

What to expect in the hearing room





1. Coat of Arms / Canadian flag

Most hearing rooms have a Canadian flag next to the Board member's table and a Coat of Arms on the wall behind the Board member. The Coat of Arms is an official symbol of the government of Canada.



2. Board member

The Board member is in charge of your hearing. They read your Basis of Claim form and other documents before your hearing. They ask you questions about your claim, listen to the evidence, decide whether to accept or refuse your claim, and give reasons for their decision. Immigration and Refugee Board members are appointed by the government to make independent decisions. Like judges in court cases, Board members must decide according to the law.



3. Board member's door

The Board member enters and leaves the room through a door near their table. There will be a sign on the door saying 'Authorized personnel only', which means only certain people can use that door.



4. Microphone

Everyone who takes part in your hearing has a microphone in front of them to record what they say. The Board member starts the recording machine when your hearing begins and records everything that is said. This is important because it creates a recording that can be listened to later. You need the recording if your claim is refused and you decide to appeal the decision.



5. Minister's counsel

Minister's counsel represents the government. They take part in the hearing if Citizenship and Immigration Canada (CIC) or the Canada Border Services Agency (CBSA) is opposing your claim. They will let you know before the hearing if they are opposing your claim. If this happens, you need to [get legal help](#).

Minister's counsel can ask you questions and can tell the Board member why they think you should not get refugee status in Canada.



6. Your lawyer

Your lawyer helps you prepare for your hearing. At your hearing, they ask you questions after the Board member has asked you questions. After all the evidence has been presented, they tell the Board member why you should be accepted as a refugee. They might do this orally at the end of the hearing or in writing after the hearing.



7. Holy book

At the start of your hearing the Board member asks you to stand and raise your right hand and promise to tell the truth. Or you can promise by putting your hand on a holy book if you bring the book with you. The choice is yours.



8. Refugee claimant

You have to testify in support of your claim. You have to answer questions about your identity and why you are afraid to return to your country.



9. Interpreter

Hearings are held in English or French. If you do not speak and understand English or French fluently, the Immigration and Refugee Board provides an interpreter.

The interpreter translates everything you say into English or French and everything that is said in English or French into your language or dialect. They are not allowed to share information from your hearing with anyone except the Immigration and Refugee Board.

If your family has made claims together, the interpreter sits between the 2 main adult claimants or to the left of the person whose turn it is to testify.



10. Adult claimant

If your family has made claims together, each adult claimant can speak for themselves. But a family may choose to have one person be the main claimant and give evidence for all. Other family members will then be asked if the information is correct. They might also need, or be asked, to add information, especially if they have reasons of their own for making a refugee claim.

Sometimes a claimant will not want other family members to be at their hearing. For example, a claimant might not want other family members to hear the details of torture or sexual abuse. A claimant who wants to testify without family

members present should get legal advice about whether to apply to the Board to have the claims heard separately.



11. Observers

You can ask the Board member to let you have someone at your hearing to support you. The observer could be a social worker, community worker, or someone else that you trust.

An observer sits at the back of the room and does not participate in the hearing.

Only someone from the United Nations High Commissioner for Refugees can be an observer at your hearing without your permission.

This information sheet gives only general information. You should get legal advice about your own situation.

For more information on refugee claims, visit refugee.cleo.on.ca. For more legal information visit the [CLEO website](#) and [Your Legal Rights](#).