-4601/22/3/335>

15. Family Law Act (BC), (2011), Retrieved from

https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/11025_01#section1

16. Government of British Columbia, (11 March, 2025), Child Protection services in BC, Government of British Columbia, retrieved from

<https://www2.gov.bc.ca/gov/content/safety/public-safety/protecting-children>

17. Government of British Columbia, (2025), Family Law Act, SBC 2011, c.25., Retrieved from July 1, 2025, from

https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/11025_01

18. Government of British Columbia, (2024, April 18), Kamloops RCMP victim services. Victim Services & Violence Against Women Program Directory. Retrieved on July 27, 2025, from

<https://www2.gov.bc.ca/gov/content/justice/criminal-justice/bcs-criminal-justice-system/if-you-are-a-victim-of-a-crime/victim-of-crime/victim-services-directory/vs-kamloops-rcmp>

19. Government of British Columbia, (2023, November 8), New homes open for vulnerable women, children in Kamloops, BC Government News. Retrieved from

<https://news.gov.bc.ca/releases/2023hous0094-001265>

20. Immigration, Refugees and Citizenship Canada, (2025, April-May), Immigration options for victims of family violence, Government of Canada, Retrieved from

<https://www.canada.ca/en/immigration-refugees-citizenship/services/immigrate-canada/family-sponsorship/fees-permits-victims.html>

21. Immigration, Refugees and Citizenship Canada (2025, March), Immigration options for victims of family violence. Government of Canada, Retrieved from <https://www.canada.ca/en/immigration-refugees-citizenship/services/immigrate-canada/family-sponsorship/fees-permits-victims.html>
22. Interior Community Services (n.d.), Family Service Program, Interior Community Services, Retrieved from <https://interiorcommunityservices.bc.ca/programs/family-service-program/>
23. Kamloops Sexual Assault Counselling Centre, (2024, April 18), Anti-violence crisis response. Kamloops Sexual Assault Counselling Centre. Retrieved from <https://www.ksacc.ca/services/crisis-response/>
24. Kamloops YMCA-YWCA (2024, April 18) Violence against women intervention & support services (VAWISS), Kamloops YMCA-YWCA, Retrieved from <https://www.kamloopsy.org/vawiss.htm>
25. Kamloops Immigrant Services, (n.d.), Victim services, Kamloops Immigrant Services. Retrieved from <https://immigrantservices.ca/women-empowerment/victim-services/>
26. Kamloops & District Elizabeth Fry Society (n.d.), Kamloops & District Elizabeth Fry Society-contact & hours (contact info section). Retrieved from <https://kamloopsefry.com/>
27. Legal Aid BC, (2025, July 9), If your sponsor abuses you, Legal Aid BC. Retrieved from <https://info.legalaid.bc.ca/info/your-sponsor-abuses-you>

28. Legal Aid BC, (2024, July), Protection orders, Legal Aid BC, Retrieved from <https://info.legalaid.bc.ca/info/protection-orders>
29. Legal Aid BC (2025), Keeping your children safe, Legal Aid BC. Retrieved from <https://info.legalaid.bc.ca/info/keeping-your-children-safe#:~:text=Development%20,9122>
30. Legal Aid BC, (2025, May 23). If your sponsor abuses you [section: if you are a permanent resident, you won't lose your immigration status in Canada], Legal Aid BC. Retrieved from <https://info.legalaid.bc.ca/info/your-sponsor-abuses-you>