

<p>TYPE OF DOCUMENT – TYPE DE DOCUMENT : <b>Policy – Politique</b></p>	<p>EFFECTIVE DATE – ENTRÉE EN VIGEUR : <b>September 1, 2015 Le 1<sup>er</sup> septembre 2015</b></p>	<p>DOCUMENT ORDER – No. DU DOCUMENT: <b>Policy – Politique 53</b></p>
<p>CHAPTER VII – CHAPITRE VII : <b>Interjurisdictional and International Matters Questions intergouvernementales et internationales</b></p>	<p>Readers are referred to the list of Related Documents at the end of this Policy for additional information. Les lecteurs peuvent se référer à la liste des documents connexes notés à la fin de cette politique pour information supplémentaire.</p>	

## FOREIGN NATIONALS

### 1. Introduction

As a result of the principle of comity between nations, certain practices have evolved regarding the arrest and detention of a foreign national.

Where the police arrest or detain a foreign national, the police will

- (a) immediately inform the foreign national of his or her rights under the *Canadian Charter of Rights and Freedoms* and his or her right to contact his or her consulate;
- (b) notify the foreign national's consulate of the arrest or detention where the foreign national requests that the police do so;
- (c) permit the foreign national to communicate with consulate officials without delay; and
- (d) permit a consulate representative immediate access to the foreign national in order to discuss release arrangements.

### 2. Statement of the Policy

Where the Crown Prosecutor becomes aware that a foreign national has been arrested or detained, the Crown Prosecutor should confirm that the above practices have been followed. Where the above practices have not been followed, the Crown Prosecutor shall notify the Regional Director or the Director of Specialized Prosecutions, as the case may be.

Where a foreign national is brought before the court for a hearing regarding judicial interim release, the Crown Prosecutor shall follow the policies set out in Policy 23, Judicial Interim Release.

### 3. Related Documents

Policy 23      Judicial Interim Release