



CANADIAN RED CROSS
Immigration Detention Monitoring Program (IDMP)
Annual Report
Monitoring Period – April 2018 to March 2019

CANADIAN RED CROSS
Immigration Detention Monitoring Program (IDMP)
Annual Report
Monitoring Period – April 2018 to March 2019



Contents

List of Abbreviations	3
Executive Summary	4
Introduction	5
Findings	7
Conclusion	12

CANADIAN RED CROSS
Immigration Detention Monitoring Program (IDMP)
Annual Report
Monitoring Period – April 2018 to March 2019



List of Abbreviations

ATD	Alternatives to Detention
CBSA	Canada Border Services Agency
CRCS	Canadian Red Cross Society
ICCPR	International Covenant on Civil and Political Rights
IDMP	Immigration Detention Monitoring Program
IHC	Immigration Holding Centre
IRPA	Immigration and Refugee Protection Act
MRAP	Management Response and Action Plan
NGO	Non-Governmental Organization
UNHCR	United Nations High Commissioner for Refugees



Executive Summary

Within the Canadian Red Cross Society (CRCS), detention monitoring is administered by the Immigration Detention Monitoring Program (IDMP) in accordance with the Contract between the CRCS and the Canada Border Services Agency (CBSA) encompassing the period from June 28, 2017 to July 15, 2019 inclusive.

Pursuant to this agreement, the CRCS monitoring activities focus on the following areas of detention of people under the Immigration and Refugee Protection Act (IRPA):

- The treatment by facility staff, contractors and other detainees;
- The conditions of detention – the state of the detention environment (e.g. facility, lighting, food, recreation, well-being of detainees in that environment);
- The legal guarantees and procedural safeguards – ability to exercise their human rights, access to procedural safeguards (e.g. Canadian Charter of Human Rights, effective legal remedies, protection from arbitrary detention); and
- The ability to contact and maintain contact with family.

This report highlights the observations and recommendations of CRCS following a total of sixty (60) visits to twenty-three (23) detention facilities holding persons detained under IRPA between April 2018 and March 2019. Based on the observations made during this reporting period, findings, observations and recommendations are grouped into the following five themes:

- Treatment: impact of co-mingling;
- Conditions of detention: detention of vulnerable persons;
- Conditions of detention: access to healthcare, including mental health care services;
- Legal guarantees and procedural safeguards: access to information; and
- Family contact.

Based on findings and observations, the CRCS makes the following main recommendations within this report:

- The CBSA should continue to expand the use of alternatives to detention (ATDs);
- When detention under IRPA is deemed necessary, the CBSA should hold the individuals in facilities other than correctional facilities in line with the administrative nature of their detention; and, where this is not possible, separate people detained for immigration reasons from the rest of the prison population, while providing treatment and conditions appropriate to the administrative nature of their detention;
- The CBSA should avoid placing vulnerable persons in detention;
- The CBSA should ensure that persons detained under IRPA have access to adequate health care, including mental health care services, regardless of their place of detention;
- The CBSA should ensure that persons detained under IRPA have adequate access to information;
- And finally, the CBSA should allow regular and meaningful contact between detainees and their families and friends.

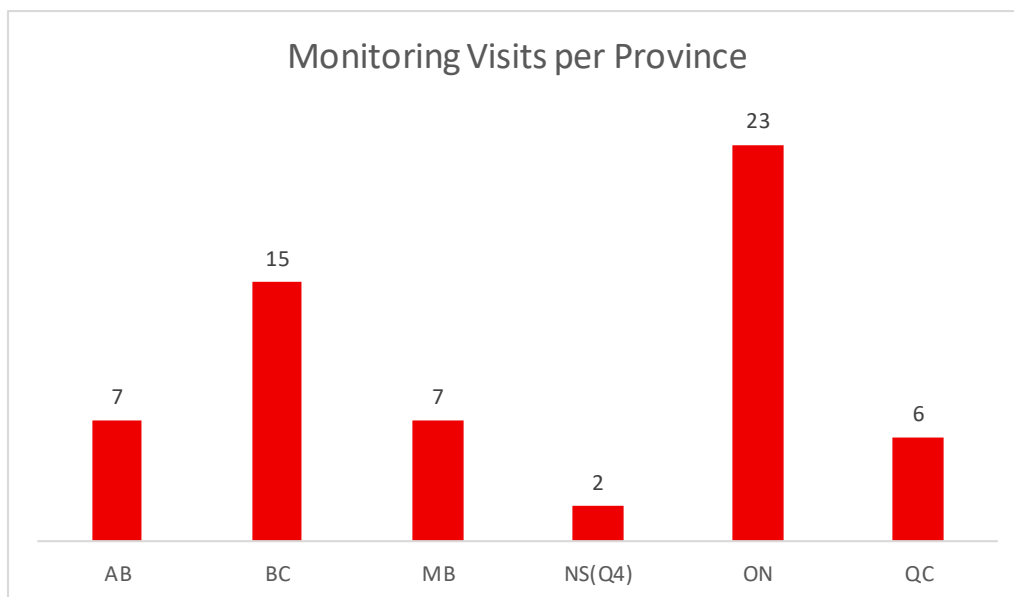


Introduction

The CRCS provides independent monitoring of detention under IRPA to promote a protective environment in which people detained for immigration reasons are treated humanely and where their human rights and inherent dignity are respected, in accordance with international and domestic standards. During visits to places of detention, the CRCS monitors and assesses the conditions of detention and treatment of people, held administratively under IRPA in government-run Immigration Holding Centres (IHCs), detention facilities under the management of provincial authorities, or other municipal correctional facilities. In accordance with the agreement between the CRCS and the CBSA, this report reflects the CRCS' Immigration Detention Monitoring Program activities carried out between April 2018 and March 2019.

A total of sixty (60) **site visits** were conducted during the monitoring period, including those in response to a notification. Findings and observations from the visits in Nova Scotia are based on monitoring activities conducted between January and March 2019, following provision of access for the CRCS to detention facilities in the province.

The CRCS acknowledges CBSA representatives and staff in the visited facilities for facilitating access to individuals detained therein.

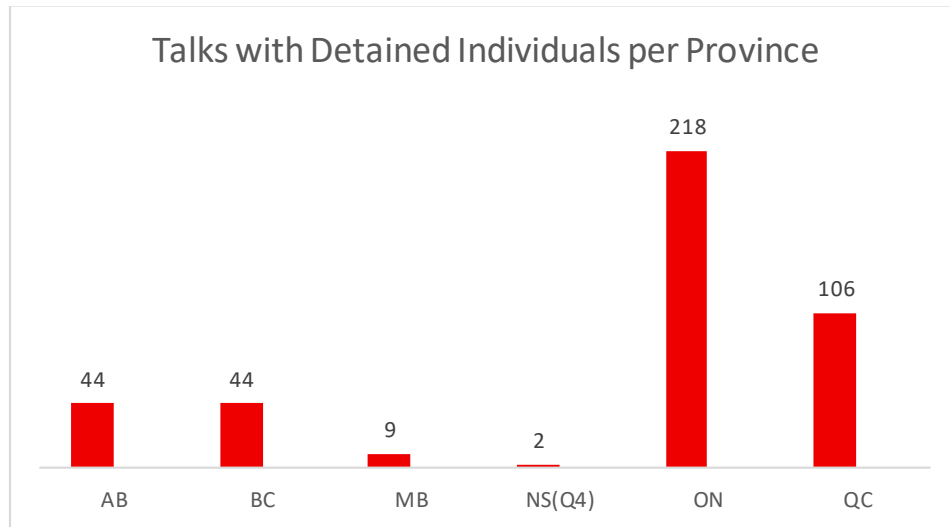


During visits to places of detention, the CRCS took a system-wide approach focussing on four assessment categories: i. treatment, ii. conditions of detention, iii. legal guarantees and procedural safeguards, and iv. family contact.

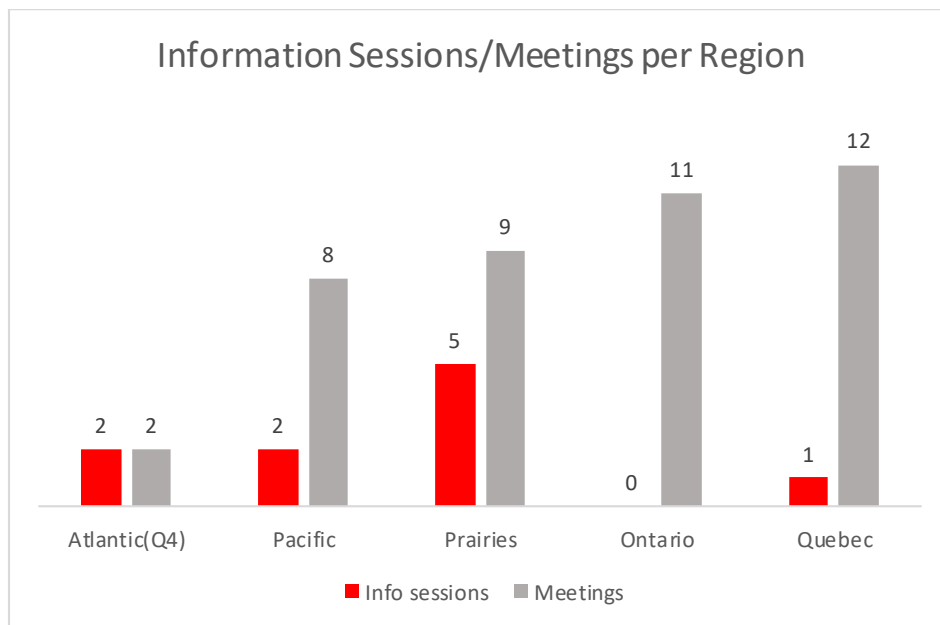
Visits follow a standard procedure that includes the following steps:

- An initial discussion with the facility management;
- A tour of any areas to which persons detained under IRPA have access, such as accommodations, medical and mental health services facilities, recreational and programs areas, and personal and professional visiting areas;
- Talks with detained individuals without the presence of facility staff; and
- A concluding discussion with the detaining authority (the CBSA).

In the course of the reporting period, the CRCS team met and spoke with 423 persons detained under IRPA, with the majority of interviews conducted in Ontario, followed by Quebec, British Columbia, Alberta, Manitoba and Nova Scotia.



In addition to the information sessions provided in the previous reporting period at the early stage of the program, during the reporting period in review the CRCS carried out 10 additional sessions for the detaining authority (the CBSA) staff and facility personnel in direct contact with persons detained under IRPA. Moreover, the CRCS held 42 meetings with external stakeholders, including regional CBSA representatives, personnel of provincial correctional services, UNHCR, provincial legal aid agencies and local NGOs supporting persons detained under IRPA.





Main Findings

Following CRCS Immigration Detention Monitoring Program activities carried out between April 2018 and March 2019, the CRCS highlights the following findings and recommendations:

1. Treatment: impact of co-mingling.

Observations and Findings

In line with its administrative nature, detention for immigration reasons must not be punitive. Co-mingling people detained under IRPA with persons remanded or serving sentences under the Criminal Code is a harmful and disproportionate practice contradictory to the provisions of international legal instruments¹. Where detention is necessary, the international law stipulates that it should be proportionate, reviewed regularly and its duration should be limited in time². The use of correctional facilities for those held under IRPA, including but not limited to prisons, jails, and facilities designed or operated as prisons or jails, should be avoided. In cases where people detained under IRPA must be held in correctional facilities – situations that should be exceptional – these individuals should be separated from people held under the Criminal Code and be subject to treatment and conditions appropriate to the administrative nature of their detention.

The CRCS recognizes the CBSA's ongoing efforts to respond to the problem of co-mingling and to reduce the reliance on provincial correctional facilities for immigration detention, resulting in a decrease in number of people held for immigration reasons in this type of facility as compared with 2017-2018 monitoring period.

Nonetheless, co-mingling between people detained under IRPA and those detained under the Criminal Code still remains a practice across the country. When held in provincial correctional facilities and remand centres, people detained for immigration reasons are receiving the same treatment and follow the same rules as remanded and sentenced individuals despite their detention being administrative. In its visits during the 2018-2019 monitoring period, the CRCS observed people detained under IRPA in the provincial correctional facilities being subject to lockdowns, triple bunking, strip searches and placement in segregation - instances which could have otherwise been avoided if using IHCs. Also, their presence in criminal facilities exposed them to threats and violence, and led to frequent placement for security concerns in segregation units with highly restrictive conditions.

The CRCS notes that some provincial correctional facilities make efforts to minimise the impacts of co-mingling at the cell level by ensuring placement in a single cell or only with another person detained under IRPA. One provincial correctional facility has a dedicated immigration unit in order to separate people detained for immigration reasons from people held under the Criminal Code; however, CRCS consistently observed people detained under IRPA on other units throughout the facility.

Additionally, certain provincial correctional facilities in the Ontario, Prairies and Atlantic Regions were undergoing renovations and faced challenges with space allocation and staffing numbers. Reported consequences were more frequent lockdowns and situations of triple bunking in the facilities in the Prairies and Ontario, and more restrictive conditions in the Atlantic Region.

Recommendations

Referring to the CBSA Management Response and Action Plan to the Canadian Red Cross 2017-2018 Annual Report (MRAP), the CRCS recommends continued CBSA efforts to reduce numbers of people detained under IRPA, minimising the use of provincial correctional facilities and broader use of ATDs, to be consistently applied across the country.

¹ UN General Assembly, *International Covenant on Civil and Political Rights (ICCPR), Article 10(2)(a)*, 16 December 1966, United Nations, Treaty Series, available at: <https://www.refworld.org/docid/3ae6b3aa0.html> [accessed 3 July 2019]; UN General Assembly, *United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), Rule 11: resolution / adopted by the General Assembly*, 8 January 2016, A/RES/70/175, available at: <https://www.refworld.org/docid/5698a3a44.html> [accessed 3 July 2019]; UN High Commissioner for Refugees (UNHCR), *Guidelines on the Applicable Criteria and Standards relating to the Detention of Asylum-Seekers and Alternatives to Detention, 2012, Guideline 8 (iii)*, available at: <https://www.refworld.org/docid/503489533b8.html> [accessed 3 July 2019].

² ICCPR, to which Canada acceded on May 19, 1976, Article 10 requires States to ensure that "all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person" (The United Nations General Assembly, "International Covenant on Civil and Political Rights." Treaty Series 999 (1966): 171 at art 10). See also the *Working Group on Arbitrary Detention, Report to the Thirteenth Session of the Human Rights Council, A/HRC/13/30, January 2010*.



With that in mind, the CRCS recommends using only the dedicated facilities operated by the CBSA to hold persons detained under IRPA. The use of provincial correctional facilities for immigration detention should be exceptional and the CBSA should explore capacity for their separation from those remanded and serving sentences under the Criminal Code to the greatest extent possible. Furthermore, the separation of these populations should not result in conditions for people detained under IRPA that are more restrictive than what is strictly necessary, nor should it impact their ability to access activities and services to which they are entitled.

2. Conditions of detention: detention of vulnerable persons.

Observations and Findings

The CRCS highlights that detention of vulnerable persons is a harmful practice contradictory to the provisions of international legal instruments¹. Immigration detention of certain vulnerable people² should be avoided since it can magnify serious negative effects on their physical and mental health. In the case of minors, these negative effects are often amplified, are combined with the fact that their developmental needs cannot be met in such a setting.

During the reporting period, the CRCS observed that vulnerable people continued to be detained, including:

- persons with mental health needs and those whom the IRB had determined were unable to appreciate the nature of the proceedings and assigned them a Designated Representative;
- individuals in long-term detention;
- persons with serious medical issues; and
- pregnant individuals.

Vulnerable people were observed in both provincial correctional facilities and immigration holding centers, which do not offer the appropriate conditions and care. In the Quebec Region, families or parent(s)/guardian(s) with accompanied minors were observed in the Centre de Surveillance de l'Immigration in Laval³.

The CRCS recognizes the CBSA's efforts to reduce the number of persons in long-term detention and the average length of detention, when compared to 2017-2018 monitoring period.

Recommendations

The CRCS recommends that the CBSA continuously evaluates the needs of vulnerable individuals detained and ensures that ATDs are prioritized and considered consistently in all provinces, including extending access to the Interim Federal Health Program (IFHP).

The CRCS notes that detention of minors is a harmful practice contradictory to the provisions of international legal instruments to which Canada is signatory⁴ and recommends that any decision regarding placement of a minor in

¹ UN High Commissioner for Refugees (UNHCR), *Guidelines on the Applicable Criteria and Standards relating to the Detention of Asylum-Seekers and Alternatives to Detention, 2012, Guideline 4 and 9*, available at: <https://www.refworld.org/docid/503489533b8.html> [accessed 3 July 2019]; UN General Assembly, *Report of the Special Rapporteur on the human rights of migrants, François Crépeau, 2 April 2012, §43-46, A/HRC/20/24*, available at <https://www.refworld.org/docid/502e0bb62.html> [accessed 3 July 2019]; UN General Assembly, *United Nations Rules for the Protection of Juveniles Deprived of Their Liberty 2, 28-29: resolution / adopted by the General Assembly, 2 April 1991, A/RES/45/113*, available at <https://www.refworld.org/docid/3b00f18628.html> [accessed 3 July 2019].

² While the CRCS considers all people detained under IRPA to have some level of vulnerability, our understanding of the term "vulnerable persons" in this context refers to individuals who have an impaired ability to understand the proceedings related to their detention and to articulate particular needs, including medical, while in detention. Vulnerable persons may include, but would not be limited to: minors, the elderly, persons with mental health issues, individuals whom the IRB has assigned a Designated Representative, individuals in long-term detention, persons with serious medical issues, pregnant or breast-feeding women, victims of torture, survivors of genocide and crimes against humanity, women who have suffered gender-related persecution, and individuals who have been victims of persecution based on sexual orientation and gender identity. See *Guideline on Vulnerable Persons, Guideline issued by the Chairperson pursuant to paragraph 159(1)(h) of the Immigration and Refugee Protection Act*.

³ Arriving families or parent/guardian with accompanied minors, being detained for immigration reasons, often face a dilemma: either to be separated from their children, who are placed in the care of a third party, or to request to have their children stayed with them (or being "housed" as per the terminology of the CBSA's Operational instructions and guidelines, Enforcement (ENF) 20: Detention, 5.11-5.12).

⁴ UN General Assembly, *Convention on the Rights of the Child, 20 November 1989, Articles 3, 9, 37(b)*, available at: <https://www.refworld.org/docid/3ae6b38f0.html> [accessed 3 July 2019]; UN General Assembly, *United Nations Rules for the Protection of Juveniles Deprived of Their Liberty 2, 28-29: resolution / adopted by the General Assembly, 2 April 1991, A/RES/45/113*, available at <https://www.refworld.org/docid/3b00f18628.html> [accessed 3 July 2019].



detention is made in the best interests of the child¹, which CRCS believes is family unity outside of detention, including through the use of ATDs.

3. Conditions of detention: access to healthcare, including mental health care services .

Observations and Findings

On provision of health care in detention, international law states that the government is responsible for providing health care for its detainees, without discrimination, including by legal status². Detention can exacerbate existing mental and physical health issues and may cause additional damage to a person's overall mental and physical wellbeing³. For persons detained under IRPA, full access to the IFHP, including the supplemental coverage or equivalent services and care, is essential.

Persons detained under IRPA held in provincial correctional facilities reported difficulties in accessing medical and mental health care services. Problems mentioned included: delays in maintaining continuity of care for pre-existing medical conditions upon detention or transfer between facilities; access to urgent dental care; inconsistent access to ongoing mental health and care supports.

Recommendations

The CRCS notes that persons detained under IRPA should have access to health care coverage under the IFHP or equivalent services, including the supplemental coverage and mental health care⁴.

The CRCS recognizes that the CBSA has already announced measures in its MRAP to improve health care for people detained under IRPA. To further its efforts, the CRCS recommends that the CBSA gives additional weight to physical and mental health concerns when deciding on detention and eligibility for ATDs, given that detention may aggravate certain conditions, or at the very least complicate their treatment. CRCS also recommends prioritizing ATDs for people with acute medical needs, while maintaining the IFHP coverage. Regardless of the place of detention, people detained under IRPA should enjoy full and timely access to the services and care of the IFHP, including its supplemental coverage, or equivalent services.

4. Legal guarantees and procedural safeguards: access to information .

Observations and Findings

People detained under IRPA should have adequate and effective access to information related to their detention and to the place of their detention⁵. Upon admission, they should be provided with information both outlining the programs and services

¹ Canadian family and child protection laws cite the best interests, protection and well-being of children as a fundamental purpose of the law. See, for example, *Ontario's Child, Youth, and Family Services Act, 2017*, SO 2017, c 14 s 1(1); *Nova Scotia's Children and Family Services Act, SNS 1990*, c 5, s 2(1); and *British Columbia's Family Law Act, SBC 2011*, c 25, s. 37(1).

² UN General Assembly, *United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)*, Rule 24-35: resolution / adopted by the General Assembly, 8 January 2016, A/RES/70/175, available at: <https://www.refworld.org/docid/5698a3a44.html> [accessed 3 July 2019]; UN General Assembly, *Convention on the Rights of the Child, 20 November 1989*, Article 24, available at: <https://www.refworld.org/docid/3ae6b38f0.html> [accessed 3 July 2019]; UN General Assembly, *Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, Principle 24*: resolution / adopted by the General Assembly, 9 December 1988, A/RES/43/173, available at: <https://www.refworld.org/docid/3b00f219c.html> [accessed 3 July 2019]; UN High Commissioner for Refugees (UNHCR), *Guidelines on the Applicable Criteria and Standards relating to the Detention of Asylum-Seekers and Alternatives to Detention, 2012, Guideline 8 (vi)*, available at: <https://www.refworld.org/docid/503489533b8.html> [accessed 3 July 2019].

³ ICRC policy paper on immigration detention, available at https://www.icrc.org/en/download/file/72625/irrc_99_19.pdf. Also, see Mary Bosworth, "The Impact of Immigration Detention on Mental Health: A Literature Review", Appendix 5 in Stephen Shaw, *Review into the Welfare in Detention of Vulnerable Persons: A Report to the Home Office by Stephen Shaw*, January 2016; Janet Cleveland, Cécile Rousseau and Rachel Kronick, *The Harmful Effects of Detention and Family Separation on Asylum Seekers' Mental Health in the Context of Bill C-31*, Brief Submitted to the House of Commons Standing Committee on Citizenship and Immigration concerning Bill C-31, the Protecting Canada's Immigration System Act, April 2012; Colin Neave, *Suicide and Self-Harm in the Immigration Detention Network*, Report by the Commonwealth and Immigration Ombudsman, May 2013.

⁴ See *Interim Federal Health Program Summary of Coverage*, available at: <https://www.canada.ca/en/immigration-refugees-citizenship/services/refugees/help-within-canada/health-care/interim-federal-health-program/coverage-summary.html>.

⁵ UN General Assembly, *United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)*, Rules 54-55: resolution / adopted by the General Assembly, 8 January 2016, A/RES/70/175, available at: <https://www.refworld.org/docid/5698a3a44.html> [accessed 3 July 2019]; UN General Assembly, *Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, Principle 10, 11(2)*: resolution / adopted by the General Assembly, 9 December 1988, A/RES/43/173, available at: <https://www.refworld.org/docid/3b00f219c.html> [accessed 3 July 2019];



available to them and how to access these. This includes information on access to health services and legal representation; complaint mechanisms; policies on the use of phones and how to request mobile or overseas calls; policies, procedures and schedules for family visitation; as well as the rules and disciplinary processes within the housing facility. This information should be, when needed, conveyed by a qualified and impartial interpreter. Professional interpretation services should be readily available at key moments during the immigration detention process¹.

CRCS observed gaps in the information provided to people detained under IRPA in provincial correctional facilities, including:

- absence of information on the programs and the services available in an appropriate language and format;
- lack of access to official documents;
- posted contact information that was not updated regularly;
- an inconsistent use of professional interpreters – relying instead on translation applications, staff or other detainees for interpretation which can adversely impact quality of translation and privacy;
- in some instances, lack of information on the existence of possible free legal aid for immigration purposes.

Recommendations

In reference to the MRAP, the CRCS acknowledges the CBSA's efforts to respond to the problem of effective access to information. Considering that various factors impact the capacity of a detained person to absorb information, the CRCS further recommends complementing the current system with additional means of sharing information, in various languages and formats such as oral, written or recorded audiovisual presentations shown, for example, in videoconference rooms. These should be consistently accessible regularly or presented at regular schedules, giving special attention that people have understood what is being communicated to them.

The CRCS also recommends the Detention Liaison Officer role or similar be established in regions where it is missing. The CRCS also recommends the role of existing Detention Liaison Officers in all other regions be expanded to cover meetings with all persons detained under IRPA – regardless of whether they had previous interaction with other CBSA officers – recognizing the critical support this role can provide to persons detained under IRPA.

The CRCS additionally recommends the CBSA resources and provides access to professional interpretation services as often as possible when communicating with people detained under the who speak a different language, in particular when dealing with complex or confidential matters such as medical issues or details of personal case.

5. Family contact.

Observations and Findings

Contacts and visits from the outside world, particularly with family members, are important for detained people in dealing with the consequences of the deprivation of freedom and is a guaranteed right under both national and international legislations². This right of contact extends to family members and friends and includes verbal and written communication and in-person visits. Such contact is essential to reducing the stress of family separation and the impact of detention. The detaining authority should ensure that people detained under IRPA have the means to do so regardless of where they are being held.

UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Anti-Trafficking Protocol) (2000), Article 6(2)(a), available at: <https://www.osce.org/odihr/19223?download=true>.

¹ UN General Assembly, *United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), Rule 41(3), 55(1), 61(2), 80(2): resolution / adopted by the General Assembly, 8 January 2016, A/RES/70/175, available at: <https://www.refworld.org/docid/5698a3a44.html> [accessed 3 July 2019]; Inter-American Commission on Human Rights (IACHR), Resolution 1/08, *Principles and Best Practices on the Protection of Persons Deprived of Liberty in the Americas, 13 March 2008, Principles V and IX, No. 1/08, available at: <https://www.refworld.org/docid/48732afa2.html> [accessed 3 July 2019]; UN General Assembly, *Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, Principle 14: resolution / adopted by the General Assembly, 9 December 1988, A/RES/43/173, available at: <https://www.refworld.org/docid/3b00f219c.html> [accessed 3 July 2019].***

² UN High Commissioner for Refugees (UNHCR), *Guidelines on the Applicable Criteria and Standards relating to the Detention of Asylum-Seekers and Alternatives to Detention, 2012, Guideline 8 (vii), available at: <https://www.refworld.org/docid/503489533b8.html> [accessed 3 July 2019]; UN General Assembly, *United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), Rules 58-63: resolution / adopted by the General Assembly, 8 January 2016, A/RES/70/175, available at: <https://www.refworld.org/docid/5698a3a44.html> [accessed 3 July 2019]; UN General Assembly, *Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, Principles 19-20: resolution / adopted by the General Assembly, 9 December 1988, A/RES/43/173, available at: <https://www.refworld.org/docid/3b00f219c.html> [accessed 3 July 2019]; Inter-American Commission on Human Rights (IACHR), Resolution 1/08, *Principles and Best Practices on the Protection of Persons Deprived of Liberty in the Americas, 13 March 2008, Principle XVIII, No. 1/08, available at: <https://www.refworld.org/docid/48732afa2.html> [accessed 3 July 2019].****

CANADIAN RED CROSS
Immigration Detention Monitoring Program (IDMP)
Annual Report
Monitoring Period – April 2018 to March 2019



CRCS monitoring activities revealed that detained individuals did not always have the ability to maintain contact with those outside the detention facility. During the period under review, the CRCS observed that people detained under IRPA in provincial correctional facilities faced difficulties in obtaining access to free phone calls and faced systemic barriers in calling mobile phones and receiving in-person visits. Examples of difficulties and limitations to maintaining contact included:

- The phone system in most provincial correctional facilities limits local calls to 20 minutes, complicating calls to institutions where they are put on hold before being answered;
- A small number of free local or long-distance calls are available;
- International calls through correctional phone service providers are prohibitively expensive;
- Phone calls through the facility system are not permitted while a person is in the intake area;
- In most regions, the primary correctional facilities used for immigration detention in the region are inaccessible by public transit and individuals are not able to have contact visits with family.

Recommendations

Referring to measures outlined in the MRAP, the CRCS recognizes the CBSA's efforts in offering people detained under IRPA free calls and exploring solutions to the long-standing issue of phone calls. To further these efforts, the CRCS recommends the CBSA explore additional measures to allow people who are detained to maintain regular contact with their families overseas or in Canada, taking advantage of new technologies simplifying the contact process, and reducing the cost of international calls, such as instant messaging and voice over IP services.

Additionally, CRCS recommends developing procedures to allow regular contact visits with family and friends, regardless of the place of detention.

Finally, CRCS recommends that in all provinces, at the start of detention, individuals should be given access to their personal effects, by the CBSA or the facility, so they may note down important information such as contact numbers.



Conclusion

The CRCS is an independent, neutral and impartial humanitarian organization. Its mandate, defined in Canadian law and in the Statutes of the International Red Cross and Red Crescent Movement, is to prevent and alleviate human suffering. The CRCS methods in detention monitoring are based on best practises and processes of the International Committee of the Red Cross, who have been working to secure humane treatment and conditions of detention for people deprived of their liberty for over a century. As part of the Movement-wide response to humanitarian consequences caused by migration, the CRCS started detention monitoring activities in 1999 and acts according to its fundamental principles, providing unbiased observations and recommendations to the Canadian authorities with the aim to safeguard rights and improve the conditions of detention for people detained under IRPA.

The CRCS detention monitoring is administered by the IDMP in accordance with the Contract between the CRCS and the CBSA encompassing the period from June 28, 2017 to July 15, 2019 inclusive. This report represents the CRCS observations and recommendations on Immigration Detention following 60 visits to 23 facilities between April 2018 and March 2019.

Both the findings and the recommendations made in this report are aimed at improving the conditions of detention for people detained for immigration reasons in a number of areas, including but not limited to:

- Treatment: Impact of co-mingling;
- Conditions of detention: Detention of vulnerable persons;
- Conditions of detention: Access to healthcare, including mental health care services;
- Legal guarantees and procedural safeguards: Access to information; and
- Family contact.

Based on findings and observations from CRCS Immigration Detention Monitoring Program activities carried out between April 2018 and March 2019, the CRCS makes the following main recommendations:

- The CBSA should continue to expand the use of ATDs;
- When detention under IRPA is deemed necessary, the CBSA should hold the individuals in facilities other than correctional facilities in line with the administrative nature of their detention; and where this is not possible, separate people detained for immigration reasons from the rest of the prison population, while providing treatment and conditions appropriate to the administrative nature of their detention;
- The CBSA should avoid placing vulnerable persons in detention;
- The CBSA should ensure that persons detained under IRPA have access to adequate health care, including mental health services, regardless of their place of detention;
- The CBSA should ensure that persons detained under IRPA have adequate access to information;
- And finally, the CBSA should allow regular and meaningful contact between detainees and their families and friends.

CRCS stands ready to discuss the findings made in this report with CBSA and to provide objective feedback and advice on how to increase the protective environment within immigration detention in Canada.