Canada Border Services Agency
Agence des services frontaliers du Canada

Canada

Evaluation of risk assessment and case prioritization across the immigration enforcement continuum

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PS38-145/2026E-PDF
ISBN: 978-0-662-76465-6

Aussi disponible en français sous le titre :
L'évaluation de l'analyse des risques et de la priorisation des cas à travers le continuum de l'exécution de la loi en matière d'immigration de l'ASFC

Evaluation of risk assessment and case prioritization across the immigration enforcement continuum

Final Report

January 2026

Program Evaluation Division

Internal Audit and Program Evaluation Directorate

Note: [redacted] appears where sensitive information has been removed in accordance with the Access to Information Act and the Privacy Act.

Table of Content

- Program overview
- CBSA risk assessment and case prioritization across the IE continuum
- Overall findings
- Recommendations, consideration, and management response and action plan (MRAP)
- Detailed findings
- Additional observations
- Annex A: Detailed program data
- Annex B: Methodology and Limitations
- Annex C: Acronyms
- Annex D: Survey and interview analysis grid
- Annex E: Management Response and Action Plan (MRAP)

Program Overview

The Canada Border Services Agency (CBSA or the Agency) is responsible for enforcing the Immigration and Refugee Protection Act (IRPA). The Agency's immigration enforcement (IE) continuum is founded on legislative requirements and authorities afforded to prescribed CBSA officials. Within the CBSA, the IE continuum comprises four programs:

Immigrations Investigations investigates, reports, and, if appropriate, arrests and detains foreign nationals and permanent residents in Canada who are or may be inadmissible, as defined by the IRPA. An investigation is initiated when the Agency is aware of a possible IRPA violation and involves identifying, collecting, analyzing, and acting upon information from internal and external sources. Warrants for arrest may be issued against individuals with inadmissible grounds [Footnote1] and can lead to detention.

Detentions [Footnote2] monitors the conditions of detained individuals, including their detention placement, transfer, and the applicability of Alternatives to Detentions (ATDs). The CBSA seeks to place individuals subject to immigration detention in Immigration Holding Centres (IHCs), but may use facilities operated by other law enforcement agencies, CBSA ports of entry, or CBSA inland enforcement operations when necessary. Since

July 2025, the CBSA's Designated Detention Station in Ste-Anne-des-Plaines, Quebec, can also be used to detain individuals. Detention is considered as a last resort and officers must always consider alternatives to detentions, particularly for vulnerable persons, including those needing specific support (e.g., medical needs) and minors. ATDs impose conditions (e.g., in-person reporting) on individuals who have been assessed as a lower risk and can be monitored through available alternatives.

Hearings represents the interests of the Minister of Public Safety and/or the Minister of Immigration, Refugee and Citizenship at proceedings before the Immigration and Refugee Board (IRB), which are held to determine the immigration and detention status of foreign nationals and permanent residents already in Canada. CBSA officers provide evidence, craft arguments, and make recommendations related to inadmissibility, detention, refugee protection claims, appeals of removal orders, residency obligations, and sponsorships.

Removals is mandated to remove inadmissible foreign nationals subject to enforceable removal orders as soon as possible, in line with the CBSA's statutory obligation. CBSA officers work to obtain necessary travel documents, work with the foreign national to resolve impediments to removal, liaise with foreign embassies when needed, make travel arrangements for the inadmissible persons, provide escorts, and liaise with CBSA staff abroad to ensure the smooth passage of the inadmissible individual from Canada to their final destination.

CBSA risk assessment and case prioritization across the IE continuum

This evaluation focused on the risk assessment of cases, and case prioritization, across the IE program continuum (i.e. Detentions, Hearings, Removals, and Immigration Investigations). The evaluation covered the period of fiscal year (FY) 2019-2020 to FY 2023-2024.

How are cases prioritized?

Priority levels are determined based on the categories of inadmissibility in the IRPA and guidance found in CBSA Enforcement (ENF) manuals, [Footnote3] with one or more manuals specific to each program. The IRPA categories of inadmissibility are:

- serious criminality;*
- organized criminality;*
- security;*
- human or international rights violation;*
- transborder criminality;*
- criminality;
- health grounds;
- misrepresentation (including vacation of status);
- sanctions;
- non-compliance; and

- inadmissible family members

Note: * Represents a serious inadmissibility category.

In addition to the IRPA categories of inadmissibility, there are refugee status exclusions under the UN Refugee convention that are treated as inadmissibilities:

- Article 1E exclusion;
- Article 1F exclusion; and
- Cessation of refugee protection.

When and how is an individuals risk level determined?

Risk is defined as the possibility that a person may pose a threat to Canada and the safety of Canadians, along with the likelihood and severity of these potential threats. The results of a risk assessment guide the triage and assignment of cases and allow officers to determine the next course of action.

Individuals are risk assessed at various parts of the immigration enforcement continuum:

- When an individual is suspected of a potential IRPA violation, and an investigation is initiated. A situational risk assessment may also be conducted prior to approaching the individual.
- When an individual is arrested, to determine if detention is necessary, and if so, appropriate facility placement, or if not, suitable alternatives to detention.
- When an individual is subject to an enforceable removal order, to determine how cases should be triaged based on priority.
- When an individual is being removed, to determine if an escort may be required.

Assessing risk depends on an analysis of the information, available at the time of the assessment. Within each IE program, officers conducting risk assessments review the circumstances of the individual's case alongside behavioural factors (e.g., a detainee previously escaped or attempted to escape from legal custody) and vulnerability factors (e.g., individuals with severe medical conditions or physical disabilities).

Why do accurate and consistent case prioritization and risk assessment matter?

The four IE programs are designed to support due process and the ultimate removal of individuals found inadmissible to Canada.

Consistent case prioritization supports the timeliest possible processing of cases and removal of those individuals most likely to impact the safety and security of Canadians. Consistency among how programs prioritize inadmissibilities across the immigration enforcement continuum is important, as it contributes to the integrity of the immigration and refugee system. In particular, the prioritization of cases for serious inadmissibility should be consistent as it is a safety and security concern for Canadians.

Consistent risk assessment contributes to ensuring the safety and security of officers and the public when cases are actioned.

Slight variations due to operational context may impact the reasons for assessing individual risk and the prioritization of certain inadmissibility categories. Yet, these should not impact the general consistency in the ongoing processing and movement of cases throughout the IE continuum, nor how individual risk is assessed.

Risk and priority are closely interlinked as the priority level of cases align with the level of risk posed to the Agency and Canada's immigration system. Guidance states that immigration enforcement prioritizes individual cases to ensure that those involving the highest degree of risk are not delayed in their progression through the enforcement stream. All programs have a focus on cases that pose the greatest risk to the safety and security of Canada. Further details on how these inadmissibilities are categorized into level one, two, and three priorities are found in finding 1.

Overall Findings

The evaluation found that, overall, the four immigration enforcement programs consistently identify and take action on high risk and high priority cases. In particular:

All four IE programs consistently categorized serious inadmissibility cases as a level one priority and as high risk, in line with the Agency's mandate and a focus on the safety and security of Canadians. For level two and three priority cases, and for risk assessments, the evaluation found general consistency across the IE continuum, with a few IRPA categories prioritized differently, in line with accepted differences in operational contexts. The Removals program may benefit from reviewing their risk assessment tool, and leveraging those of the Detentions program.

Generally, the IE programs closed a high percentage of cases across all three priority levels between fiscal year 2019-20 and 2023-24. Nonetheless, the Removals program encountered various impediments to closing cases, which limited their ability to consistently close more level one priority cases, than cases in other priority levels.

At the same time, the evaluation noted some key challenges:

The Immigration Investigations program warrant review rate did not meet the established target, impacting the Agency's ability to further cases in the enforcement continuum (e.g., removals). The warrant reviews did not have a target for irregular failed refugee claimants, a level one priority category [Footnote4].

The manner in which the Agency has captured relevant data in its systems limited the availability of information for case processing, as well as the ability to fully assess whether individuals were consistently risk assessed, and whether cases were consistently prioritized, across the IE continuum.

Case volumes presented resource pressures for the Hearings and Removals programs and certain regions, in particular, in managing increasing case loads.

[redacted]

Detailed Findings

Finding 1: All four IE programs consistently categorize serious inadmissibility cases as a level one priority. They are generally consistent in categorizing other cases as well, with some cases prioritized differently

according to operational contexts. At the same time, awareness of the priority categories could be improved to ensure safety and security, and program integrity are upheld.

How does each program prioritize cases?

The IE programs' case prioritization aligns with the Agency's mandate and all programs consistently categorized serious inadmissibility cases as level one priorities. There was some variation with the prioritization of other IRPA categories due to the operational contexts of the programs. Each program categorizes priorities in the following way:

Immigration Investigations initiates an investigation when it becomes aware of a possible IRPA violation. The program uses the list of operational priorities outlined in their respective ENF manual and prioritizes cases involving the highest degree of risk, to ensure related removals are not delayed.

Level one priority**:

- Persons inadmissible under s. 34, 35, 36, 37
- Refugee status denied due to safety and security concerns (i.e., 1F exclusion)
- Irregular migrant failed claimants

Level two priority:

- All other failed refugee claimants (e.g., 1E exclusion)
- Persons inadmissible under s.40 of IRPA

Level three priority:

- All other IRPA inadmissibility cases not included in level 1 and level 2

Detentions does not follow the same case prioritization structure as other IE programs. The program prioritizes cases based on an individual's risk factors, including behaviours related to safety or security, how imminently removal will occur, whether the individual is a flight risk, and identity concerns, rather than IRPA inadmissibility. The grounds for detention can be categorized as top priority grounds (e.g., danger to public, suspected on serious inadmissibility), and other grounds for detention. These are outlined in their ENF manual.

Top priority:

- Does not define by priority levels however, highlights public safety as a top priority.

Other grounds for detention:

- Cases that do not fall under top priority categorization

Hearings prioritizes cases according to timelines legislated per the IRPA (i.e., detention reviews), in addition to IRB scheduling and case management. For example, Detention Reviews, which determine whether an individual should continue to be detained, must occur within 48 hours, 7 days, and every 30 days of detention. In addition, the program focuses on cases that have ties to public safety or security. The program developed a strategy to outline their priorities.

Level one priority:

- Detention reviews and admissibility hearings under IRPA s. 34, 35, 36, and 37
- Refugee status denied due to safety and security concerns (i.e., 1F exclusion) and vacation applications
- Removal order appeals and minister appeals

Level two priority:

- Other admissibility hearings
- Sponsorship and misrepresentation
- Program integrity, hybrid cases and cessation cases

Level three priority:

- Refugee status denied due to protection in another country (i.e., 1E exclusion) and credibility cases
- Residency obligations

Removals prioritizes cases that pose a greater risk to safety and security per the IRPA. The program lists its priorities in the ENF manual, including tests to ensure individuals are ranked consistently and objectively at level one.

Level one priority:

- Safety and security grounds, specifically, foreign nationals inadmissible under IRPA s. 34, 35, 36, and 37
- Irregular claimants

Level two priority:

- Refugee claimants

Level three priority:

- All other inadmissibilities

While nearly all priority categories aligned across IE programs, there were variations due to the operational contexts for each program:

Consideration	Description
Misrepresentation (IRPA s.40)	Immigration Investigations and Hearings consider misrepresentation cases a level two priority, while Removals considers them a level three priority pending further information.

Consideration	Description
	Immigration Investigations works jointly with the Agency's Criminal Investigations program on misrepresentation cases to identify foreign nationals who misrepresent material facts in order to gain entry to or remain in Canada. Removals will recategorize the case according to the associated risk that has been identified. While Detentions detains if an officer is not satisfied as to the identity of the individual, this differs from misrepresentation.
Appeals, detention reviews, other IRPA inadmissibility categories, and other types	Hearings includes numerous cases the other IE programs do not have to manage. • Hearings presents Detentions Review cases to the IRB with 48 hours and 7 days of detention, as well as every subsequent 30 days. These cases are a level one priority due to the legislated nature of this requirement. • Hearings prioritizes appeals, which other programs do not manage. Removal appeals are categorized as a level one priority, sponsorship appeals as a level two priority and residency appeals as a level three priority. • Hearings represents additional cases that do not apply to the other IE programs, such as ceasing refugee applications.

The IE programs' case prioritization aligns with the Agency's mandate, the ENF manuals and the Intelligence and Enforcement Branch's Integrated Business Plan (IBP), which highlights their operational priorities and planned activities and prioritizes files involving serious grounds of inadmissibility.

Inconsistencies in stakeholder awareness or prioritization criteria

There were a few inconsistencies in the surveyed internal regional stakeholders' awareness of how cases should be prioritized by program. For example:

- While removal order appeals and minister's appeals are categorized as a level one priorities in the Hearings program guidance, approximately two thirds of internal regional stakeholders in Hearings ranked removal order appeals and minister's appeals as a lower level priority.
- Irregular migrant failed refugee claimants are intended to be considered level one priorities by the Immigration Investigations and Removals programs, but almost all regional stakeholders rated them as level two or three priorities.
- Regular failed refugee claimants are intended to be considered level two priorities by the Immigration Investigations and Removals programs, but approximately half of regional stakeholders ranked them instead as a level three priority.

- Some survey respondents [Footnote5] from the Greater Toronto Area Region indicated they would rank cases related to persons inadmissible under Article 1F as a level one priority, in line with guidance, while some ranked it as level two, and some as level three.

This indicates there may be an opportunity to reiterate the priority categories within each program and across the regions to ensure ongoing consistency. If consistent prioritization within the operational context is not achieved, it may impact the Agency's ability to uphold its safety and security mandate, as well as to uphold program integrity.

Finding 2: Overall, the closure rates for cases for all priority levels were high. A lack of targets for closure rates, by priority level, limited the assessment of how efficiently cases were closed.

Case prioritization and completion

According to the priority frameworks for each IE program, efforts should be focused on closing level one priority cases. Although none of the programs have indicators to measure case completion by priority level, it is expected within programs that level one priority cases should be closed at a higher rate than level two and three priority cases. As more new cases are received in the IE continuum than can be closed each fiscal year, they will develop a backlog of cases that are pending review and closure (refer to Annex A for years with backlogs). If this occurs, the priority categories should apply to the backlog as the programs work on reducing it.

Lower level priority cases may be closed at a higher rate because they are reactive cases with adequate evidence for action (e.g., police call for an overstay). These cases typically require an immediate response and are easier to close. Many surveyed internal regional stakeholders reported that level one priority cases were consistently the primary focus within their work unit (79%). When reviewing the data, all four IE programs closed [Footnote6] cases across all priority levels. Refer to Annex A for a breakdown of new cases, closed cases, and the closure rate for each program.

Immigration Investigations

In 2020-2021 and 2021-2022, the closure rate increased to over 100% as decreases in traveller volume allowed officers to reduce case backlog. In 2022-2023, Immigration Investigations closed cases at a rate [Footnote7] of approximately 100% for each of its priority levels. The closure rate for level one priority cases decreased to 89% in 2023-2024. Level one priority cases comprised approximately half of Immigration Investigations case volumes. Comparatively, level two priority cases were closed at a rate of 85% and level three priorities at a rate of 97%. Although there is no standard for investigative timeframes, in examining the duration of cases, most level one (83%) and three (75%) priority cases were closed within one year, as were many level two priority cases (72%). The Immigration Investigations program also has a warrant review inventory. The closure rate associated with this inventory is discussed in Finding 4.

Detentions

Detention cases were consistently closed at a rate of nearly 100%, with higher risk cases being prioritized [Footnote8].

Following a decrease in detentions cases from 2020-2021 to 2021-2022, only the numbers of high risk and medium risk detentions have returned to pre-2020-2021 levels.

While low risk individuals may be detained based on the specifics of the case (e.g., history of flight risk), these detentions have decreased by 50% from 2019-2020 to 2023-2024, in line with the program's priorities.

39% of detained high risk individuals also fell within the level one priority category. This demonstrates some alignment between the behavioural risk identified by the Detentions program with the case prioritization of other immigration enforcement programs.

When examining the duration of detentions cases over the evaluation period, higher risk individuals were detained for longer periods compared to lower risk individuals. The longer periods of detaining higher risk individuals further demonstrates the prioritization of detaining individuals based on risk.

Hearings

Hearings closed level one priority cases at a higher rate than other priority level cases.

In 2020-2021 and 2021-2022, the closure rate of hearings cases exceeded 100% due to a decrease in new cases. In 2022-2023, the program closed level one priority cases at a rate of approximately 100%. These cases included detentions reviews which must follow legislated timelines.

In 2019-2020, 2022-2023 and 2023-2024, level two and three priority cases were closed at a lower rate than level one priority cases. The closure rate of level two priorities ranged from 40% to 76%, while level three priorities ranged from 56% to 76%. Level two and level three priority cases comprised more refugee protection hearings, which had a significantly higher increase in case volume over the evaluation period compared to level one priority.

Removals

When looking at Removals' key performance indicators specific to measuring the removal of actionable level one priority individuals:

From 2019-2020 to 2023-2024, the program always exceeded its 80% target for removing level one priorities [Footnote9] from their actionable working inventory. In 2019-2020, 93% of level one priority individuals were removed. By 2023-2024, it decreased to 90%.

However, the program's KPI related to level one priority cases excludes results related to irregular migrant failed refugee claimant cases, which make up over 90% of all actionable level one priority cases. When these cases are included in the level one priority removal rate, it decreases to 62% from 71% between 2022-2023 and 2024-2025 (refer to text box, "Refugee claimant cases").

The removal rate for level two priorities was 72% in 2023-2024. The number of regular failed refugee claimants is high, which lowers the removal rate. Closure of level three priority cases was 96% for the same year.

Due to data challenges, the duration of time between an inadmissibility decision and a removal could not be tracked. Refer to Finding 6 for more details.

Refugee claimant cases

An individual may apply for protection upon arriving in Canada out of fear of persecution or danger in their home country. These individuals are considered refugee claimants, and can be either regular (entering through a port of entry) or irregular (entering between a port of entry). Failed refugee claimants can be challenging to remove due to the lack of travel documents and the need for foreign government cooperation.

For reporting purposes, irregular refugee claimant cases are disaggregated from serious inadmissibility cases when calculating removals of level one priority cases, allowing the program to report on safety and security concerns. These cases are still monitored by the Removals program (refer to Annex A for a breakdown of refugee claimant case numbers).

Many interviewed internal NHQ stakeholders mentioned challenges in balancing both the Agency's emphasis on removing a large number of inadmissible individuals, and the objective of removing level one priorities.

Because level one priority cases tend to be more complex and time consuming, there was a perception from NHQ interviewees that high removals targets may lead to lower priority cases being actioned in greater numbers than they otherwise would be.

Overall, the IE programs should include indicators and targets to guide case completion by priority level. In order to operate effectively while achieving intended objectives of the IRPA, the IE programs should develop indicators to support the timely removal of individuals of all priority levels. The need to balance removals at all priority levels, not just level one, is important for maintaining program integrity as limiting level two and three priority removals could also result in inadmissible individuals remaining for longer and establishing stronger ties to Canada.

Finding 3: The Removals program encountered challenges in closing cases in its Removal In Progress inventory, due to various impediments to removals, across all priority levels.

Removals program case inventory

A removal order is only enforceable when all available recourses have been waived or exhausted, which can take months or years. The Removals program has multiple inventories tracking individuals at different stages of due process prior to removal, including those who are eligible to be removed and those who are not:

The **Not yet actionable inventory** contains, but is not limited to, cases that are still pending an IRB decision. The CBSA cannot take action on these cases.

The **Removal not possible inventory** contains cases that are awaiting further recourse, or are temporarily not eligible for removal due to geopolitical circumstances (e.g. failed refugee appeals, pending pre-removal risk assessment (PRRA) by IRCC, administrative deferral of removal and temporary suspension of removal [Footnote10]), or serving a sentence. The CBSA cannot take action on these cases.

The **Removal In Progress inventory** makes up a small fraction of all removal cases and contains cases that are being processed for removal. These cases fall into three types:

1. those with impediments to removal (e.g., failure to appear with a warrant), comprising about 40% of working inventory cases,
2. those that are PRRA barred [Footnote11] (cannot apply for a PRRA) and considered actionable because there are no factors preventing an immediate removal. 30% of this type of case are ready either to be removed, or for their removal interview where removal impediments may be identified, and

3. those with expired PRRA bars (including repeat applications and failed refugee claimants) who may be due for assessment by IRCC as a result of not being removed prior to the expiration, comprising about 30% of this inventory.

The closure rates for Removals considered in Finding 2 included only actionable files from the program's Removal In Progress inventory, as all other cases in the inventory cannot be actioned for reasons beyond the Agency's control.

Impediments to removal

Impediments to removal refer to practical obstacles to removing inadmissible individuals. For all priority levels in the Removal In Progress inventory, the program was limited from taking action on cases due to impediments such as:

Non-compliance:

An individual subject to an enforceable removal order may become non compliant with removal proceedings if they do not appear for removal. The Agency has tried to mitigate the impacts of non-compliance through the Assisted Voluntary Return Program. Voluntary removals were difficult to achieve and were unsuccessful, resulting in IE intervention. According to some interviewees, non-compliance is one of the main reasons why inadmissible individuals remain in Canada after they are issued a removal order. They raised concerns that individuals who are non-compliant may subsequently be able to successfully apply for permanent residency status, which could pose risks to CBSA IE program integrity.

Individuals who choose not to leave voluntary may not always be included in the Removals program's Removal in progress inventory. Instead, they may be included in the warrant review inventory. The prioritization of these warrants are not always in line with priority levels, impacting prioritization. Finding 4 further explores the Agency's closure of non-compliance cases.

Lack of travel documents:

This includes the need to obtain travel documents from foreign governments, when the CBSA does not have one on file to effect removal. The individual may have lost or destroyed their travel document, or the document expired awaiting IRCC's processing or IRB or Federal Court decisions. When officers' continued efforts do not yield a travel document from a CBSA foreign mission, the case will be referred to the NHQ for resolution. In some cases, Global Affairs Canada may be asked to assist in obtaining the necessary travel documents.

The Office of the Auditor General of Canada's of Canada's 2020 Audit of Immigration Removals found the lack of travel documents and the timeliness of obtaining travel documents an impediment to removal due to factors outside of the Agency's control (e.g., countries are uncooperative about accepting the return of their nationals). While the Agency has been making progress on addressing these impediments, stakeholders consulted as part of the evaluation expressed that this continues to be the case.

Pre-removal risk assessments

Individuals facing removal from Canada may apply for a PRRA if they are at risk of persecution, torture, risk to life, or risk of cruel and unusual treatment or punishment if they were to be removed. If they are granted PRRA, the individual is given protected status and may apply for permanent residence.

In most cases, individuals become eligible to apply for a PRRA 12 months after they receive a negative decision on a refugee claim from the IRB or a negative decision on their previous PRRA application from IRCC. An individual may apply before the 12 months have passed if they meet exceptional circumstances (e.g., changes in their country's condition). During this 12 month waiting period, they are barred from applying for a PRRA during which they can be removed, if there are no other impediments that prevent the removal.

IRCC stakeholder interviewees suggested opportunities to work more collaboratively as the PRRA process and volumes impact both organizations.

Finding 4: The Immigration Investigations program warrant review rate did not meet the established target. This impacts the closure of warrants, and subsequently, contributes to the Removals program's ability to action priority cases.

A CBSA officer may issue a warrant to arrest and detain an individual if there are reasonable grounds to believe the individual is inadmissible, poses a danger to the public, or is unlikely to appear for an examination, an admissibility hearing, a removal, or a proceeding that could lead to the making of a removal order.

The review of warrants is the initial step to processing a warrant. If a warrant is executed, an individual may be located and arrested. If a warrant is cancelled, it may indicate the individual no longer needs to be processed through the continuum as they are no longer in Canada, deceased, or have received their permanent residence status.

Immigration Investigation warrant review targets

Immigration Investigations is responsible for reviewing and managing these warrants in line with established priorities. The program had established indicators specific to measuring the review of warrants, by priority, with the target of achieving the following by March 2022:

- Percentage of serious inadmissibility warrants (level one priority): With a target of reviewing at least 100% of these warrants, the program reviewed 74%.
- Percentage of other inadmissibility warrants (level two and three priority): With a target of reviewing at least 33% of these warrants, the program reviewed 146%.

The program did not report on these indicators until fiscal year 2024-2025, after the target date. Historic data could not be provided.

Impacts on Hearings and Removals programs

If an individual fails to appear for an IRPA proceeding, including an admissibility hearing or a removal, a warrant may be issued if necessary conditions are met, and Immigrations Investigations will become involved to locate the individual. Of all warrants between fiscal years 2019-2020 and 2023-2024, 6% (1,252) were issued for failure to appear for a hearing and 23% (4,924) were issued for failure to appear for a removal. Within the same timeframe, 8% (1,725) led to an arrest for failure to appear for a hearing and 47% (10,808) led to an arrest for failure to appear for a removal.

If an individual cannot be located, it impacts the Hearings and Removals programs' ability to progress the case, by:

- In the case of Hearings, preventing a hearing to determine the individual's admissibility. Of all warrants related to hearing proceedings for an unlikely to appear (4,586), 51% were led to an arrest, 22% were cancelled, and 27% were outstanding (all were less than a year old). Of these, 30% (1,359) were associated to level one priority hearings for unlikely to appear, of which 67% led to an arrest, 20% were cancelled and 13% were outstanding [Footnote12] (all were less than a year old).
- In the case of Removals, creating an impediment to the individual's removal. Of all warrants related to a removal proceeding for an unlikely to appear (12,597), 46% led to an arrest, 14% were cancelled, and 39% were outstanding (all were less than a year old). Of these, 22% (2,782) were associated to level one priority removals for unlikely to appear, of which 65% led to an arrest, 16% were cancelled and 19% were outstanding (all were less than a year old).

There are a number of impediments that may prevent removal, however considering the high rate of removal warrants for unlikely to appear, it is to the benefit of the entire IE continuum for the Immigration Investigations program to meet its warrant review targets.

Finding 5: All four IE programs consistently categorize serious inadmissibility cases as high risk. Risk is assessed differently across programs, in line with their varied operational context. The Removals program may benefit from aligning their risk assessment tool to those of the Detentions program to support consistency in risk scoring.

How does each program assess risk?

Risk is assessed on a case-by-case basis and considers behavioural and situational factors. While all four programs assess risk based on their operational context, and their approaches to risk assessment differ, all are reviewing elements in alignment with the Agency's mandate, and all four IE programs consider serious inadmissibility per IRPA as a high risk.

[redacted]

Case management systems

The IE programs rely on two systems for their operations: CBSA's National Case Management System (NCMS) and IRCC's Global Case Management System (GCMS).

GCMS is IRCC's web-based system used to process applications for immigration, citizenship and passport services. GCMS is the repository of all immigration and refugee cases, transferring certain information to CBSA's NCMS to provide a summary of all Immigration Enforcement cases related to detentions, hearings, interventions, appeals, investigations and removals. The information accessible is dependent on officers updating and uploading information into the system.

Challenges for CBSA case processing

NCMS is used for tracking immigration enforcement cases within the Agency. It was designed to effectively manage and prioritize high volume inventories, as GCMS did not offer the full functionality required by IE programs. Officers have access to NCMS and it is used to record information relevant to an immigration enforcement case (e.g., investigation activities, decisions impacting detentions, Refugee Protection Hearings decisions, and removals).

[redacted]

Finding 8: Across IE programs, case volumes, resource rates, and overtime use have changed at different rates. An assessment of resource allocation within and between programs may be beneficial to ensure IE programs are adequately supported.

From 2019-2020 to 2023-2024, IE programs encountered changes in case volumes and resources. The following table shows the percentage of total change over the five years (refer to Annex A for a breakdown by program and fiscal year):

Table 4: Percentage of total case volumes and resource changes over five years

	Immigration investigations	Detentions	Hearings	Removals
Cumulative new case volume	+1%	-24%	+107%	+58%
Annual budget allocation***	+148%	-36%	+41%	+15%
Annual expenditures***	+149%	-36%	+52%	+18%
Full-time equivalents (FTE)	+54%	+59%	+21%	+9%
Overtime use	No change	Increased	Decreased	Increased

Note: *** Includes salary and non-salary

Immigration Investigations case volume has remained stable while its funding, expenditures and FTE count has increased significantly. Despite the increase in Immigration Investigations resources, the program's closure rate of level one and level two priority cases decreased from 2019-2020 to 2023-2024, with the closure rate of level three priority cases increasing. An assessment of resource allocation within Immigration Investigations may be beneficial, with consideration for the complexity of cases.

While the Detentions case number includes new ATD cases, which increased over the evaluation period, overall, the number of Detentions cases decreased. The Detentions program expenditures decreased due to the completion of facility projects during this timeframe. The program's FTE count increased within the same time period, with the highest increases for IHC activities and ATD operational activities, which could be due to the expiration of previous agreements between the CBSA and the provinces that allowed the use of provincial facilities to detain high risk individuals. With decreasing case volume and increasing resources, an assessment of resource allocation between Detentions and alternatives to detention may be beneficial.

Hearings experienced increases in case volumes as well as financial and human resources. This resource increase, however, may not be sufficient to meet the demands of increasing case volume. While the program has improved its closure rate of its level one priority cases to nearly 100% over the evaluation period, the closure rate of level two and three priority cases have decreased.

Removals program expenditures and FTEs increased, but at a lower rate than the increase in the Removal In Progress inventory case volume. The case closure rate improved, potentially due to a relatively small increase in FTEs and overtime usage however, the program may be under resourced considering the increase in case volume relative to the increase in resources and reliance on overtime. This may have impacted their ability to close level two and three priority cases, while improving their ability to close level one priority cases.

In addition, over the evaluation period, there is an increasing reliance on project-based funding to meet program needs. While the increase use of non-base funding allows the programs to adapt to changes in priority, a reliance on non-base funding can present challenges when planning for long term program requirements, including staffing.

Overall, the increase in funding and expenditure of some programs may be associated to the cost centre of some regions. The evaluation found that some regions coded FTEs of one program under another. For example, the Atlantic region had three Immigration Investigations units in which there are Removals, Hearings, and Detentions teams. The Québec region coded Removals and Detentions FTEs under Immigration Investigations and Hearings while in the Southern Ontario Region, Removals and Hearings FTEs were coded under Immigration Investigations.

The resource allocation between IE programs is something the Inland Enforcement Directorate can review in order to ensure balance between case volumes and resource levels. In addition, the Directorate should review its cost centres to ensure FTEs are coded to the appropriate IE program.

[redacted]

Refugee claimant cases: All four programs received significant non-base funding to address a surge in case volume pressures related to refugee claimant cases. The increase in non-base funding includes salary expenditures. This funding, however, is not long term. For example, while base funding increased through the *Funding for the Stabilization and Integrity of Canada's Asylum System* Treasury Board submission, the non-base funding is not sufficient to address the surge and it is set to expire in 2025-26. While the use of non-base expenditure funding allows the programs to adapt to changes in priority, a reliance on non-base funding can present challenges when planning for long term program delivery needs, including permanent staffing.

Overall, it could be beneficial for the Intelligence and Enforcement Branch to conduct an assessment of immigration volumes and create an action plan so resources can be shared more efficiently. For example, in traveller processing, the regions plan operational needs, effective resource allocation, and optimize overtime usage through discussions in regional committees and consultation with staff and union to ensure there is sufficient resources at ports of entries that may have surges. In response, the Agency launched a platform for border services officers to express interest in working at these ports of entries.

Impact of refugee claimants on case volume

From 2019-2020 to 2023-2024, there was a 138% increase in the number of refugee claimants which includes regular and irregular claimants. Québec region received 53% of regular refugee claimants and 96% of irregular refugee claimants, across all regions. Further, in Québec region, the case volumes of all IE programs were affected by a high representation of irregular failed refugee claimants.

Additional observations

1. There are opportunities for improved guidance and communication on risk assessment and case prioritization. [Footnote13]

While this evaluation did not assess the effectiveness of communication between NHQ and the Regions, among Regions, or within Regions, in detail, survey results suggested the Agency may benefit from reviewing how information is disseminated and whether there are opportunities to ensure that all staff are receiving the necessary information, in a timely manner.

Survey results suggested that relevant communication may not be reaching all regional employees. About half of regional managers surveyed felt their staff did not have the necessary guidance and communication to properly risk assess individuals and to action immigration enforcement cases. 56% of staff felt the same, and an additional 10% stated they did not receive any guidance or communication. Conflicting guidance was identified as one of the top challenges impacting consistency of both risk assessment and case prioritization. This may relate to inconsistencies in surveyed internal regional stakeholder awareness of case prioritization criteria identified in Finding 1.

About half of the surveyed internal regional stakeholders in the regions also felt the level of collaboration and coordination among programs across the IE continuum could be improved. Some indicated that there is an opportunity to increase awareness of the contributions and requirements of each program, as a case progresses through the continuum (e.g., training or information sessions targeted toward inland enforcement officers about the information and evidence requirements of Hearing Officers to complete case files and represent the CBSA at hearings).

Feedback on tools to support risk assessment and case prioritization

Internal regional stakeholders stated through survey that they used the enforcement manuals most often when conducting risk assessments and to support case prioritization [Footnote14].

Many surveyed internal regional stakeholders reported that key policies, procedures, and tools, were available in a format they could access on the job. However, the ease of access to certain tools (e.g., having a single window to access all information) was also the biggest suggestion for improvement by most internal regional stakeholders. Many also indicated that relevant forms were sometimes difficult to find, upload, and fill out. Several documents also contained broken hyperlinks, limiting their use. Further, Operational Bulletins (OBs) were reportedly difficult to search, given how they were organized. Categorizing them by theme could make them easier to search. A few also expressed a desire for 24/7 support, which would help to alleviate any issues encountered in using the tools, outside of regular HQ business hours.

In terms of readability, enforcement manuals do not meet plain language requirements and have a post-graduate level readability score. This may relate to the IE programs' context, such as the requirements to make legal arguments grounded in legislation and regulations. ENF manuals are intended for specialized users.

Many surveyed internal regional stakeholders indicated that the clarity and conciseness of policies, procedures, and tools could be improved and that tools could be more consistent and up-to-date (e.g. the Field Operational Support System (FOSS) is still mentioned in four enforcement manuals, despite being decommissioned in 2016).

[redacted]

Annex A: Detailed program data

Case volumes and closure rates by program, fiscal year, and priority level

	2019-2020			2020-2021			2021-2022			2022-2023			2023-2024		
	New	Closed	Closure rate	New	Closed	Closure rate	New	Closed	Closure rate	New	Closed	Closure rate	New	Closed	Closure rate
Detentions	10,306	10,638	103%	1,973	2,167	110%	3,212	3,251	101%	5,019	4,896	98%	5,320	5,354	101%
High risk	861	886	103%	500	542	108%	595	612	103%	722	678	94%	802	838	104%
Medium risk	820	861	105%	409	435	106%	478	488	102%	672	644	96%	801	785	98%
Low risk	6,290	6,496	103%	731	775	106%	1,794	1,780	99%	3,162	3,132	99%	3,175	3,170	100%
Other	2,335	2,395	103%	333	415	125%	345	371	108%	463	442	95%	542	561	104%
Hearings	38,663	29,733	77%	8,066	19,941	247%	17,841	26,389	148%	44,085	27,953	63%	84,746	35,974	42%
Level one priority	2,846	2,349	83%	1,144	1,583	138%	1,504	1,938	129%	1,919	1,941	101%	2,004	2,100	105%

Case volumes and closure rates by program, fiscal year, and priority level

	2019-2020			2020-2021			2021-2022			2022-2023			2023-2024		
	New	Closed	Closure rate	New	Closed	Closure rate	New	Closed	Closure rate	New	Closed	Closure rate	New	Closed	Closure rate
Level two priority	33,566	25,669	76%	6,439	17,307	269%	15,667	23,074	147%	39,981	24,613	62%	79,512	32,050	40%
Level three priority	2,251	1,715	76%	483	1,051	218%	670	1,377	206%	2,185	1,399	64%	3,230	1,824	56%
Immigration Investigations	16,790	15,713	94%	12,128	14,426	119%	14,759	14,426	98%	14,415	14,932	104%	16,935	15,526	92%
Level one priority	9,361	8,745	93%	6,512	7,556	116%	6,248	6,510	104%	7,072	7,033	99%	9,614	8,553	89%
Level two priority	596	563	94%	652	809	124%	613	677	110%	824	905	110%	815	694	85%
Level three priority	2,404	2,259	94%	1,776	2,202	124%	1,559	1,572	101%	2,658	2,750	103%	2,675	2,599	97%
Other	4,429	4,146	94%	3,188	3,859	121%	6,339	5,667	89%	3,861	4,244	110%	3,831	3,680	96%

Closure rates may exceed 100%, as the closure rate is calculated by dividing the number of cases closed in the fiscal year by the number of new cases in that fiscal year, and cases closed could be received in the same fiscal year or in previous fiscal years.

New ATD case volumes by fiscal year

	2019-2020	2020-2021	2021-2022	2022-2023	2023-2024
High intervention	67	63	85	57	90
Medium intervention	210	178	163	155	180
Low intervention	7,310	3,229	4,534	6,917	7,359
Total	7,564	3,452	4,766	7,104	7,583

Removals case inventory by fiscal year and priority level

Due to limitations with pulling inventory data, the Removals program provided the following available data. The closure rate of the Removal in Progress inventory is as follows:

	Level One Priority (serious inadmissibility)	Level One Priority M (irregular refugee)	Level Two Priority	Level Three Priority	Total
Removal in progress inventory April 2023	1,194	4,373	12,773	1,387	19,727
Removals 2022-2023	642	634	7,003	1,958	10,237
2022-2023 % of removals	19%		35%	59%	34%

	Level One Priority (serious inadmissibility)	Level One Priority M (irregular refugee)	Level Two Priority	Level Three Priority	Total
Removal in progress inventory April 2024	1,228	4,251	16,598	1,513	23,590
Removals 2023-2024	733	1,817	11,482	2,303	16,335
2023-2024 % of removals	32%		41%	60%	41%
Removal in progress inventory April 2025	1,530	5,533	22,500	1,704	31,267
Removals 2024-2025	898	1,643	12,841	2,489	17,871
2024-2025 % of removals	26%		36%	59%	36%

[redacted]

Hearings										
	New cases						Budget		Expenditure	
	2019-2020			2023-2024						
	Level one priority	Level two priority	Level three priority	Level one priority	Level two priority	Level three priority	2019-2020	2023-2024	2019-2020	2023-2024
	2,846	33,566	2,251	2,004	79,512	3,230	$ 31,901,532	$ 45,108,011	$ 30,254,761	$ 45,912,751
ATL	21	31	N/A	21	50	N/A	$ 111,281	$ 577,272	$ 130,656	$ 213,901
GTA	972	6,624	354	687	4,366	130	$ 13,029,379	$ 18,314,155	$ 11,449,303	$ 19,883,295
NOR	77	489	42	78	266	15	$ 652,760	$ 1,285,618	$ 876,838	$ 1,401,857
PAC	365	4,309	476	262	11,351	1,470	$ 4,605,928	$ 5,880,553	$ 4,507,732	$ 4,988,775
PRA	276	2,098	273	308	3,674	256	$ 4,000,163	$ 5,730,612	$ 3,750,777	$ 5,965,537
QUE	1,043	19,811	1,105	609	59,666	1,358	$ 9,038,275	$ 12,751,853	$ 9,040,325	$ 12,842,910
SOR	92	204	1	39	139	1	$ 463,746	$ 567,948	$ 499,130	$ 616,476

Immigration Investigations

	New cases								Budget		Expenditure	
	2019-2020				2023-2024				2019-2020	2023-2024	2019-2020	2023-2024
	Level one priority	Level two priority	Level three priority	Other	Level one priority	Level two priority	Level three priority	Other				
	9,359	594	2,362	4,424	9,613	814	2,674	3,827	$ 34,741,800	$ 86,323,252	$ 33,284,383	$ 82,779,121
ATL	144	28	117	53	187	39	139	160	$ 1,192,065	$ 2,992,881	$ 1,453,620	$ 2,664,533
GTA	2,681	250	186	1,381	2,172	216	579	1,324	$ 9,883,224	$ 16,188,981	$ 9,640,742	$ 17,299,295
NOR	205	40	155	78	252	42	211	142	$ 1,721,381	$ 5,141,704	$ 1,781,721	$ 3,804,557
PAC	596	191	1,096	437	608	321	439	503	$ 5,104,928	$ 8,332,746	$ 5,126,475	$ 6,656,631
PRA	875	43	192	268	514	61	310	434	$ 3,382,053	$ 4,272,324	$ 4,075,359	$ 4,623,827
QUE	4,147	27	162	1,160	5,030	110	444	626	$ 11,004,864	$ 40,390,845	$ 8,743,137	$ 38,884,791
SOR	711	15	454	1,047	850	25	552	638	$ 2,453,285	$ 9,003,772	$ 2,463,329	$ 8,845,486

Removals

	New cases						Budget		Expenditure	
	2019-2020			2023-2024						
	Level one priority	Level two priority	Level three priority	Level one priority	Level two priority	Level three priority	2019-2020	2023-2024	2019-2020	2023-2024
	6,429	8,977	2,025	6,085	18,002	1,506	$ 43,794,685	$ 50,329,862	$ 43,315,786	$ 51,267,252
ATL	32	18	29	42	61	51	$ 521,313	$ 1,000,313	$ 635,154	$ 869,549
GTA	2,071	4,985	637	1,691	6,866	501	$ 17,472,863	$ 17,551,254	$ 17,076,440	$ 17,291,486
NOR	395	299	119	225	406	77	$ 2,187,407	$ 3,352,460	$ 2,113,413	$ 2,896,376
PAC	258	375	534	494	1,330	340	$ 4,408,997	$ 7,273,558	$ 4,665,334	$ 7,244,545
PRA	443	676	192	361	745	234	$ 8,824,387	$ 9,236,587	$ 8,744,456	$ 9,677,573
QUE	3,150	2,332	467	3,139	7,685	242	$ 9,759,820	$ 11,452,713	$ 9,415,481	$ 12,769,820
SOR	80	292	47	133	909	61	$ 619,898	$ 462,977	$ 665,507	$ 517,903

Annex B: Methodology and Limitations

Methodology

The evaluation used the following lines of evidence to gather information:

- **Document review:** 172 program documents were reviewed to gather information about the operational context in which the IE programs conduct risk assessment and how cases are prioritized, as well as any factors that may impact consistency, and program roles and responsibilities.
- **Stakeholder interview:** 17 interviews were conducted with program analysts and management from the four programs, as well as supporting programs and strategic policy, to gather a Headquarters perspective on risk assessment and case prioritization.
- **Survey:** Over 7,000 officers and managers across the CBSA's regions were surveyed, and 1,816 officers and managers whose work supports the IE programs responded. The intent of the survey was to gather operational information on risk assessment and case prioritization across the regions.
- **Operational and financial data review:** For each of the programs, spending forecasts from the Corporate Administrative System (CAS) and expenditure and resourcing data from the Costing and Analytical Model (CAM) was assessed. Operational program data from the National Case Management System (NCMS) was also assessed.

Limitations

In addition to the limitations outlined within the report (refer to Findings 6, 7, and 8 for specific limitations), the evaluation team had difficulties obtaining operational data to track consistency in risk assessment and prioritization across the continuum because the system was not created with this intention. Additionally, due to the formatting of some documents (e.g., physical scan of documents, excel documents), the evaluation team had challenges coding information using NVivo.

Annex C: Acronyms

ADR

Administrative deferral of removal

ATD

Alternatives to Detentions

ATL

Atlantic Region

CAM

Costing and Analytical Model

CAS

Corporate Administrative System

CBSA

Canada Border Services Agency

DPT

Detention Placement Tool

ENF

Enforcement

FOSS

Field Operational Support System

FTE

Full-time equivalent

GCMS

Global Case Management System

GTA

Greater Toronto Area Region

IBP

Integrated Business Plan

IE

Immigration enforcement

IHC

Immigration Holding Centre

IRB

Immigration and Refugee Board

IRCC

Immigration, Refugees and Citizenship Canada

IRPA

Immigration and Refugee Protection Act

IRPR

Immigration and Refugee Protection Regulations

NCMS

National Case Management System

NHQ

National Headquarter

NOR

Norther Ontario Region

NRAD

National Risk Assessment for Detentions

NTS

National Training Standard

OB

Operational Bulletin

PAC

Pacific Region

PRA

Prairie Region

PRRA

Pre-removal risk assessment

QUE

Québec Region

SOR

Southern Ontario Region

TSR

Temporary suspension of removal

Annex D: Survey and interview analysis grid

	None	A few	Some	Approximately half	Many	Most	All
Percentage	0%	1-20%	21-44%	45-55%	56-80%	81-99%	100%

[redacted]

Footnotes

Footnote 1

An arrest with a warrant may occur if a permanent resident or a foreign national is inadmissible and either a flight risk (e.g., unlikely to appear for an examination, admissibility hearing, removal, or a proceeding); and/or a danger to the public. An arrest without a warrant may also occur against a foreign national (other than a protected person) if an officer is not satisfied with the person's identity in the context of an immigration procedure (e.g., examination). In addition, a permanent resident or a foreign national may be detained upon entry to Canada for the completion of an examination or where the Minister has reasonable grounds to suspect the person is inadmissible on grounds of 34, 35, 35.1, 36(1), 36(2) and 36(2.1), or 37 or IRPA.

Footnote 2

Alternatives to Detention are included within the Detentions program as it became a separate program after the evaluation period.

Footnote 3

The ENF manuals are co-managed by CBSA and IRCC given both organizations administer and enforce the IRPA. There are 32 ENF manuals, with 15 manuals specific to Inland Enforcement policy guidance (e.g., Detentions, Removals, Admissibility Hearings and Detention Reviews, Investigations).

Footnote 4

At the time of the evaluation, irregular failed refugee claimants were considered a level one priority and regular failed refugee claimants were considered a level two priority. As of this report's publication, all failed refugee claimants are considered level two priority.

Footnote 5

Refer to Annex D for reference on the percentage of interview and survey participant who provided a response.

Footnote 6

Within the context of the evaluation, closed refers to administrative case closures with the exception of Detentions and Removals. For example, an Immigration Investigation may conclude a case at the officer's discretion or if the individual is of no further interest. A case closure does not always mean the individual received status or was removed. Within Hearings, a case may be considered closed if a hearing is scheduled or if an administrative action, other than a hearing, is taken (e.g., triage decision). Detentions cases are considered closed if the individual is no longer detained (e.g., removed, subject to an alternative to detention). Removals cases are considered closed when an individual is removed and does not include those who have obtained status in Canada.

Footnote 7

The number of new cases received compared to the number of cases closed each fiscal year was used to calculate a closure rate.

Footnote 8

Alternative to detention cases are tracked separately from Detentions cases for the closure rate.

Footnote 9

The Removals' indicators exclude irregular refugee claimants and cases with impediments when calculating the rate of removal of level one priority cases. The focus of the indicator is on cases within the CBSA's control. Finding 3 explores this in more detail.

Footnote 10

Administrative deferral of removals (ADR) is meant to be a temporary measure when immediate action is needed to temporarily defer removals in situations of humanitarian crisis. Temporary suspension of removals (TSR) interrupts removals to a country or place when general conditions pose a risk to the entire civilian population. Since 2021, the list of administrative deferral of removals and temporary suspension of removals regions have been Somalia, the Gaza Strip, Syria, Mali, the Central African Republic, South Sudan, Libya, Yemen, Burundi, Venezuela, Haiti, Afghanistan, the Democratic Republic of Congo, and Iraq. Lebanon was added in 2024. When comparing the number of new removal cases with citizenships from any of the ADR or TSR regions, including cases that cannot be actioned due to pending IRB decisions, they make up small percentage (less than 20%) of cases. The rate of removal of these citizenships are typically lower than the overall removal rate.

Footnote 11

In most cases, a PRRA application can only be submitted 12 months after a negative decision from the IRB on an asylum claim or a negative decision on a previous PRRA application, this is the PRRA bar period. However, a person may submit an application before the 12 months have passed, in exceptional cases (e.g., in the event of a change in their country's situation).

Footnote 12

Outstanding warrants as of March 31, 2024. On average over the evaluation period, 92% of warrants were executed in under a year.

Footnote 13

This observation is based largely on data from a survey of regional employees.

Footnote 14

It is important to note that individuals often rely on multiple tools, concurrently, to assess risk, which was reflected in survey results.