



DETENTION OF PERSONS SEEKING ASYLUM IN CANADA

GROUNDS FOR DETENTION OF ASYLUM SEEKER UNDER CANADIAN LAW

- Unlikely to appear for required legal process in Canada or at the time of removal from Canada;
- Inability to establish identity; and
- Inadmissibility on grounds of security/danger to the public or serious criminality.



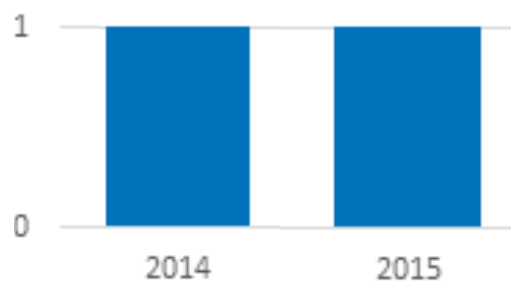
CANADIAN PRACTICE

- Detention used as a last resort;
- Detention in immigration holding centres and provincial jails;
- Regular detention reviews before the Immigration and Refugee Board and access to judicial review at the Federal Court;
- No uniform practice on alternatives to detention (ATDs) across the country; and
- No time limit for detention provided in the law.

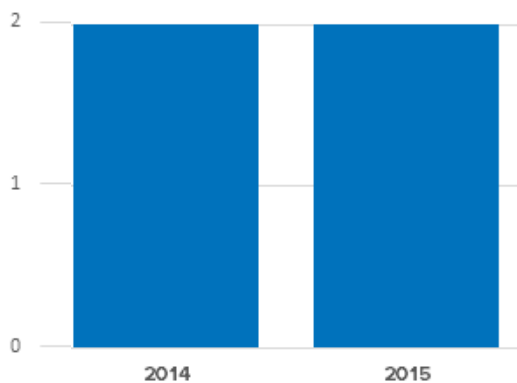
WORK IN PROGRESS

- Investment of up to \$138 million to transform the immigration detention system (infrastructures);
- Use of alternatives to detention through community supervision program; and
- Use of national risk assessment tool and mental health screening tool to assess possibility to use alternatives to detention.

NUMBER OF FACILITIES AVAILABLE AS ATDs FOR FAMILIES



NUMBER OF FACILITIES AVAILABLE FOR CARE ARRANGEMENTS FOR UASC



Types of ATDs	2013	2014	2015
Deposit or surrender of documentation	↗	↗	↗
Reporting conditions	↗	↗	↗
Directed residence	↗	↗	↗
Residence at open/semi-open reception/asylum centres	↗	↗	↗
Release on bail/bond	✓	✓	✓
Provision of guarantor/surety	✓	✓	✓
Community supervision arrangements	↗	↗	↗

↗ used in practice

✓ available in legislation