



Understanding Pre-Removal Risk Assessments (PRRA)

WEBINAR

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Introduction

The PowerPoint presentation from this session is below from our presenter:

Katie Lay, Lawyer – Immigration and Refugee Legal Clinic (IRLC)

- **IMPORTANT:** All information presented reflected policies, processes, and practices current at the time of delivery – June 10, 2026. The webinar focused on PRRA as it was implemented at the time and may no longer reflect current policies as Bill C-12 continues to be implemented. The webinar was also presented within the context that BC Safe Haven service providers cannot provide immigration advice and directed attendees to reliable information sources where clients can access the most up-to-date information on the PRRA process.





IMMIGRATION & REFUGEE
LEGAL CLINIC

Understanding Pre-Removal Risk Assessments (PRRA)

Katie Lay

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Territorial Acknowledgement





Today's Agenda

1. General Overview
2. Bill C-12 and PRRAs
3. Eligibility for PRRRA
4. PRRRA Application Process
5. What Happens Next?



General Overview



General Overview of PRRA

A Pre-Removal Risk Assessment (PRRA) is used by CBSA to meet Canada's obligations against refoulement

Canada cannot remove people to a country where they would face risk of harm; PRRA is Canada's way of trying to assess risk before someone is removed – are you a **person in need of protection?**



Persons in need of protection

Defined in section 97 of *IRPA*:

A **person in need of protection** is a person in Canada who can't return to their home country safely, as they may face:

- danger of torture
- risk to their life
- risk of cruel and unusual treatment or punishment



General Legal Test

Section 97(1)(a): personally subject to danger of torture, or

Section 97(1)(b): personal risk to life or cruel and unusual punishment

- Not a generalized risk faced by others in the country
- Prospective risk
- No state protection
- No IFA
- No subjective fear component



Bill C-12 and PRRAs



Bill C-12 and PRRAs

Bill C-12 has rendered thousands of potential refugee claimants ineligible, as anyone who entered Canada after 26 June 2020 and waited more than 12 months since their first entry to file a claim is now excluded

PRRA is being touted as the solution for these ineligible claimants



Bill C-12 and PRRAs

Ineligible claimants who have already submitted refugee claims will receive a letter notifying them of their ineligibility, and will be offered PRRAs if eligible

Ineligible claimants who have not submitted refugee claims can submit claims to trigger their PRRAs, or seek other options until they become PRRAs eligible

PRRA vs Refugee Claim

PRRA	Refugee Claim
Must be offered by CBSA officer	Can apply within Canada when you choose to (before 12 months)
No automatic right to hearing	Automatic right to hearing
Not bound by IRB guidelines and NDP	Bound by IRB guidelines and NDP
No appeal; only JR	May have right to appeal
Stay only if applied within 15 days	Automatic stay of removals



Eligibility for PRRRA



Eligibility for PRRAs

PRRA must be offered by a CBSA officer; it is not something you can choose to apply for on your own

In order to be eligible for PRRRA, you must be removal-ready – this means that you must be both removable from Canada and have no barriers to your removal

Examples of people who are not eligible for PRRRA include people from countries that have an Administrative Deferral of Removal or Temporary Suspension of Removals, as there are barriers to their removal from Canada



Eligibility for PRRAs

You are not eligible for PRRRA if:

- Your refugee claim is ineligible under the Safe Third Country Agreement;
- You were found to be a Convention refugee in another country
- It has been less than 12 months since you received a negative decision from the IRB, Federal Court or IRCC on previous refugee claim or PRRRA*
- You are from a moratorium country
- You are subject to extradition

*There are some exemptions to the 12-month bar



PRRA Application Process




I'm PRRA Eligible – Now What?

You will be offered PRRA by a CBSA officer, either in person or online – you will need to **accept** or **reject** the offer

If you accept, the forms will be given to you in person or mailed to you

A PRRA involves the application form, submissions, and evidence for why you would face risk in your country of citizenship




PRRA applications are completely **paper-based** – you will need to provide all evidence and arguments in writing

You have 15 days* from the date you are offered PRRA to submit forms, 30 days to submit evidence

You will need to provide written submissions outlining the risks you would face if removed; why you cannot move to a different region of the country; why this risk is specific to you; etc.

*You will get 22 days if the forms are mailed to you



Make sure the submissions and evidence are **clear** – explain all arguments thoroughly and cover all bases, as you will likely not get a hearing

Remember that this is your one chance to address all the reasons why you need to stay in Canada

Include sworn testimony if possible; refer to the NDP and IRB guidelines as applicable

Refer to both past and future persecution in your submissions – important to show forward-facing risk




Hearing?

Unlike refugee claimants, PRRA applicants do not have an automatic right to a hearing

You must request a hearing and explain why you need a hearing – to do this, you can point the officer toward s. 113(b) of *IRPA* and r. 167 of *IRPR*

No recording the hearing, no transcript, no counsel submissions



167 For the purpose of determining whether a hearing is required under paragraph 113(b) of the Act, the factors are the following:

- (a) whether there is evidence that raises a serious issue of the applicant's credibility and is related to the factors set out in sections 96 and 97 of the Act;
- (b) whether the evidence is central to the decision with respect to the application for protection; and
- (c) whether the evidence, if accepted, would justify allowing the application for protection.



What Happens Next?



After You Submit your PRRA

If you apply within 15 days of being offered a PRRA, you will get an automatic pause/stay on your removal

You will also be eligible to apply for an open work permit and for health coverage under the **Interim Federal Health Program**

These benefits are not available if you submit your PRRA forms late



PRRA Approved

If your PRRA is approved, you become a protected person (unless inadmissible for serious criminality)

Unable to return to your country of citizenship, which is similar to successful refugee claimants

Can apply for Permanent Residence as a Protected Person



PRRA Refused

If your PRRA is refused, you can apply to have the decision judicially reviewed

No automatic pause on removal while judicial review is in process; need to request a stay of removal, which may or may not be granted

If your judicial review is unsuccessful or you are unable to file a judicial review, you will be removed from Canada



Considerations

- Translation of documents
- Interpretation for filling out forms
- Collecting evidence
- Legal Aid support
- Short timelines

Legal Aid BC

Support when you need it



Immigration/Refugee Law Phone: 1-888-601-6076

Immigration and Refugee Law

- you are facing an immigration proceeding that may result in your removal from Canada, or
- you wish to claim refugee status.

Legal Aid BC

Support when you need it



Household size Exemption (cash/personal property)

1	\$5,000
2	\$10,000
3	\$11,250
4	\$12,500
5	\$13,750
6	\$15,000
7 or more	\$15,000

These limits reflect December's increase by 2.5 times.

Household size	Standard Criminal and Immigration cases
1	\$2,320
2	\$3,280
3	\$4,020
4	\$4,640
5	\$5,180
6	\$5,680
7 or more	\$6,130



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THANK YOU!

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