



VERDICT AT INQUEST

File No.: 2013:0380:0004

An Inquest was held at The Burnaby Coroners Court, in the municipality of Burnaby in the Province of British Columbia, on the following dates September 29, 2014 to October 7, 2014 before Margaret Janzen, Presiding Coroner, into the death of VEGA JIMENEZ Lucia Dominga 42, and the following findings were made:

Date and Time of Death: December 24, 2013
Place of Death: Mount Saint Joseph Hospital Vancouver, B.C.

Medical Cause of Death

- (1) Immediate Cause of Death: a) Anoxic brain injury
Antecedent Cause if any: b) Prolonged cardiac arrest
Giving rise to the immediate cause (a) above, stating underlying cause last: c) Cervical ligature strangulation

(2) Other Significant Conditions Contributing to Death:

Classification of Death: [] Accidental [] Homicide [] Natural [x] Suicide [] Undetermined

The above verdict certified by the Jury on the 7th day of October AD, 2014.

Margaret Janzen
Presiding Coroner's Printed Name

[Signature]
Presiding Coroner's Signature

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FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST INTO THE DEATH OF

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VEGA JIMENEZ

Surname

Lucia Dominga

Given Names

Pursuant to Section 38 of the Coroners Act, the following recommendations are forwarded to the Chief Coroner of the Province of British Columbia for distribution to the appropriate agency:

JURY RECOMMENDATIONS:

1. To the CBSA

Create a dedicated Holding Centre for immigration detainees

- Centre should be located within 30 minutes driving of YVR.
- Centre should be staffed by CBSA employees.
- Detainees must have access to legal counsel, medical services, NGO's, spiritual & family visits.
- Detainees should have monitored internet access.
- Telephones should be readily available and capable of free local calls & the use of international calling cards.
- Centre should be above ground allowing natural light, ventilation & outside access.
- Detainees should be allowed to wear civilian clothing.
- Centre should have an onsite courtroom for immigration hearings.

At a minimum the following changes should be made at the YVR Holding Centre

- Legal counsel & NGO's must be allowed access to the YVR holding centre.
- Self-harm proofing of bathrooms & sleeping rooms should be completed immediately.
- Call buttons need to be added to each sleeping room and to the bathroom, toilet, and shower area.
- Holding area should become staffed solely by CBSA.
- Telephones should be readily available and capable of free local calls & the use of international calling cards.
- An AED should be placed in the control room with the first aid kit.

While the YVR Holding Centre is staffed by sub-contractors, the following recommendations are made:

- CBSA will access the video monitoring system at random times to ensure the staffing levels and contract commitments are being made.
- Any violations of staffing levels and procedures should be dealt with according to the provisions of the contract.

Day one of processing immigration detainees:

- If there is any doubt about a detainee's ability to understand English a translator must be obtained immediately.
- An orientation kit in the correct language must be issued immediately. The kit should include:
 - Instructions on how to access a lawyer.
 - Instructions on how to contact NGO groups.
 - Any approved pamphlets supplied by NGO groups.
 - Contact for a Detention Liaison Officer (DLO) and a brief description of his or her duties.
 - International calling card (not limited to one) and instructions on how to call different countries.
 - Notebook & Pencil

The orientation kit should remain with the detainee throughout their detention.

Pre-Removal Risk Assessment (PRRA) should be issued no sooner than 24 hours AFTER a detainee's initial Detention Hearing.

Make the DLO position a sole job function and increase the job function to a minimum of two officers. This position should be staffed as equally as possible by both male & female employees.

The following training should be mandatory for all CBSA and subcontracted security companies having contact with detainees:

- Suicide prevention
- Courses relating to the mental health of others
- Courses on handling detainees in a respectful manner
- Diversity training

CBSA should offer seminars by the DLOs to NGO representatives to help them understand their roles and resources when helping detainees.

CBSA should aid NGOs in obtaining any security clearances needed to gain access to detainees in CBSA care or Corrections care.

An improvement committee consisting of NGOs & DLOs to discuss current concerns and recommendations should be created. This committee should meet quarterly.

Detainees should have their first mental and physical health assessment within 72 hours. A mental health assessment must be done just prior to deportation.

Any visual signs of physical abuse must be brought to the attention of medical authorities.

CBSA should establish and be responsible for the appointment calendar of each detainee. Any other interested parties must notify the CBSA of any detainee appointments. This will ensure that the CBSA has control over any scheduling conflicts.

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CBSA needs to reassess their use of restraints. Handcuffing & shackling should only be used when absolutely necessary.

Detainees in the Correction system must have access to their own money.

That reference be made to the Canadian Red Cross Society Report for CBSA Pacific Region after-incident working group and every effort made to follow through with the recommendations.

A mental health care professional should be present when a detainee is given notice of deportation.

2. To the Government of Canada

PRRA Legislation be changed to empower the CBSA to extend the PRRA deadline.

PRRAs should also be accepted in languages other than English & French.

To appoint an independent Ombudsperson to mediate any concerns or complaints put forward.

To create a civilian organization to investigate critical incidents in CBSA custody.

3. To BC Corrections

Immigration detainees need to be given access to regular non-inmate phones and/or internet to facilitate international communication. Timing of such communication should take into consideration the time zone of the country being called.

To work with the CBSA to share access to computer systems regarding immigration detainee schedules. A process needs to be in place to immediately notify CBSA of any appointments scheduled within Corrections and of any changes to a detainee's appointments.