

# **DIGITAL DATA AND BORDER VIOLENCE: Data laundering state abuse of migrants in Canada:**

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# Outline

- Key jargon and acronyms
- Overview migrant detention in Canada
- Abuse of migrant detainees
- Lack of available data
- Auditing data management
- Implications of *data laundering*
- Dangers of datafication

# Jargon

- **Quantification and datafication**
  - Representing and analyzing information with numerical data.
- **Data doubles**
  - Someone's bureaucratic record.
- **Abolition and abolitionism**
  - Policy position seeking to dismantle a practice and/or institution.
- **Border violence**
  - Coercive measures taken to enforce immigration and citizenship laws.
- **Performance audit**
  - An audit measuring whether an organization is implementing a policy in the most efficient manner possible. Also called 'Value for Money' audits.

# Acronyms and abbreviations

- **OAG:** Office of the Auditor General of Canada
- **CBSA:** Canada Border Services Agency
- **IRB:** Immigration Refugee Board of Canada
- **IRCC:** Department of Immigration, Refugees, and Citizenship Canada
- **IRPA:** Immigration and Refugee Protection Act
- **UNHCR:** United Nations High Commissioner on Refugees

# Migrant detention in Canada

- Provinces ending contracts with CBSA:
  - Alberta
  - British Columbia
  - Manitoba
  - New Brunswick
  - Nova Scotia
  - Ontario
  - Quebec
  - Saskatchewan
- Still in Parliamentary Committee:
  - Bill C-20: An Act establishing the Public Complaints and Review Commission and amending certain Acts and statutory instruments
- CBSA use of algorithmic and big data software?

# Abuse of migrant detainees

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Research Article

## Data Laundering Border Violence: Performance Measures and Immigration Enforcement

sasha skaidra

Published online: 02 Aug 2023

Immigration and Refugee Board of Canada | Commission de l'immigration et du statut de réfugié du Canada

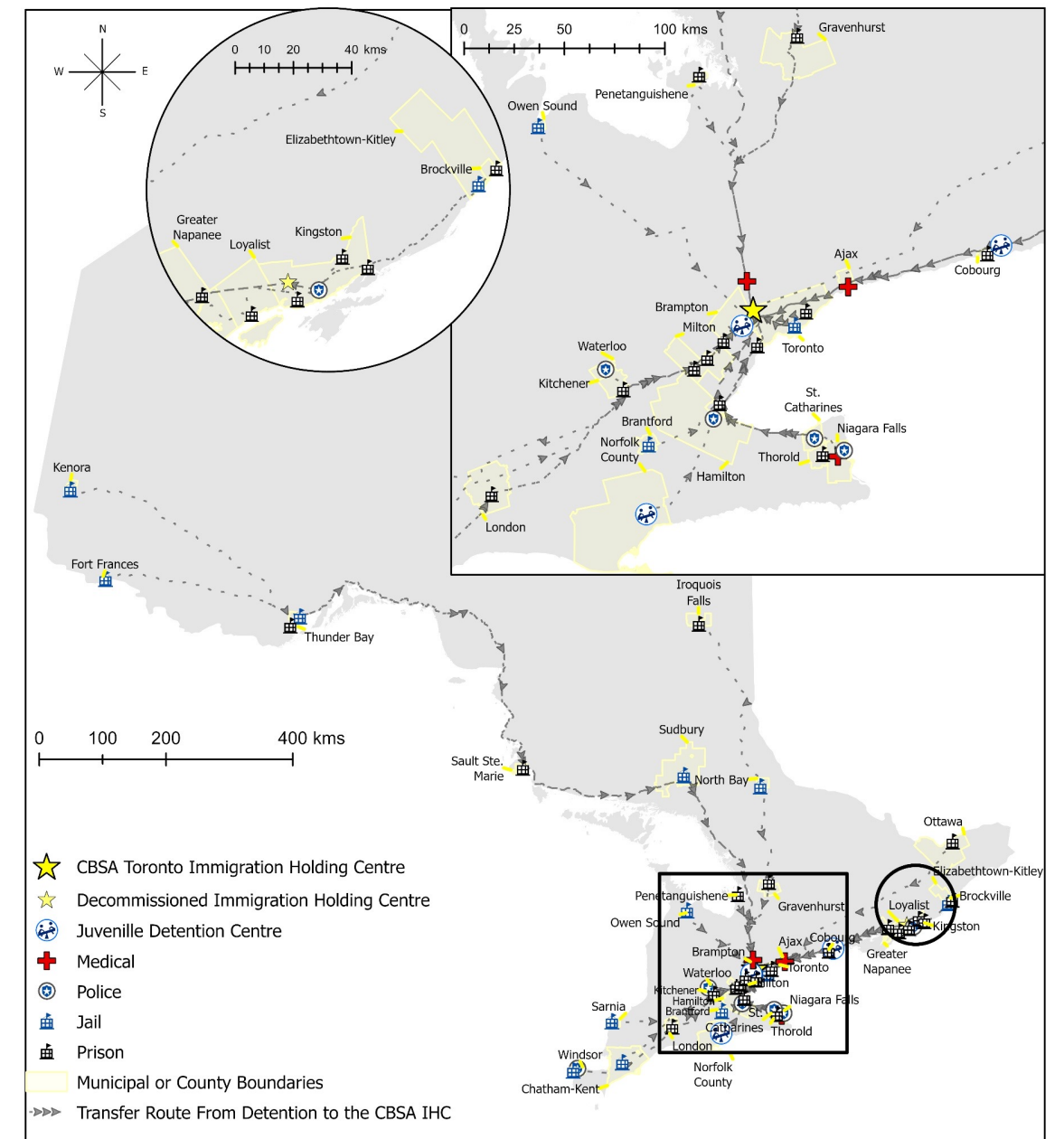
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Home → Transparency → Program and Policy reviews → Report of the 2017/2018 External Audit (Detention Review)

## Report of the 2017/2018 External Audit (Detention Review)

Transfers of Migrant Detainees from Detention Facilities to Canada Border Services Agency's (CBSA) Toronto Immigration Holding Centre (IHC) from 2013-2013 in Ontario Canada



Sources:  
 Global Detention Project  
 DMTI Spatial Inc Enhanced Points of Interest, Major Roads Line  
 Statistics Canada Provincial Administrative Areas

Spatial Reference  
 PCS: NAD 1983 UTM  
 Zone 17N  
 GCS: GCS North  
 American 1983

# What data?

Sault Ste. Marie, Ontario

## ALGOMA TREATMENT AND REMAND CENTRE

Status

**CANADA  
BORDER  
SERVICES  
AGENCY**

Governmental

Type: 2013 (Last documented use)

Custodial Authority: Not Available

Management: Canada Border Services Agency (Public Safety Canada)

Detains: Not Available

Capacity

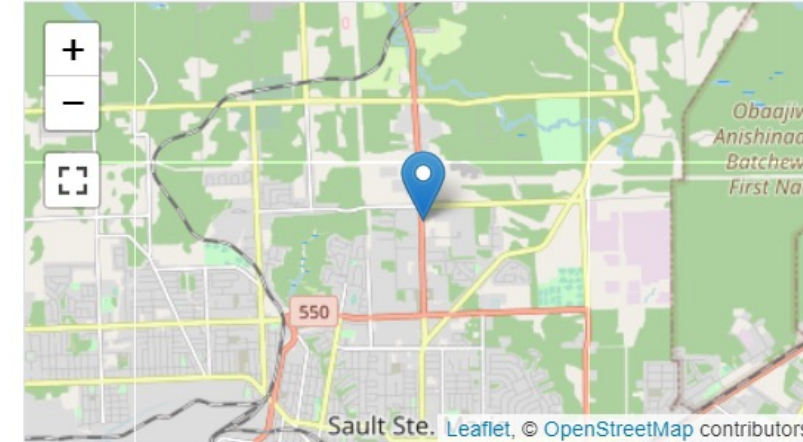
**NO DATA**

Reported  
population

**NO DATA**

Deaths  
at  
facility

**NO DATA**



### DETAINEES

#### CATEGORIES OF DETAINEES

**Name** Undocumented migrants (administrative) 2013 ⓘ

**Name** Criminal detainees (convicted or remand) 2013 ⓘ

**Name** Criminal detainees (convicted or remand) 2011 ⓘ

**Name** Undocumented migrants (administrative) 2011 ⓘ

### SIZE & POPULATION

#### TOTAL MIGRATION DETAINEES: ENTRIES + REMAINING FROM PREVIOUS YEAR

**Number** 4 2013 ⓘ

**Number** 15 2012 ⓘ

**Number** 12 2011 ⓘ

**Number** 4 2010 ⓘ

### LENGTH OF DETENTION

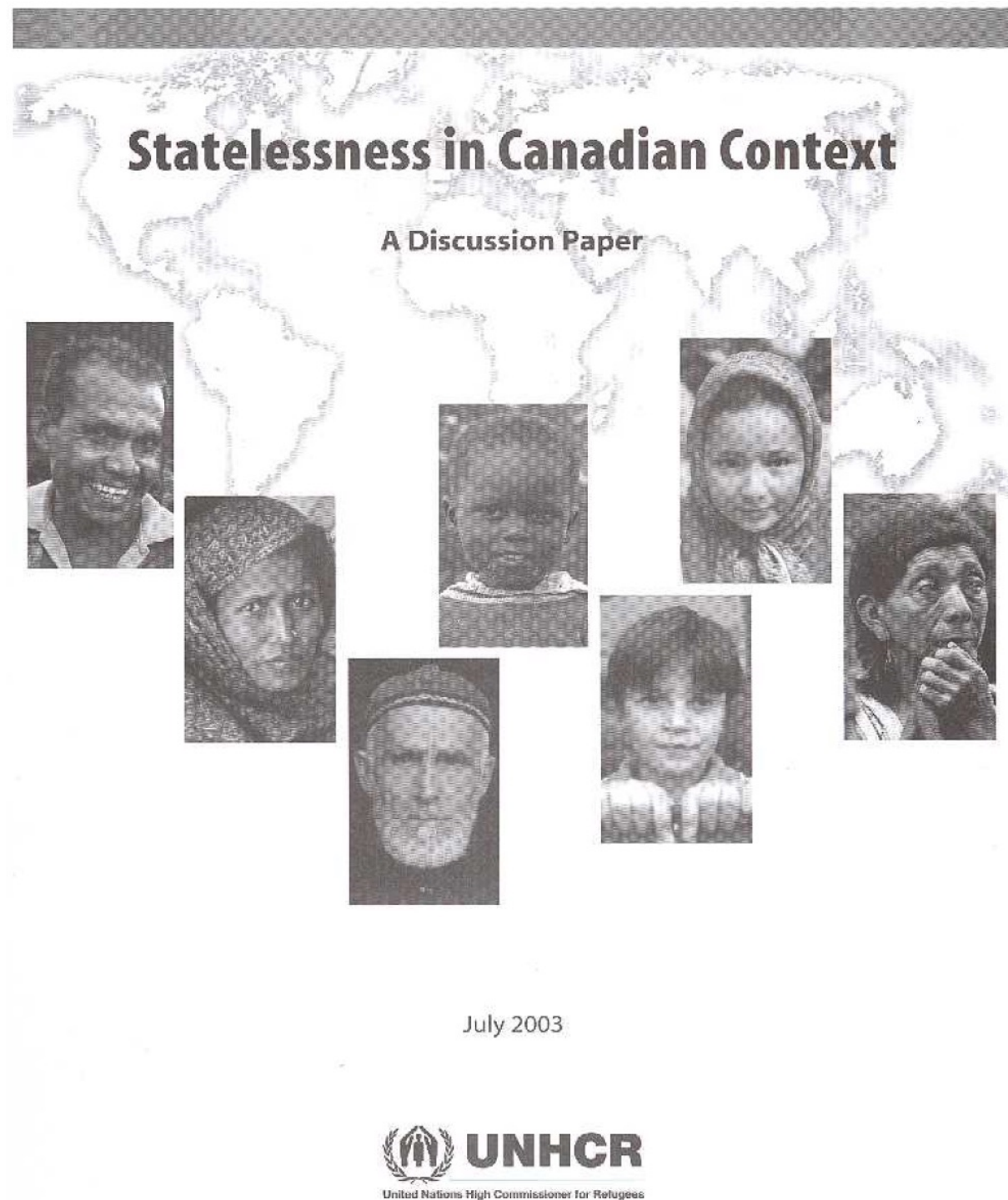
#### DETENTION TIMEFRAME (LONG, MEDIUM, SHORT)

**Length** Long-term (more than 20 days) 2011 ⓘ

Source:

 GLOBALDETENTIONPROJECT

# What do we know?



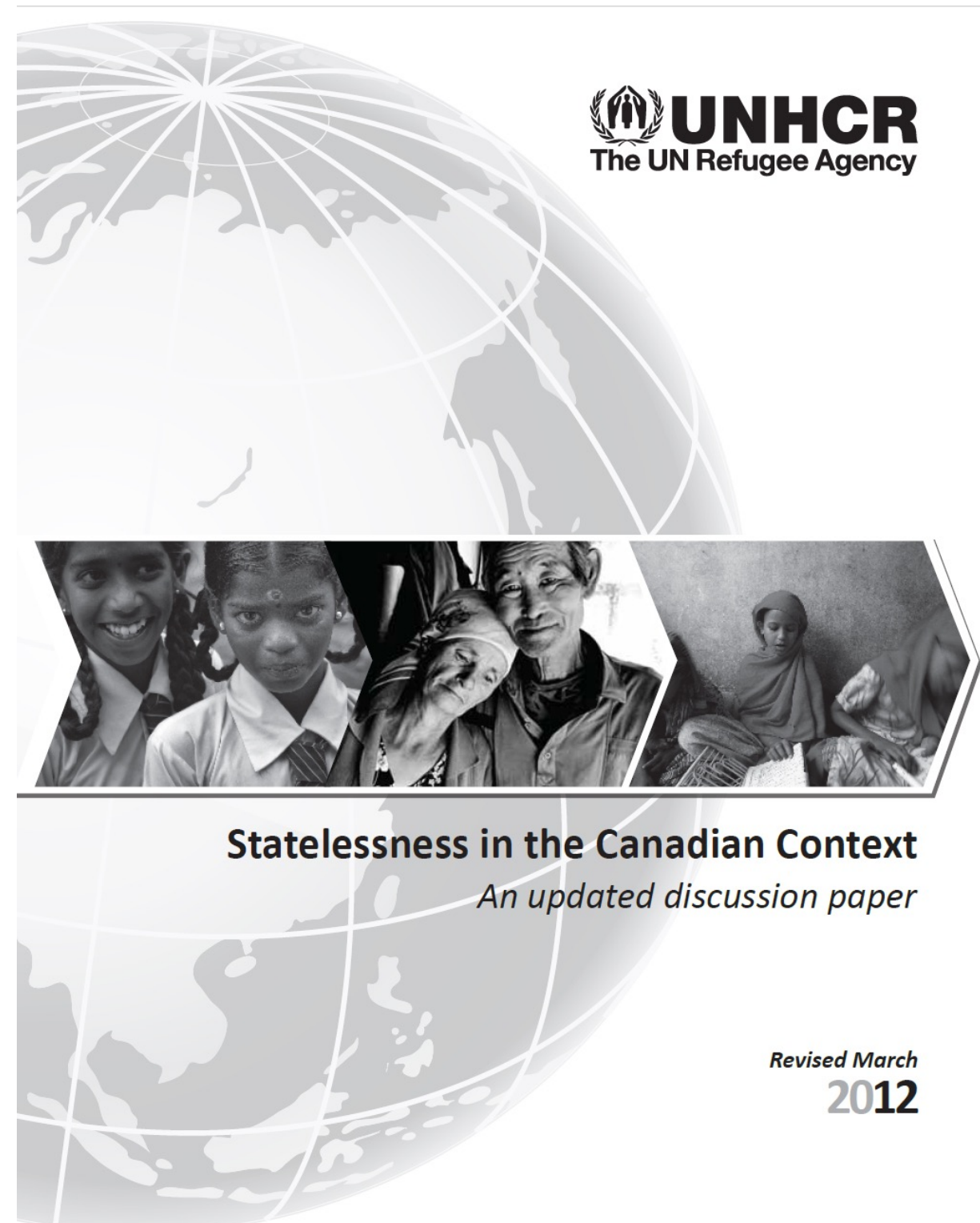
“These “detention snapshots” reflect only the number of individuals detained on the day on which the report is generated. They do not provide details regarding the length of detention, basis for original detention decision, age, gender, nationality or stateless status, etc. Some regions have provided more detailed statistics, although not on a systematic basis.”

Revised March  
2012



# What do we know?

**2012:** “The reporting problems are compounded by the absence of coordination and uniform standards for the compilation of detention data generated from all regions of operations”



July 2003



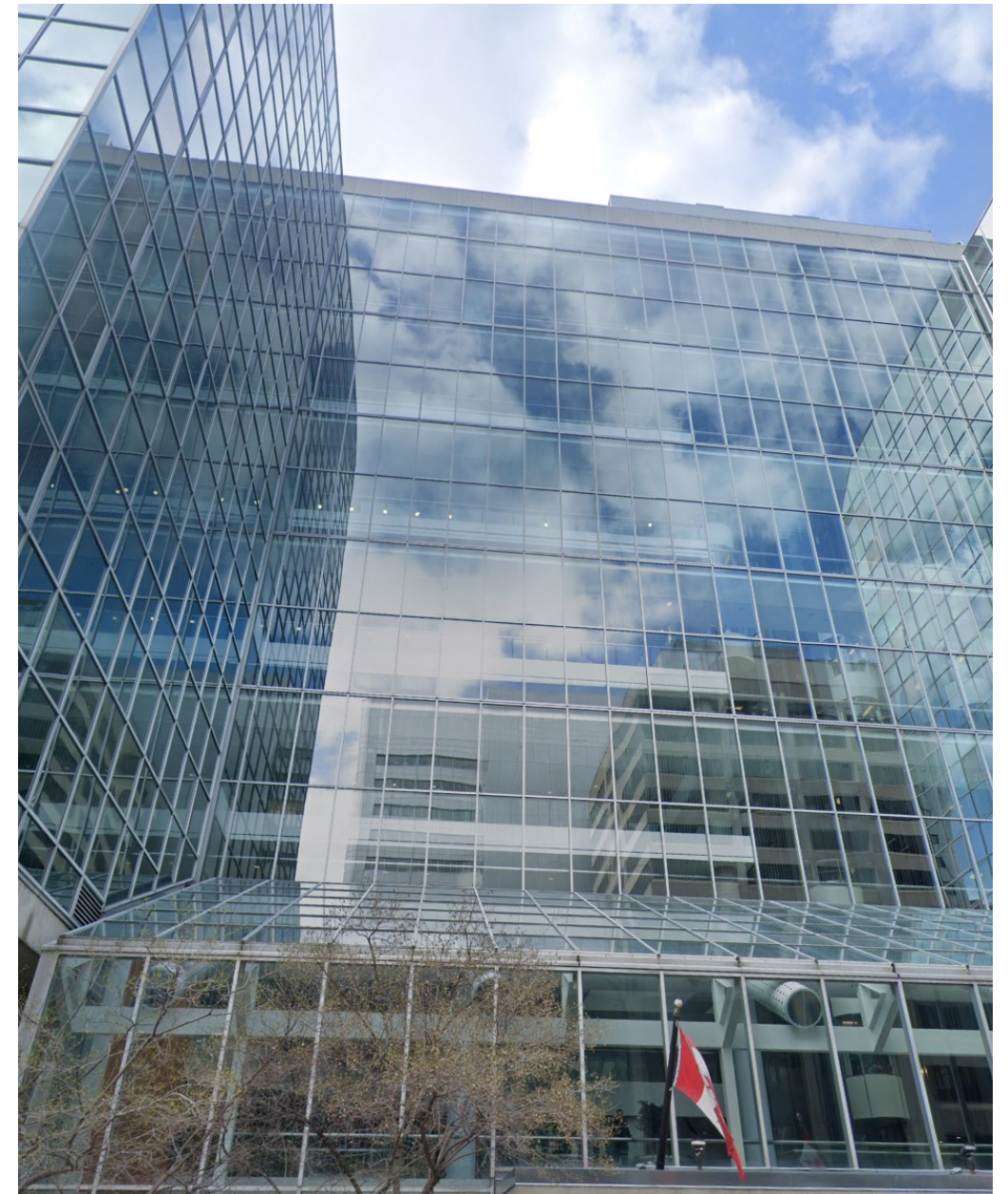
# Limits of audits to deliver accountability

- **2003** Ch. 5 – Immigration Enforcement
- **2007** Ch. 7 – Detention and Removal of Individuals
- **2009** Ch. 2 – Selecting Foreign Workers Under the Immigration Program
- **2011** Ch. 2 – Issuing Visas
- **2016** Report 2 – Detecting and Preventing Fraud in the Citizenship Program
- **2019** Report 2 – Processing of Asylum Claims
- **2020** Spring – Immigration Removals



Office of the  
Auditor General  
of Canada

Bureau du  
vérificateur général  
du Canada



# Laundering non-data

## -Sample of 15,300 cases

### Poor data quality

1.36 We found that significant data integrity issues impaired the Canada Border Services Agency's ability to know which removal orders to enforce. For example, we reviewed all removal orders issued over the period of our audit and identified 1,536 that were missing from the agency's national removal inventory and were not being monitored for enforcement. This was largely because of errors made by immigration officers when they entered the orders into the Immigration database. Among these missing orders, we found 16 that were enforceable. Some had come into force years earlier, yet the agency was not aware of them. We found no errors with the agency's entry of removal orders issued by the Immigration and Refugee Board of Canada.

## -16 enforceable orders that went unenforced

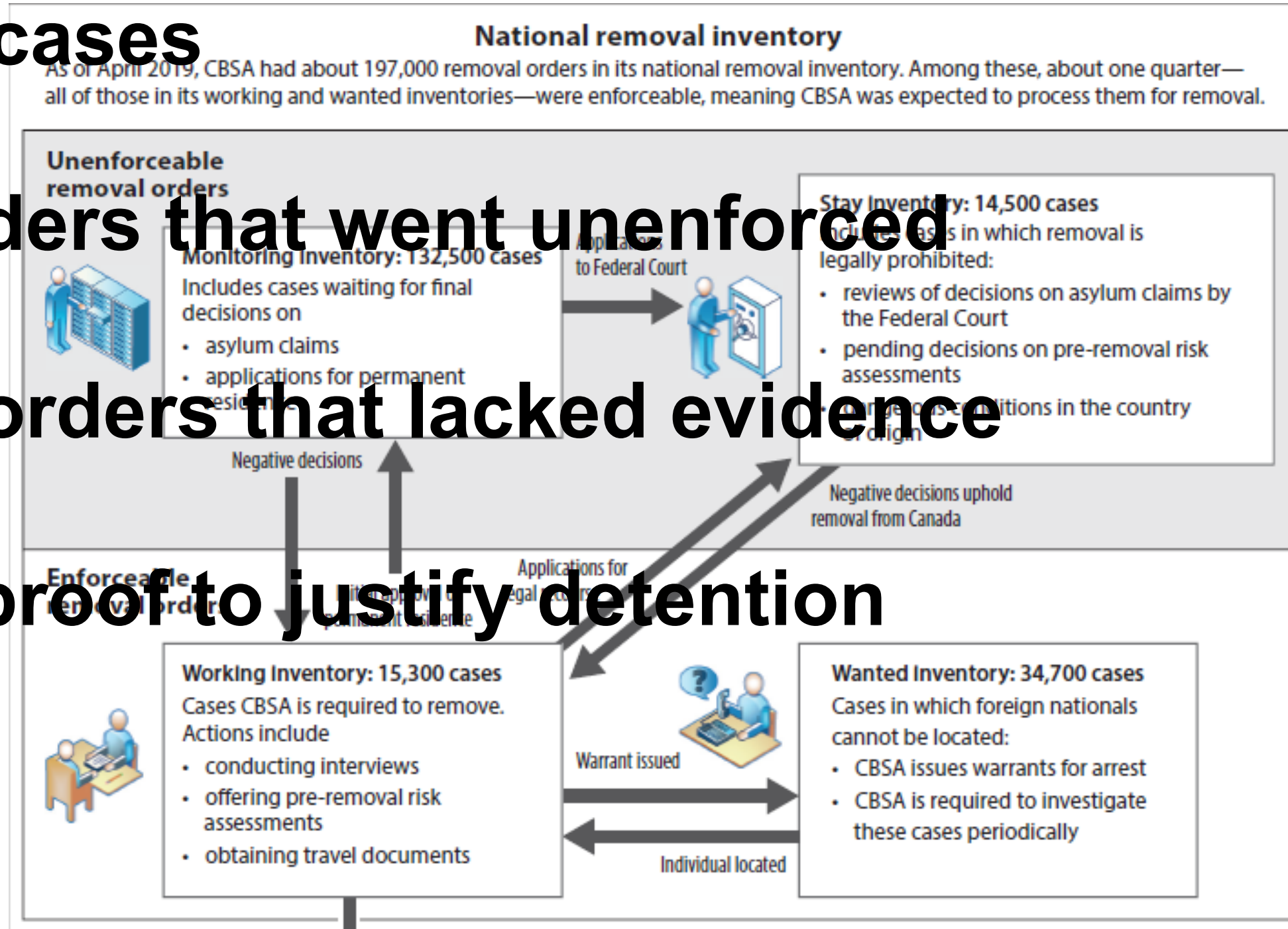
## -500 deportations orders that lacked evidence

### Poor data quality also delayed the enforcement of removal orders.

1.37 Poor data quality also delayed the enforcement of removal orders. Using a sample of the sample, we determined that about 800 cases were still in the monitoring inventory because of delays in the update of cases with Federal Court decisions. On the basis of this result, we estimated that poor data quality likely compromised the timely enforcement of another 1,400 cases decided by the Federal Court. System interface failures in receiving data or the late entry of decisions caused most of these delays. The agency is responsible for resolving system interface issues; Immigration, Refugees and Citizenship Canada is responsible for ensuring the timely entry of these court decisions by Department of Justice Canada officials.

## -7100 files lacked proof to justify detention

1.38 We also found cases filed in the wrong inventories and others that contained inaccurate information. For example, through sampling, we determined that more than 500 cases in the working inventory were not enforceable and that close to 200 rejected asylum claims had not yet been moved to the working inventory for enforcement. We observed cases in the working inventory that had been identified as having the necessary travel documents when they were actually missing and cases flagged as missing travel documents when the documents were on file.



# Refocusing on data production

- Data doubles are physical bodies reproduced as digital objects that can be then “scrutinised and targeted for intervention” - Haggerty and Ericson (2003) *The surveillant assemblage*
- Datafication “brings data doubles to circulation” as individuals become “traceable and sortable objects” of state intervention” - Pollozek and Passoth (2019) *Infrastructuring border control*
- Datafication “allows for the creation of detailed profiles of persons, which can be treated as their doubles” - Nedelcu and Soysüren (2022) *The empowerment-control nexus*

# Thank you for joining me!

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IMMIGRATION DETENTION IS AN **ADMINISTRATIVE OFFENCE**, LIKE VIOLATING A PARKING PERMIT IS.



PEOPLE ARE DETAINED WITHOUT CHARGES. **THERE IS NO TRIAL** TO PROVE THEIR INNOCENCE.

