



IMMIGRATION
DETENTION
MONITORING



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MODULE 4 ANNEX 2 – DETAINEE INTERVIEWING FORM



UNHCR
The UN Refugee Agency



You may print the form out or type in the boxes.

DATE:	UNHCR Interviewer:	Location:
Name of POC(s):		Sex:
Room #:		DOB / Age:
Other accompanying family members:		
Source Country:		
Status in Canada:		
Family in Canada? (specify)		
Is there a language barrier?		
Date of arrival in Canada:		
Detained since:		
Total length of detention:		
Grounds for detention: identity flight risk danger		
Date of next detention review:		
Removal order? yes no Date:		
Represented by legal counsel? (specify) yes no Name:		
Location of previous detention:		
Reason of transfer:		

Vulnerability: Unaccompanied minor SGBV + 75 yrs old	Physical handicap Mentally ill Psychological vulnerability	trafficked Stateless (or alleged) Prolonged detention
Summary of POC's story		
Follow-up action (if any)		





		Concerns	Good practices
ACCESS TO LEGAL ASSISTANCE			
	Immigration detainees are automatically informed of their right to access legal assistance at every stage of the proceedings		
	Immigration detainees have easy, unimpeded access to their legal advisers		
	Lawyers can be present during any interview with government officials or their agents		
	Immigration detainees and their lawyers receive prior written notice of all interviews, review, appeal hearings and decisions relating to detention, protection, immigration and removal processes and procedures		



		Concerns	Good practices
ARRIVAL AND RECEPTION			
	Detainees are systematically informed on arrival in writing and in a manner / language they understand of the reasons for arrest and detention		
	All immigration detainees are automatically advised of their right to seek asylum and to protection against refoulement		
	Body searches are resorted to only when strictly necessary to ensure the security of staff and the immigration detainees, and are conducted in a manner that respects the dignity of the person. Fully trained staff of the same gender as the immigration detainee only conduct strip searches in exceptional circumstances.		
	All detainees are screened on arrival by qualified health professionals, in private and using interpreters, as appropriate		
	All detainees are instructed on rights, routines, services, rules and procedures		
	Detainees can telephone family and legal counsel in private		
	Are detainees provided with telephone cards / calling cards		
	Detainees are able to contact UNHCR and/or a consular post or diplomatic mission in private and free of charge, and this contact is duly recorded		
TRANSFER			
	Adequate notice is given to detainees of planned transfers, and details of the transfer and reasons for it are duly recorded		
	Transfers are carried out safely and with dignity, in appropriate conditions and taking into consideration the situation of people with special needs, such as children, pregnant women, older people and people with disabilities		



		Concerns	Good practices
ACCESS TO ASYLUM/PROTECTION PROCEDURES			
	Immigration detainees are informed of their right to seek asylum and to access other forms of protection and they have effective access to these procedures as appropriate.		
	Information on other immigration procedures is available		
	Immigration detainees have adequate and effective access to information		
REQUESTS AND COMPLAINTS			
	Detainees can raise any aspect of their stay in Immigration detention through an internal confidential complaints procedure		
	Detainees have access to an external confidential complaints procedure		
	Every request or complaint is impartially investigated, and promptly dealt with and replied to without undue delay		
	Detainees do not suffer from intimidation, sanctions and reprisals for making a request or complaint		



		Concerns	Good practices
Disciplinary measures	Have the rules and regulations been communicated to the POC?		
	Has the detained undergone any disciplinary measures? (reason)		
	What measures were taken?		
	Is a Jail Liaison Officer available?		
	Are detainees informed of their rights under the Vienna Convention? Are they informed of their right to have UNHCR notified of their detention?		
REMOVAL, DEPORTATION AND REPATRIATION PROCEDURES			
	Immigration detainees are given adequate notice of removal and deportation, including the reasons and destination		
	Allegations of assault on detainees, including excessive use of force, supported by medical evidence, are thoroughly investigated with a view to prosecution		
	Escort staff are respectful of detainees and have received specific training		
TREATMENT AND SAFEGUARDS			
	No person in immigration detention is subjected to torture or to cruel, inhuman or degrading treatment or punishment, including respecting the principle of <i>non-refoulement</i>		
	Where an allegation of torture or ill-treatment is made, the victim is examined physically and psychologically by an independent medical officer as soon as possible		
SAFETY, ORDER AND DISCIPLINE			
External inspection	Detainees have the right to communicate freely and in full confidentiality with inspectors		



		Concerns	Good practices
Bullying and victimization	Staff and detainees are aware that bullying and other forms of victimization are prohibited, know their rights and how to access them		
	Allegations of bullying or victimization are responded to in a timely way, properly investigated, and appropriately remedied		
	Were any form of restraints used (Shackles / handcuffs)?		
Handling emergencies	There is a comprehensive emergency preparedness policy for the place of detention, which engages staff and detainees, and the primary focus of which is to ensure the safety of immigration detainees, staff, and any visitors?		
ACTIVITIES			
Visit and communication with outside world	Detainees have the right to receive visits by family and others		
	Conjugal visits by a spouse or partner are permitted and encouraged		
	Communication with family and friends in the country of detention and in countries of origin and transit is facilitated		
	Detainees have easy and ready access to UNHCR, ICRC and/or the Red Cross or other organisations and, at their own initiative, consular officials or diplomatic missions		
	Detainees have easy and ready access to telephones (to make outgoing calls in private at reasonable cost) and to receive unmonitored and uncensored incoming telephone calls at any time		
Welfare and counselling	Welfare and counselling services are provided to assist detainees regarding practical problems caused by immigration detention and to help detainees prepare (including psychologically) for release, transfer or removal		
	If requested, detainees are accompanied by welfare and counselling support at the time of release, transfer or removal		



		Concerns	Good practices
HEALTH CARE			
Access to medical care	Medical examinations are conducted in private, in confidence and in a respectful, professional and caring manner that is sensitive to the diversity of needs and vulnerabilities		
	There are regular reviews of the social, physical and medical vulnerabilities of detainees		
PERSONNEL / STAFFING			
Staff-detainee relationships and security	Relations between staff/officials and detainees are polite, courteous and respectful at all times		
	Staff carry out their duties thoughtfully, handle private and/or confidential information in their possession sensitively and respectfully, and understand that they have a duty of care for all detainees		
	The elements of dynamic security are in place, such that: relationships (staff-detainee, staff-staff and detainee-detainee) are positive; local community-detainee relationships are positive; there is constructive activity to occupy detainees; detainees are well prepared for release, transfer or removal		
PERSONS IN SITUATIONS OF VULNERABILITY / RISK			
Basic principles	Detainees are able to complain about any incident of discrimination or abuse		
Unaccompanied or separated children	All unaccompanied or separated children in detention are appointed guardians who oversee all decisions affecting them, in the best interests of the child		
LGBTI Persons	LGBTI detainees have access to appropriate medical care and counselling tailored to their specific needs		
	Protective measures are in place to prevent violence or abuse against LGBTI persons		
MATERIAL CONDITIONS			
Food	Accommodation of special dietary or religious needs being met?		



		Concerns	Good practices
Medical care	Psychological screening available?		
	Are there delays in accessing care / treatment?		
Clothing/Hygiene/ Personal Items	Provision /change of clothes provided		
Education	Access to education for children if applicable?		
	Is educational or vocational training available?		
	Does the facility provide access to a library?		
Recreation	What are the available recreational activities?		
	Access to the courtyard – time period allowed		
Religion	Are religious services available?		
	Has the detainee had any impediments to observing his/her religious practices?		
Transportation	Use of constraints (handcuffs and shackles) during transportation?		
Other	Other comments made by detainee		



This material was developed within the project 'Global Technical Assistance and Capacity Building Programme to Prevent Detention of Children and to Protect Children and Other Asylum-Seekers in Detention' funded by the European Union.

The views expressed herein can in no way be taken to reflect the official opinion of the European Union.