

“Very frustrating Mexican removal”

An immersive 360° verbatim documentary

by

FUSUN UZUN

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Abstract

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This thesis examines the Canadian immigration detention system through an immersive, interactive artwork, which questions how the state’s discourse about immigration contradicts ongoing practice. This contradiction is studied through the operative logic of preemption, Brian Massumi’s concept of “ontopower”. Employing the method of the Forensic Architecture collective in the context of Bruno Latour’s concept of *dingpolitik*, another goal is to explore the blurred lines between forensis, method and theoretical framework. The artwork employs the practice of Verbatim Theatre and the techniques and technologies of 360° Cinema to present the events surrounding the death in 2013 of migrant Lucia Vega Jimenez while in detention with the Canada Border Services Agency.

Keywords: Canada Border Services Agency (CBSA), ontopower, migrant detention, preemption, Verbatim Theatre, 360° cinema, forensic architecture, Lucia Vega Jimenez, assemblies, dingpolitik

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INTRODUCTION

On December 3, 2013, a Canada Border Services Agency (CBSA) officer wrote to her supervisor “I just spoke with her. Unfortunately, she didn't change her mind about wanting to take PRRA” (Jimenez Coroner's Inquest (JCI), Vandher, September 30, 2014, p.45). She concluded that email with the sentence “very frustrating Mexican removal!” and a smiley face. That Mexican was Lucia Vega Jimenez, 42-year-old undocumented migrant who had been trying to get refugee status in Canada because she was afraid of being tortured and killed in Mexico. The PRRA that Lucia wanted to proceed with was Pre-Removal Risk Assessment, a strategic application that would have given her the opportunity to explain her case. It was the key to her freedom. On December 18, 2013, the same officer ordered Lucia's immediate removal, but the CBSA didn't get the chance to remove Lucia from Canada. Lucia Vega Jimenez was found dead early in the morning on December 20, hanging from a shower rod in the washroom of CBSA's Vancouver Holding Center. Josh Paterson, the executive director of the B.C. Civil Liberties Association, asked the question that is also one of the key questions in this research: “If it's 'unfortunate' that someone would attempt to seek Canada's protection, and that attempt 'frustrates' removal (!), what else can be concluded about CBSA's aim?” (Paterson, 2014).

The Canada Border Services Agency is a federal agency, part of the Public Safety portfolio formed after 9/11. It has been given greater authority with the Balanced Refugee Reform Act (S.C. 2010, c. 8), the Protecting Canada's Immigration System Act (S.C. 2012, c. 17) and the Faster Removal of Foreign Criminals Act (S.C. 2013, c. 16) passed during the Harper Government. While most government agencies including Canadian Security Intelligence Service have oversight bodies, CBSA doesn't.

The public learned of Lucia Vega Jimenez's death more than a month after it happened. Although the media persisted in covering the story, the CBSA tried to disguise the incident providing incomplete answers. The CBSA's Assistant Communications Director at that time, Bernée Bolton, wrote internally to her employee "At this juncture the Qs are not necessary as all will get same response..." (Carman, 2014) Thanks to the media, the intervention of activist groups and pressure from NGO's, the stonewalling of the CBSA ended at a coroner's inquest into Lucia Vega Jimenez's death that began a month later.

...every appearing thing acquires, by virtue of its appearingness, a kind of disguise that may indeed — but does not have to — hide or disfigure it.

— Hannah Arendt, *The Life of The Mind*, 2001

Almost two years later, on December 10, 2015, Prime Minister Justin Trudeau appeared in the media, greeting Syrian refugees at the Pearson Airport and distributing warm winter coats (Jones, 2015). Canadians were proud of their welcoming government. The following month, a 16-year-old Syrian boy named Mohammed, an unaccompanied minor, was taken into custody by CBSA after making a refugee claim at the Fort Erie border. He was held in isolation for three weeks in a Toronto detention center until John McCallum, Refugees and Citizenship Minister at the time, granted him first-stage approval for permanent residence on humanitarian and compassionate grounds (Zilio, 2016).

Lucia and Mohammed are not the only ones whose "appearingness" involved being hidden, confined for Kafkaesque reasons. An extensive report written by the University of Toronto, Human Rights Department, *We Have No Rights: Arbitrary Imprisonment and Cruel Treatment of Migrants with Mental Health Issues in Canada* demonstrates how migrants fall into

“legal black hole” (Gros & Van Groll, 2015) as a result of arbitrary decisions. In 2013, over 7300 migrants were detained and nearly one-third of them incarcerated with criminals; small children are detained as “guests” with their parents and in some cases the children’s first words are learned from guards; and migrants who have suicidal thoughts are often locked in solitary confinement (Gros & Van Groll, 2015). Reg Williams, Director of CBSA immigration enforcement in Toronto between 2004 and 2012 who gave an interview for the report points out “...CBSA is heading towards to a more para-militaristic organization where the emphasis is on power and force, and less on interaction, cooperation, and engagement” (p.47).

Since 2000, at least 15 people died while in custody in Canadian detention centers (Kassam, 2016). During the summer of 2016, around 60 immigration detainees started an 18-day hunger strike at the Central East Correctional Centre in Lindsay, and at the Toronto East Detention Centre in Scarborough, to protest indefinite detention in maximum prison facilities where lock-downs and solitary confinement are routine (Draaisma, 2016). The same year, Renu Mandhane, head of the Ontario Human Rights Commission, highlighted that detaining migrants who are not serving a criminal sentence in provincial jails is a systematic problem and urgent reforms are necessary (Perkel, 2016).

What might appear as Canadian hospitality and generosity toward migrants in fact wavers between the conditional (Derrida, 2000) and the hostile (Rosello, 2001). Derrida argues that the practice of hospitality is always in the process of adjustment every time the host believes that the guest exploits the generosity or not fully meets his obligations or expectations. The guest is dependent on a mode of governance that shifts according to political context. Mireille Rosello (2001) affirms that this form of acceptance is always “likely to be denied”(p.55) or would be used as “a pretext for perpetuating certain unwritten laws” (p.61).

My objective is to expose the different assemblies within the Canadian immigration detention system, mapping an evidence-based network and reconfiguring the findings in an immersive storytelling format. The theoretical framework will examine the appearing of the actual with virtual strategies whereas the artwork will question state rhetoric with an expanded reality. I consider if affect and forensics have a common ground by investigating the appropriate digital immersive technology for telling the story of the network of actors in this matter. The forensic gaze of 360° film and verbatim theatre combined are the artistic substrate of a digital immersive experience of enactment that merges theoretical considerations of networks, assemblies, appearingness with the lived experience of Lucia Jimenez. Furthermore, I would like to discuss the tension between facts and reconstruction of the facts while investigating the gap between being and appearing in State practices.

THE FIELD

Every day, at 157 entry points, more than a quarter of a million people including tourists, Canadian travelers, new immigrants, and refugees cross the Canadian borders. The Canadian government has stated “...Given the huge volume of people seeking entry to Canada ... it is probably not surprising that there are an average of 400 individuals detained under the Immigration and Refugee Protection Act at any given time...” (Public Safety Canada, 2016). The field of Canadian immigration detention is a complex assembly, fed by arbitrary decisions and justified by the State as a routine procedure to regulate bodies. My goal is to deploy a methodology, which would help to expose the invisible without falling into the trap of victim portrayal. If we keep framing worldwide refugee matters as a question of humanitarian help and avoid discussing the reasons people are forced to leave their countries as Slavoj Žižek (2016) points out we will keep accepting this routine detention practice in Canada. Žižek (2016) refers to Oscar Wilde who stated that we can’t solve the problem of poverty by keeping the poor alive: “We need to reconstruct the society on such a basis that poverty will be impossible” (Wilde, 1891). Similarly, in a migration context, Žižek (2016) believes that: “With regard to the refugees, our proper aim should be to try and reconstruct global society on such a basis that desperate refugees will no longer be forced to wander around” (p.9). On August 15, 2016, Minister Goodale announced that the government will invest \$138 million to improve the immigration detention system: \$122 million will be used for infrastructure upgrades, \$10.5 million for health services, and \$5 million for developing alternative programs (Gros & Song, 2016).

The proportion of the investment raises many questions. Is this an investment to solidify the architecture of the invisible? Do we have spaces for migrants in public spheres? Is this solution one of collective dispossession? Dr. Michaela Beder, a Toronto psychiatrist who works

with refugees said this investment is “putting more money into the incarceration of people rather than . . . what we’ve been calling for— which is more money to support people outside of custody and money to address their mental health needs” (MacCharles, 2016).

According to Linda Tuhiwai Smith (2012) research is “a site of struggle between the interests and ways of knowing of the West and the interests and ways of resisting of the Other” (p.2). Not much has changed since Margaret Mead talked about the identity of the North with James Baldwin in the book *Rap on Race*, a transcription of a seven and a half hour public conversation in New York City, in 1970. Mead argued that the North has constructed its identity by excluding the Other: “The white world . . . [has] built its dignity and built its sense of identity on the fact it wasn’t black, the way males in this country built their sense of superiority over the fact that they are not female” (Baldwin & Mead, 1971). From the beginning of the 20th century, Canadian border politics have been based on economic priorities and a point system introduced in 1967 that was intended to end discriminatory profiling, but which provided a template for selecting the most desirable migrants based on utilitarian expectations (Arat-Koc, 1999). After 9/11, the Anti-Terrorist Act bills established a security regime that gave greater power to control and surveillance mechanisms. Hardt and Negri (2012) name this form of regime “the securitized” which is aligned with different forms of neoliberal strategies. Consequently, multiculturalism belongs to wealthy, self-sufficient migrants and marginalizes the Other.

Weizman argues “truth is a common project under construction” (Franke, Kim, Tajeri & Weizman, 2014). To date, the construction of public understanding or appearingness of immigration practices in Canada highlights Canadian generosity. Forcier and Dufour (2016) summarize the conventional government rhetoric on immigration with two points: generosity vulnerable to exploitation by the “fraudulent immigrant” with a refugee claim; and “the false

refugee” who threatens national security (p.8). I will employ a methodology in which the actors of this composite are mapped non-hierarchically, including *things* as actors, in order to project an exploded view of the problem. This is an experiment to search for the possibility of executing Bruno Latour’s theory of *dingpolitik* as a methodology that integrates the Forensic Architecture collective’s material politics. Bruno Latour and Forensic Architecture Collective put *things*, which belong to complex networks, at the center of the matters, and they allow *things* to intervene as subjects. Both approaches question sovereignty by implementing different modes of representation and, interestingly, they both describe their approaches in terminology that refers to “assembly”. Etymologically, the Thing or *Ding* refers a certain type of archaic assembly. Latour says “The *Ding* or Thing has for many centuries meant the issue that brings people together because it divides them. “... we don’t assemble because we agree, look alike, ...” (Latour, 2004, p.13)

Latour (2004) proposes that if the *Ding* can embrace both poles of a matter then it would be to our advantage to go “back to things” (p.13). Weizman (2014) unpacks forensics similarly. He describes the field and the forum as the two components that constitute forensics, with the field is described as the site of the investigation, and the forum as the place where the results of enquiries are presented and discussed. Weizman’s description of forensics as “the relation between the animation of material objects and the gathering of political collectives” (p.9) also echoes *dingpolitik* since Latour proposes “back to things” as an alternative form of assemblage to question what a contemporary assembly would look like and how that would change people’s perceptions.

I have attempted to use these concepts to construct an assembly displaying connections, weak links, overlapping points, to deploy evidence to distribute responsibility to the different

agents involved in the network and to reveal the systematic oppressive detention practice that has been normalized.

Mapping The Court Transcriptions

After the preliminary literature review, media analysis and fieldwork, I created a draft network or assembly based on core, visible actors, human and non-human: the architecture of holding centers, the placement of those centers in the cities, provincial prisons used as holding cells, sleeping pills to prevent suicidal thoughts, guns carried by CBSA officers. This led me to investigate the things that are hidden, absent: the absence of space, the absence of lawyers, the absence of the horizon, the absence of phone calls, the absence of information. I decided to re-map the network assembly to focus on Lucia Vega Jimenez's story since her case is probably the most documented example compared to the other deaths in detention centers, given the coroner's inquest into her death.

My preliminary objective was to collect and present a large amount of data to build a timeline. I bought the coroner's inquest transcriptions, which was a composite of seven days of review of evidence by a selected jury with 29 witnesses, and 12 non-jury participants who interrogated the witnesses. The timeline aimed to combine all investigation into one assembly that could also be disassembled into smaller pieces, like a modular design. Lucia was arrested on December 1, 2013 and committed suicide on December 20, 2013 in Vancouver. I included in the new assembly the time before her arrest, how she entered to Canada, the time of her death and the events after, the activists groups' pressure, CBSA's controversial email exchanges, and the after-math of the inquest, in order to demonstrate what has changed, what has remained, discussing Lucia's role as catalyst in this network. This process involved three stages: listing; locating; and detecting.

- **Listing.** I listed all the events and actors without a hierarchy, day by day. As a reminder, actor in this context is anything that appears in the court transcripts of the inquest into Lucia's death. Instead of selecting which actor to include in the network after reading all transcripts, listing all actors based on their participation in daily hearings avoided any bias. Each actor contributes to the network, building an assembly with different joints and ruptures. Overall, the priority was to keep the complexity and the plurality of the assembly to generate a hybrid and open-ended map.

- **Locating.** Observing this “collective existence” (Latour, 2013) and highlighting the repetitions, absences, and weak joints to reveal the unseen was the next stage. Naturally, Lucia's story is based on constant conflict between local and international, outside and inside, which engenders different assemblies and questions as to where the borders are located.

- **Detecting.** At this stage, actors were highlighted based on their capacity to effect within a particular moment. What difference did this actor make? What was the actor's effect on the assembly, short-term and long-term? Does the absence of the actor make a difference? These were some questions posed to detect possible assemblies.

Mapping seven days of inquest proceedings, and 1185 pages of transcriptions required a lot of time. The resulting material map was unwieldy and so extensive as to render the proposed digital immersive experience unmanageable. However, the timeline remained crucial to be synthesized; the listing and locating process helped to establish the case as a network. Scalability of assemblies allowed me to zoom out from the material map and address the most salient points in Lucia's experience with CBSA. In the decision making process, salient points were the repetitive barriers, the issues that had been discussed maybe every day but still remained confusing, and testimonials which didn't appear much on the news.

THEORETICAL FRAMEWORK

The Other's everyday reality appears as a potential for everyone. Terror shattered "the glasshouse" created by the capitalist globalization to distinguish privileged Inside from vulnerable Outside Slavoj Žižek (2016) announced, discussing Peter Sloterdijk's book *In the World Interior of Capital* written in 2015. Now, what we watch as terror on TV could find us at a rock concert, a Christmas bazaar or a high-end nightclub on New Year's Day. Immersed within violence, we let the fear and threat play the leading roles in generating "affective facts" (Massumi, 2010). Brian Massumi, in his essay, *the Future Birth of The Affective Fact*, he says that "We live in times when what has not happened qualifies as front-page news" (p.52), and he questions: "How could the nonexistence of what has not happened be more real than what is now observably over and done with?" (p.52). The power of affective fact appears when there is a lack of evidence, where the apparatuses are not transparent, and the problems are complex. This formula constructs "surplus reality" of what has not materialized yet (Massumi, 2010) and our ability to redistribute these "affective facts" instantly augments potentiality. Hardt & Negri (2012) argue that the surplus of information created by the media serve the oppressive forces dissimulating quality with quantity, which they called "the mediatized". "As media move ever deeper into our lives ... they create experiences that are increasingly superficial" (p.21). As a result, this mediatized feedback loop has created a sense of numbness and cynicism. "The banality of evil" (Arendt, 1963), the normalization of terror becomes inevitable.

My theoretical framework is based on Massumi's concept of "ontopower". He recapitulates ontopower as "preemptive justice, which revolves around pre-punishment for pre-crime" (Duke University Press, 2015). The core of ontopower is preemption. Preemption plays with time—it is acting before the threat has emerged as a present danger without the

requirement of evidence. He argues that this strategy produces “the post-shock pre-posturing” (Massumi, 2011) that is injected into our daily lives, and which can be triggered anytime by simple strategies; uncertainty becomes a legitimate instrument. “Could have” and “may have” treatments behave like facts. He reminds us that potential conditioning only works to confirm a probability giving the example of Saddam Hussein: “A conditional statement cannot be wrong. First because it only asserts a potential, and second because, especially in the case of something so slippery as a potential, you can’t prove the negative” (Massumi, 2007, p.6). This conditional logic develops into “an operative logic” (Massumi, 2015).

“Potential threat calls for a potential politics” (Massumi, 2007, p.6). Preemption was always a strategy for governments, but the battle changed after 9/11. The attacks relocated the threat, and the threat was scattered everywhere. Canada was attacked by U.S. media, which claimed that weak Canadian borders helped terrorists enter the U.S. (MacIntosh, 2012). On September 28, 2001, the UN Security Council ordered that “...all States should take appropriate measures to ensure that the asylum seekers had not planned, facilitated or participated in terrorist acts” (United Nations, 2001). Canada responded with new legislation: *the Immigration and Refugee Protection Act* (IRPA), which governs the border, Bill C-36, *the Anti-terrorism Act*, 2001, which facilitates deportation and detention. Bill C-36 is a 186-page bill that outlines terrorism and limits civil liberties allowing the government to eliminate the right to silence or intercept private communication bypassing judicial authorization. In 2015, Bill C-51 was passed by the Conservative government with the support of Liberal party, imposing more restrictions on freedom of movement and giving authorities the power to detain migrants for a minimum of a year, even without clear proof of any wrongdoing by the migrant. “Bill C-51 —was the most radical national security law ever enacted in the post-Canadian Charter of Rights and Freedoms”

state Roach and Forces (2015) in the preface of their book *False Security, The Radicalization of Canadian Anti-terrorism*. The Canadian Civil Liberties Association (2015) states that the potential for pre-emptive arrest shifted the basis for the arrest decision from “necessary” to “likely”. The vague wording of the legislation allows potentiality as a punishment without evidence. The language of the Bill proves that the legal measures are not preventive but preemptive, differences that need to be articulated. Massumi (2015) says: “Prevention assumes an ability to assess threats empirically and identify their causes. Once the causes are identified, appropriate curative methods are sought to avoid their realization” (p.5).

The post 9/11 period didn’t wait for the threat to fully materialize. Instead, fear was used as the primary source not only to be watched, to exert control but also to deprive many of freedom. Hardt and Negri (2012) argue that “Fear in the security regime is an empty signifier in which all kinds of terrifying phantoms can appear (p.25) ... All kinds of injustices can be warranted by the ghostly apparitions of a generalized fear (p.26)”.

ASSEMBLIES

How preemption, neoliberal practices and totalitarian order perform in Lucia's story, as well as the relevant players and issues that produce the final assemblage will be examined in this section. Twenty-nine witnesses' testimonial, a 9-1-1 call made after the security found Lucia dead, photographs of Vancouver Holding Centre, and five minutes forty-seven seconds of security footage that show the day Lucia was detained and the morning she committed suicide are my primary materials. My attempt is to discuss "matters-of-concern" (Latour, 2005) that emerge from these sources to provide an exploded view of the system.

The Canadian immigration detention system has a complex, Kafkaesque structure. One of the Kafkaesque aspects is that there are two different entities that take care of the refugee process. The CBSA is focused on removal of the migrants as soon as possible whereas the Refugee Immigration Board assesses the migrant's risks of going back home. If you mention to the CBSA that it is dangerous to go back home then you are a flight risk, you are detained; if you don't declare your risks in returning home to the Refugee Immigration Board, your case is weakened. The government bodies work as if one is the opponent of the other, placing migrants in an impasse. In order to unpack this typical Kafkaesque impasse that migrant detainees face, I assumed another perspective on the complex comprehensive assembly I built from the timeline and the material map of Lucia's experience, deploying a set of criteria which would support a more condensed assembly based on salient points in Lucia's detention that would be adaptable to a digital immersive enactment. The organizing criteria for this new assembly are: identity, which is where the border starts; architecture, which defines how space frames migrants; and absences of transparency, access, recognition. Furthermore, this section moves closer to the stated goals of

the immersive artwork, by relying entirely on words spoken in the coroner's inquest, words which frame the assembly as they establish verbatim voices for the artwork.

Identity

The lack of identity is a common reason to be detained. We are scared of what we can't identify. "The enemy is unspecifiable. The threat is indeterminately in potential" (Massumi, 2007). Lucia Vega Jimenez was stopped by transit police in Vancouver at the Main Street SkyStation heading home from work. She couldn't provide proof of payment of her fare. When police asked for her identification, she gave her name but not her identification at first. Her name didn't appear in two police databases, PRIME and CPIC, so the police decided to verify her identity with the CBSA database. The following court transcription from the inquest into Lucia's death reveals the motivation of the transit police who detained Lucia.

Q What is it that causes you to phone -- is there something particular about a person that causes you to phone CBSA for one person and perhaps not for another person?

A At that point I understood that -- I could hear that she had an accent when I spoke with her.

Q Yes.

A And with that there I could tell that she wasn't originally from Canada, and that's why I attempted to identify her by using CBSA.
(JCI, September 29, 2014, Schuss, p.22)

In 2013, Vancouver Transit Police reported 328 people to CBSA in the Vancouver area (Ball, 2014). While a migrant could have several reasons for being undocumented, Josh Paterson, the Executive Director of the B.C. Civil Liberties Association's believes that there is a habit of profiling based on accent, English language skills or wearing of work clothes (Ball, 2014). To underscore and oppose this kind of profiling, No One Is Illegal Vancouver and Sanctuary Health Coalition collaborated on a campaign called "Transportation Not Deportation" which forced the Vancouver Transit Police to end its agreement with CBSA in 2015 (Baluja,

2015). Previously, transit police had the preemptive authority to hold a migrant if they thought the person could be of interest to the CBSA. Similarly, the Government of Ontario ended CBSA participation in the province's road safety blitzes and CBSA power to make arrests on immigration violations. Immigration lawyer Guidy Mamann said: "Safety blitzes are to determine whether or not the vehicles are safe and roadworthy, not to determine what your immigration status is." (CBC News, 2014). The inquest was significant to expose the relationship between transit police and CBSA and the campaign's success is an important milestone to eliminate checkpoints that affect mostly marginalized communities in the country.

Borders and preemptive powers are shifting, and, as Susan Bibler Coutin (2010) points out, the whole country becomes like a detention center. Exclusion is enacted in everyday spaces by different modes of power, enforcing coercive regulations, stereotyping people and circulating a preemptive mode of fear. Hardt and Negri (2012) argue that we are constantly observed and recorded and fear becomes a general condition of society. And while we could be the object of security, it demands of us sometimes to be the subject: "Fear justifies volunteering your pair of eyes and your alert attention to a seemingly universal security machine. And you are called to play both roles at once" (p.16). Whichever role one might be called upon to play, the overall carcerality of society is inevitably reinforced.

Architecture

Eyel Weizman (2014) states that architecture is not a passive component of assemblies. Structures, spaces and technologies have "the capacity to act and interact with their surroundings and shape events around them" (p.16). In the stories of migrants, the architecture intervenes to build the disappearance. Tings Chak (2014), in her book *Undocumented: The Architecture of Migrant Detention*, describes the architecture as "the built form of a society's values". CBSA

locks migrant bodies up in detention centers far from the cities, to be disappeared from the public eye, to build barriers to access for lawyers, immigration resources, and support. Undocumented migrants live underground, hidden in cities and when they are arrested, they are kept hidden and underground as well. They are trapped in a vicious circle where they can't communicate with the outside so they can't provide what CBSA requires so they can get outside of the detention center.

These detention centers have prison conditions with constant surveillance. Sometimes detainees prefer to be in a prison instead of a detention center because they have more rights in a prison (Gross and Van Groll, 2015). One lawyer claimed in his testimony during the coroner's inquest: "The only good thing about [the Vancouver] holding center is that it doesn't have criminals in it. But other than that, it's a secret place... There are no lawyers, there are no judges. You're isolated, you're on your own..." (JCI, October 2, 2014, Cannon, p.160).

A representative of the Red Cross at the coroner's inquest stated that the Vancouver Holding Center is inappropriate even for short-term detention. It is a windowless construction. There is no access to communications in the event of an emergency, no call button in the cells (JCI, October 2, 2014, Bloch p.5). In the court, the architect who designed the prison explained the revisions required after Lucia's death. The revisions prove that the standard measures to minimize self-harm were not calculated as part of the design, although, this is not an uncommon problem in prisons.

Architecture is deployed as a convenient apparatus to criminalize migrants and generate the spatial basis for preemption. The B.C. Detention center is only a 72-hour solution. After that, the detainees have to be transferred to provincial prisons. A Global Detention Report (Canada Immigration Detention Profile, 2012) stated that many of the migrant detainees were held in high-security facilities in 43 prisons across the country. High-security means you can't leave the

cell for up to 18 hours a day. Migrants who are detained based on administrative grounds are comingling with convicted criminals wearing prison uniforms, hand-cuffed and shackled. Lucia was transferred to Alouette Correctional Facility and held in a maximum-security unit called Bravo. The unit was a mix of people who had mental health issues, convicted criminals and immigrant detainees. They would be locked in their cells from ten o'clock at night till seven o'clock in the morning. They would be locked up again for staff breaks including their 15-minute coffee breaks. In every cell there is either one bunk or two bunks with a toilet and a sink, a writing surface and a little stool, a mirror, a TV set, no Internet. It was in these conditions that Lucia had to fill out her PRRA application, the document that could secure her release. (JCI, September 29, 2014, Barbara)

Absences

Absence of transparency. CBSA is one of the few enforcement agencies in Canada without an independent oversight body, which allows the agency to act without accountability. A Memorandum of Understanding from 2006 permits the Red Cross to act as monitors in immigration detention facilities and to give recommendations on a confidential basis. During the proceedings of Lucia's inquest, Anne-Christine Bloch, the Red Cross national manager for Detention Monitoring Program said: "We had grave concern that provincial correctional facilities are not appropriate facilities for immigration detainees. They do not cater to the specific needs of immigration detainees" (JCI, October 2, 2014, Bloch, p.15). Bloch affirms that they couldn't audit but only monitor, as an audit would require more judicial power for the Red Cross. Through her testimony, she went over many recommendations made by Red Cross to CBSA for mitigating risk, facilitating access for legal support, improving physical conditions of detention

facilities, which are similar to the recommendations that the Coroner and jury made after the inquest.

- Q I also wanted to deal with this issue of commingling. How many years has the Red Cross been complaining about commingling now? A decade or more?
- A I believe that we have raised issues around commingling for definitely that well, probably since we started gaining access to correctional facilities, I would think. But for sure I know, because I was in this role in 2008, that it was already on our agenda at year 2008 (JCI, October 2, 2014, Bloch, p.30).

Lucia's suicide in the Vancouver Holding Center became public knowledge after more than a month. CBSA didn't grant interviews to journalists. CBSA sent short answers to confirm the incident avoiding any specific questions. The Vancouver Sun filed Access to Information requests to obtain the correspondence of CBSA officials during the incident. Nine months after the request 1,700 pages of email exchange was released. The dialogues between employees on responding to journalist demonstrate CBSA's communication strategy: "If we respond to specific questions, then more questions will follow" (Carman, 2014). Moreover, instead of releasing news of Lucia's death publically as soon as it happened, they follow a reactive strategy, preparing "holding lines" with minimum information about the incident. The absence of an independent agency to watch CBSA practices allows also this non-transparent communication strategy with the public.

While the CBSA hid the truth for a month, a coalition of eight immigration groups was active to raise awareness about Lucia's death. They organized a rally and vigil for Lucia, collected money to bring Lucia's sister to Vancouver. They wanted to join the inquest but B.C. Coroners Service denied them permission to participate in the inquest. There are many community groups, organization who would like to cooperate with government agency to avoid these tragedies, but so far, CBSA works only with the Red Cross.

Absence of access. During the coroner's inquest, how to make a call from the detention center and how to make a call as a migrant detainee was discussed almost every day. Creating complex procedures to minimize detainee access to the outside world is a commonly used strategy in the Canadian detention process. Absence of access takes on several key forms: absence of legal access; absence of healthcare access; and absence of law.

Absence of legal access. It took 12 days for the government to assign a lawyer to Lucia. She had only four days to complete the Pre-Removal Risk Assessment (PRRA), which could give her time to contest her deportation. PRRA is an exhaustive document to complete even for an English speaker and without access to the Internet or a library to refer to examples, it is even more challenging. Lucia worked on her application but on December 17, the CBSA officer informed Lucia that her PRRA application was never submitted. Lucia's lawyer told CBSA that Lucia did not intend to file a PRRA on December 17, but on the morning of the 18th Lucia phoned her back and decided to make the PRRA application. Lucia clarified to CBSA officer Raman Vandher that she did want to file a PRRA. Vandher said that helping Jimenez with her PRRA would be "a conflict of interest" (JCI, September 30, 2014, Vander, p.28). Her job was to enforce removal and not to get involved with Lucia's risk in returning home. Another detainee and unit rep Barbara was assisting Lucia through completing the application. She testified that they called Lucia's lawyer to find out what happened, but the lawyer wasn't taking phone calls from Lucia anymore, (JCI, September 29, 2014, Barbara, p.30). The PRRA application has been discussed with different witnesses through the proceedings. Ambiguous responses from CBSA officers reflected the tendency of the agency to favor deportation rather than helping undocumented migrants within the limits of the law.

A Yes, they can apply for an extension to their deadline for their application if they so wish to do so. In Ms. Vega Jimenez's case she did not apply for an extension.
(...)

Q The lady her -- you spoke to the lady herself?

A Yes.

Q And she told you she wanted to apply for this?

A But her lawyer knew that as well.

Q Well, that's interesting. But you spoke to her. Did you tell her that she had an opportunity -- a last-minute opportunity to file something or to apply?

A I can't recall if I had told her that or not. (...)

Q But Ms. Vega Jimenez told you she wanted to.
(JCI, September 29, 2014, Vandher, p.168).

Absence of healthcare access. One of the detainees in custody with Lucia emphasized how Lucia needed to speak with someone: "It was very apparent that the victim was extremely nervous. She would scratch her head, shaking and unable to sit still. The victim mostly looked down to the ground and did not speak with anyone" (JCI, October 3, 2014, Karelis, p.13). A mental health screener who assesses self-harm and mental health status of convicts at Alouette Correctional Facility, told the jury that Lucia was hallucinating someone's presence, but it didn't seem severe enough a mental health issue for her to be examined with any urgency by medical staff. Although Lucia made two appointments with medical personnel at the Alouette, due to the clerical negligence she never had a chance to talk with a health professional.

Absence of recognition of scars. Lucia had to convince Canadian authorities that if she were deported to her country, she would be tortured and killed. At the inquest, the nurse told the jury that she was able to remember five scars on Lucia's body: forehead, back of her head, arms, knees. However the nurse explained that she could not chart any injury that she didn't attend to. Rose Elena Arteaga, an inquest witness who works for Battered Women's Support Services asked

I wonder, as medical personnel, knowing violence against women and knowing that she was going to be deported, I wonder why she didn't get asked, 'Where did you get these scars? Is this the result of torture? How many assaults did you have?'" (JCI, October 6, 2014, Arteaga, p.5).

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Arteaga told the jury that based on her experience, when a woman uses the words "torture" and "kill" that usually means that there is gang involvement and in this case drug cartels. Her theory is that the ex-boyfriend of Lucia was connected with gangs. And for some reason she didn't disclose that connection. Arteaga explained that more than 50,000 people have died as a result of the war among so-called cartels, even though they are not involved in cartels in the last six years (JCI, October 6, 2014, Arteaga, p.14). She believes that Lucia wanted to live.

... when she got stopped she was coming from work ... she was saving money to send money to her mother who needed surgery ... She had been deported once and then she came back by land. And for a lot of us who are from Mexico, we know that you risk your life when you have to cross the Mexican border, come through the United States, and then cross the Canadian border. So she was looking for life... (JCI, October 6, 2014, Arteaga, p.5).

Neoliberal Practices and Mutual Victimization

According to Massumi (2013), it doesn't matter how many prisons and detention centers we have, or how sophisticated surveillance gets; general insecurity will remain because that's how capitalism works to keep the flow circulating. "Free trade and fluidity of labour markets is the name of the game. So no matter how many billions of dollars are poured into surveillance and prison building the threat will still be there..." (Massumi & Zournazi, p.10). In a provincial jail, a detainee costs \$259 per day and in 2013, the CBSA paid over \$26,000,000 to the provinces to detain migrants in provincial prisons (Gross and Van Groll, 2015, p.4). Criminalization of migrants is a source of private profit. Immigration detention centers are only one actor in the larger prison network. Private interests have actively lobbied in Canada over the last decade to transfer operation of immigration detention centers to private companies (Darwish & Latham,

2013). In the U.K. and the U.S., where most detention centers are operated by private companies, reports indicate that there is virtually no accountability and abuse is common (Darwish & Latham, 2013).

Lucia could have been saved if guards from the private security firm Genesis had followed orders and done routine checking of detainees. Genesis is responsible for daily operations at the Vancouver Holding Center. Based on standing orders, there should be no less than four guards seven days a week, 24 hours a day and a minimum of one guard must be female. At the time of Lucia's death, there was only one guard on duty, without any help, so the guard couldn't check on her, as he had to stay in the control room. The guard admitted to occasionally falsely filling out an internal form to claim that he had completed all his checks.

Q Okay. So you're -- I notice that you write on your -- on your report that you did a room check at five o'clock, 5:30, six o'clock and 6:30. Those are all false entries, you made those up?

A Correct, yeah.

Q Okay. Why did you make those up?

A I was just checking off that there -- they should be still there, that's it.

Q Okay. It's a false document.

A Okay.

Q Isn't that right?

A Correct, yeah.

Q Okay. Why did you feel you had to do that?

A I don't know.

Q Pretty standard practice, isn't it, to write these false reports in there?

A I was -- I was by myself. I didn't wanna go in the rooms there.
(JCI, October 1, 2014, p.171)

Even though the guard raised these issues with his supervisor, nothing changed. The body check mechanism works well if it is to limit freedom, but it fails if it is to ensure safety. It would seem that the security guards are also victims of the same neoliberal practice. At the coroner's inquest, it was revealed that the Genesis guards make around \$15 an hour, and they had to pay

for some of their training and work equipment. Guards tend to be immigrant workers as well, in precarious contracts, resulting in mutual victimization of migrant detainee by immigrant worker. If CBSA didn't work with third parties and hired its own staff, they would be paid around \$40 an hour. Although there is evidence to prove that Genesis failed to fulfill its contract with CBSA, instead of cancelling the contract CBSA raised Genesis' payments.

Each assembly conjured in this chapter has the potential to propagate more assemblies. The entire chapter could be seen as just a glimpse of a complex matter that demonstrates how the control of mobility and the practice of excluding are structured throughout the economic and political forces in a large network. Oppressive politics and neoliberal practices create obscure zones where ambiguous policies and arbitrary practices are exercised without accountability. The vulnerable become dependent on an Order that holds power over survival (Athanasίου & Butler, 2013). My investigation examines the ways to represent this assemblage in an immersive digital space in order to question who is the real threat. I explore how the evidence could appear in a contemporary forum combining different art forms, discussing the aesthetic of this multiplicity and these forms could be deployed in order to better serve Lucia's story.

FORUM

Enactment of An Experience

It is because we ourselves are so divided by so many contradictory attachments that we have to assemble...

—Bruno Latour, *From Realpolitik to Dingpolitik or How to Make Things Public*, 2006

According to Massumi (2015) in order to challenge the politics of affect, we need to produce a form of affect. My aim is to combine verbatim theatre with virtual reality to create an immersive storytelling form of affect to challenge the current situation of migrant detainees.

Methodology

Dematerialized bodies, oppressed, marginalized and speechless migrants are being consumed by the “legal black hole” (Gros & Van Groll, 2015). Therefore, it is perhaps the ability to turn speechless things into “matters that speak” that is important in this political atmosphere (Lahoud, Tavares & Weizman, 2009-2010). We never hear Lucia speak but we see her briefly in surveillance video walking hand-cuffed along the dark hall, escorted by security guards. We see her last moments as she enters the washroom where she was found dead. To recount her story, the appearingness of which is mostly hidden, I am recouring to testimony, word by word, from court transcripts. And, I am activating these transcripts of testimony through a technique commonly known as a *verbatim theatre*. The story is constructed without changing the words of the transcriptions and without using narration. Some of the locations created in 3D are based on the actual environments of Lucia’s life and death using the footage and pictures distributed online during the coroner’s inquest. The final artwork proposes an assemblage of evidence in a 360° immersive narrative form.

The assemblies of the forum inherently don't fully agree with each other. I am asking participants to disconnect from their physical world and witness an enacted form of evidence in a constructed space claiming that there is a gap between the appearing of the matter and the matter itself. The dialogues are real but the scenes are virtual. The architecture follows a forensic approach which is more "a material fetishism" (Weizman, 2014) but the narrative is based in verbatim theatre, which is more about rhetoric and persuasion. The attempt is to determine if keeping the tension in the forum with selected forms could be a way to project the fissure between appearance and being; the challenge is to figure out how they could play together effortlessly. These tensions don't provide a conclusion but rather suggest new possibilities for appearingness. Latour (2005) states that singular truth is a "messy, risky business", similarly, Weizman (2014) believes that forensis can never be a solution to understanding all the complexities and subjectivities of an assemblage. My goal is to visibilize new appearingness employing aesthetic resources as modes of investigation. The forensic gaze of 360° film and verbatim theatre could challenge the oppressive order and its power to disguise the facts. According to Marshall McLuhan (1995), "The hybrid or meeting of two media is a moment of truth and revelation from which a new form is born" (p.55). Producing more hybrid spheres of representation could be more persistent to break the bubble of the audience who are used to accepting already established rules.

Before moving forward to discuss the forum, the background and the current debates about immersive, digital storytelling, I should clarify two terms, 360° film and VR: "In VR you control the experience; in 360° film, you're simply along for the ride" (Adams, 2016). Both 360° film and VR simulate environments but while VR gives the viewers the ability to move around the environments and interact, in 360° film you can't travel within the story. However, both

promise an immersive storytelling in a spherical content where the spatial strategies are essential, and the viewer acts as “an investigator” (Newton & Soukup, 2016). Accordingly, since they are not fully mature forms, both tackle similar problems. Therefore, I included VR debates when I think they also cover the challenges of 360° film as well.

The creative process for the artwork started with the goal of conveying the spatial politics of the case. The architecture of detention, borders, control, invisibility, isolation and absence are the main topics of the artwork. Limitations of 360° film reinforced these aspects of the story. Being restricted while fully immersed was the condition of the viewer in the entire story, much like Lucia who was stuck and isolated within confined spaces. Overall, the artwork or, as I propose, “the forum” doesn’t promise clarity, instead it highlights the ambiguousness of the actors involved in this network.

A question raised by participant Kate Moran during a workshop held by artist Dorit Cypis at the University of North Carolina leads me to also consider the power - body relationship: “Will virtual reality reinforce that our bodies are something separate from us to be manipulated and controlled?” (Richards & Tenhaaf, 1991, p.36). This is a question to consider while designing what do we want to control and why, in an environment where the viewer actively chooses where to look and what to see. Filmmaker Katy Newton and experience designer Karin Soukup partnered with Stanford’s d.school Media Experiments, the National Film Board of Canada, and independent filmmaker Paisley Smith to examine the viewer’s experience in VR with over 40 participants and experts from different backgrounds for ten weeks. At the end of the research they state, “Looking is doing, and it requires a lot of work from the audience.” Therefore, the storyteller needs to take a position “like a matador, waving the red cape in the direction they want the audience to run” (Newton & Soukup, 2016).

The bullfighting expert Ernest Hemingway, in his novel “*Death in the Afternoon*” published says, “Bullfighting is the only art in which the artist is in danger of death and in which the degree of brilliance in the performance is left to the fighter's honour” (Hemingway, 1932, loc.1189). Is there any causality in the arena of 360° non-fictional storytelling, when the storyteller makes a specific point? In this context, the risk is missing the opportunity of meaningfully recounting a matter of life and death if the elements do not appear at the right time, or at the right place. However, I believe the unpredictability of presence generates a reciprocal vulnerability, as occurs in performance art. And sometimes the viewer finds the brilliance in the absence and breaches within the story, not in what is exposed in front of her point of view directly. Massumi (2011) states “Simply maximizing interaction... is not necessarily the way. I think you have to leave creative outs. You have to build in escapes. Drop sinkholes”(p.49). Newton & Sokoup (2016) remind of us the moment when Bill Murray tells to Scarlett Johansson in *Lost in Translation*: “Sometimes not knowing is a powerful thing” (Coppola & Coppola, 2003). I think that by making constant decisions, the viewer comes to make her own edit each time, quite naturally. Maybe, we should question how to design an immersive world to maximize the possibility of a good edit each time the viewer meets with the artwork instead of worrying if some influence points will connect with the viewer.

Verbatim Theatre and Immersive Storytelling

Theatre and journalism started co-mingling at the beginning of the 20th century and verbatim theatre first appeared as “Living Newspapers” or “Dramatized Newspaper” to communicate the “truth behind the headlines” (Casson, 2000). The objective was mainly to hear the voices of the dispossessed (Derbyshire & Hodson, 2008). Playwright Stafford-Clark defines verbatim as a research tool. He says “what a verbatim play does, is flash your research nakedly.

It is like cooking a meal, but the meat is left raw, like a steak tartare” (Hare et al., 2008, p.51). Verbatim theater has been referred to as documentary theater as well. Playwright David Hare believes that there is no difference between writing a documentary play and verbatim theater because the end-goal is to build a bridge between the story on the stage and the audience; what matters is “the unspoken stuff” that invades the space.

On June 9, 2016, the British National Theatre launched *Immersive Storytelling Studio*, where Virtual Reality and 360° film would be examined to advance dramatic storytelling and to “place their audiences in the shoes of another” (Brown, 2016). Toby Coffey, Head of Digital Development at National said: “The power of the immersion is the thing that’s really transformative – theatre is immersive storytelling anyway this is just an extension of our work” (Brown, 2016). Their first project was HOME | AAMIR. It is an immersive 360° verbatim documentary collaborating with Surround Vision and Room One. The story is about a 24-year-old man, an asylum seeker who fled Sudan, and his journey across Libya, the Mediterranean, Italy and France to survive and find a safe place. The project combines the storytelling techniques of theatre with 360° film to question the meaning of home for a displaced man. Sule Rimi has voiced the documentary and his words have been compiled from an interview with verbatim writer Suhayla El Bushra.

In recent years, the investment made to enable the accessibility of 360° and VR storytelling advanced the debate around how a narrative should be designed. A month before National Theater’s new lab launched, the writer and theatre producer Jason Ferguson declared that “virtual reality has a storytelling problem and theater will save it” (Upload, 2016). He states that there is an insistence to follow linear storytelling, however, theatre already has the necessary

storytelling elements to ensure that the audience is looking in the right direction without a close-up shot.

Theatre has similar features with VR storytelling and their connection was discovered longtime ago. Mark Reamon, VR theater designer, described theater in 2000 as “the original virtual reality machine” (Dixon, 2007, p.363). Both forms offer a sense of discovery and vulnerability at the same time. Dixon (2007) draws attention to their similarities focusing on the relationship between space and the audience. He refers to French actor Jean-Louis Barrault who argues that in the theater: “A human being struggles in space. The theatre is the art of the human being in space” (p.335). Dixon highlights that the vulnerability of the theatre is its unpredictability; this is when affect produces new possibilities and influences the audience.

Challenges of Immersive Storytelling

Two decades ago, Nell Tenhaaf and Catherine Richards discussed in *Bioapparatus*, a publication that documented ten-week residency at Banff, in 1991, with 22 artists, how virtual reality became a popular myth and why it is crucial to initiate a debate on art and new technologies in a world saturated by images where this hyperreal environment causes a crisis of representation. Designing the social in VR, re-embodiment, subjectivities, art in the virtual were some of the themes discussed in the book. Garry Beirne discussed how VR technology has “the potential of re-ordering perception” and the capacity to re-arrange power relations (p.113). He predicted that VR could have the impact of improving people’s awareness of the importance of our bodies, our senses and our environment. In the 90s, many works were produced using VR technology with substantial investment, time and experimental intentions. However, that work didn’t reach the public. Today, affordable apparatuses such as Google Cardboard, are changing the production, distribution and consumption of VR. Now you don’t need a big budget or to be

an expert to produce a 360° video, thanks to affordable camera options and Adobe programs or plugins, like Facebook 360 Spatial Workstation, which leverage existing software to create spatial sound. However, establishing the storytelling grammar of a new medium takes time.

In 2016, Janet H. Murray, professor at the Georgia Institute of Technology, stated that she and students are among the industry people who produce “terrible work” in VR and she believes that “this is just as it should be” because it is not easy to “expand human expressivity into new formats” (Murray, 2016). Her short article “*Not a Film and Not an Empathy Machine*” (Murray, 2016) became popular in the VR industry and is considered by Katerina Cizek, Canadian documentary filmmaker, as “an intro to a Manifesto for VR” (Cizek, 2016). Murray unpacks the current storytelling tendencies under two misperceptions in her manifesto. First, “VR is not a film to be watched but a virtual space to be visited and navigated through.” She highlights the first rule of Nonny de la Peña: “...The focus of VR design is not the camera frame, but the embodied visitor.” And secondly, Murray says “Empathy is not something that automatically happens when a user puts on a headset.” She is against voice-overs, text overlays, background music; she believes a sense of agency is the most critical design value. Cizek believes that while Murray has some valid points for producing meaningful work, which would highlight the affordances of the medium, establishing strict rules and limiting the endless possibilities of an immersive medium is paradoxical. On November 11th, 2016, The Montreal International Documentary Festival organized a panel titled *The VR (Anti) Manifesto* at Moment Factory to question exhausted assumptions about VR and expand the dialogue with a new way of thinking. Behind these efforts, one of the main concerns was that we might rely too much on a medium, which might not deliver on its promises. Would watching a documentary on Google Cardboard be enough to resolve the bystander effect?

A politics of memory reconstructed by tweets, hashtags, and Facebook timelines amplifies our spectatorship. We can record instantly and forget quickly. Nonny de la Peña, a pioneer of immersive journalism, suggested a new way of understanding and remembering stories during her TED talk in 2015; she asked the audience “What if you could experience a story with your entire body, not just with your mind?” Combining investigative journalism with virtual reality technology in her work, de la Peña explores two presences at once: spectator awareness of their simultaneous presence in the VR and the physical worlds. She argues that “the duality of presence” is not an obstacle; rather, the tension adds another dimension that “tricks your mind into feeling present on the scene” (Garling, 2015). She focuses on the body within space and suggests reconstructing the narrative around the participant as if creating a theater experience (Mufson, 2014). She believes that one of the main differences of VR, compared to other media, is that “the memory is in our whole body” (Bye, 2014).

In her documentary, *Use of Force*, she reenacts the story of Anastasio Hernandez Rojas, an undocumented immigrant who had been living in the U.S. for 25 years and was deported to Mexico after being arrested for shoplifting. Hernandez Rojas was beaten to death by the U.S. border patrol when he was caught trying to re-enter the U.S to reunite his wife and five kids. De la Peña used the cellphone video recording of the incident by two eyewitnesses to create her work. One of the witness’s faces and movements were scanned, and the voice was recreated in her lab to create the virtual environment. De la Peña employs the verbatim technique but reconfigures it, using technology to capture raw information and minimize retrospective storytelling; *Use of Force* involves the appearance of a virtual camera in virtual space, which the user can activate to record what is happening in the virtual space for sixty seconds. This interactivity gives a sense of agency to users who are otherwise bystanders, and allows them to

share what they record inside virtual space. The sixty seconds limitation reflects what is favored in current consumerist news formats.

For more than a decade, de la Peña has been exposing the unseen by using forensic tools, reenacting the architecture of the invisible and employing sound as a key component of her virtual storytelling language. Her works are insistent inquests into injustice through reconstructed events, as they push the affordances of the technology to offer an empathic experience and transform bystanders into active citizens. In 2007, she created *Gone Gitmo*, a virtual representation of the Guantánamo Bay prison using the reports from agencies such as the Red Cross and the actual interrogation records of the U.S. Department of Defense. Within the work, the user's avatar, confined in a stress position, experiences the stages of cruel treatment that the detainees faced, both as a first person and third person view depending on the scenes. The "avatar-mediated cinema" of de la Peña duplicates the raw facts giving an active role to the user, which helps to catch the user off-guard, emphasizing our potential role within democracy. The question is what our posture will become in the long-term, when these solutions are more accessible to the public, and after so many stories about injustice have been registered and memorized in our bodies?

CREATIVE PROCESS

Prototype 1

I first created two prototypes in order to understand the production process and the affordances of 360° film. The purpose of the first prototype was to get familiar with the technical process since it was my first time shooting a 360° video. Shooting a one-minute video, I followed the traditional pre-production process. The scene was about mimicking a woman lying down in a washroom, referring to the moment where the guards found Lucia's body in the Vancouver Holding Center. I used the well-known shower scene of Alfred Hitchcock's movie *Psycho* (Hitchcock, 1960) as a reference. How the camera should be positioned for an easier stitch, and where the point of view was situated were the key decisions. Using myself as the protagonist allowed me to freely experiment. I kept the distance between my face and the camera extremely close and placed the camera on the floor. First, I did a few rough shots with an iPhone to see how my body would appear and adjusted accordingly. Although it was a straightforward scene, following a pre-production flow helped me to have a smooth process. While deciding on the body positioning, I planned to add some blood and let the fake blood drip slightly. At that moment, I felt suspicious about this extra make-up effort. I used four GoPros to shoot the scene. Since it is a static shot, the stitching was easier, but positioning my face to avoid the overlapping points of stitching evidently facilitated the process (see Appendix A for workflow and documentation). It was not ideal to keep the camera rig close to the object, which makes challenging the stitch. The washroom had white noise, which helped me to set the tone. I left the shower open and included repetitive door knocking to add tension.

Reflections. The main wrong decision was over-dramatization and placing the victim's face toward the camera. While criticizing the spectacle aspect of the medium, I ended up falling into the same trap. My purpose was to tell the viewer that no matter how much you have the freedom to look where you want, you won't be able to escape the death of Lucia. I also wanted to question the role of 360° which allows us not to look at what we want to show. While some people feel the annoyance and tension, I've also had the feedback that the scene looks like a soap-opera. The initial stage established that the sound plays an effective role in order to enhance the experience. Building the world that would enact the environments where Lucia leaves traces could be a demanding process considering constraints.

Prototype 2

For the second prototype, I decided to focus on embodied experience, strategize how to use the space, experiment with 360° sound and explore the sound as cues to connect with the viewer. Introducing the architectural component of the story was key. I decided to build the scenes in 3D. All environments are created in 3D Max. The story is constructed based on three scenes: the common room of the detention center, the hall of the detention center where the video shows Lucia's arrest process and the bathroom where she committed suicide. My objective in the story was to simulate 9-1-1 call that establishes Lucia's suicide in the detention center. The Facebook 360 Spatial Workstation was used to design spatial audio. This software helps to create the immersive environment without being a sound expert. It doesn't require an ambisonic microphone to record spatial audio. It enables even normally recorded tracks and existing mono or stereo content to be placed in space in sync with the 360° during the authoring process (see Appendix B for workflow and documentation).

Reflections. The second prototype also proved that the sound was key to set the tone. The rawness of the 9-1-1 call allowed for immediate introduction of what happened in the detention center. The POV was established inside the room in front of the bathroom where the door was half-closed. This positioning engenders helplessness of not being able to intervene within the scene. In the bathroom, visualizing some of the suicide evidence such as the knot, which Lucia made to hang herself, helped to convey the story. Adding human breath intensified the scene and escalated the events. However, the story flow seemed rushed and loaded with many facts. This lead me to question how I should balance evidence with embodied experience and make sure that the dialogue doesn't dominate the experience. This prototype also helped me to understand that, in order to make the verbatim theatre work, I should make sure that the dialogue doesn't sound acted.

Final Artwork

One of the key questions to solve within the story was to determine the key absent facts and audiovisual elements that the viewer requires to enter the story, and follow it to its tragic end. I began a close reading of the storyboard that I created for each scene, focusing on POV, proximity, light and the form of light, essential objects in the scene, sound, body appearance, timing, the rhythm of scenes and transparency. My intention was to orchestrate these story elements within a circular edit form. Finding the rhythm of the story based on the order of exposition of evidence to reflect the escalation of the problems that Lucia faced was critical. Eugenie Brinkema (2014) argues that resolving moments where language is insufficient is the role given to affect. Perhaps the insufficiency of language doesn't apply completely in this case, but the desensitization of our position in the story seemed to me to be produced by the distribution of that language within the immersive embodied experience. As such, this

interrogation allowed me to rethink the conventional flow where my concern was to make sure the unknown facts would be registered. I began thinking about the affordances of 360° cinema and how the transitions and the verbatim elements could meet effortlessly within an embodied experience. This stage required substantial removal of language-based content, which was hard since the facts are so powerful. However, insisting on keeping an extensive dialogue could choke the viewers attempt to navigate the entire story. One of the solutions I developed to help the story breathe and to reduce confusion of multiple actors' voices, was to use just one voice to represent all lawyers and counsel.

Brinkema (2014), in her book *Gesture and Affect: The Practice of a Phenomenology of Gesture* says affect is: “what undoes, what unsettles, that thing I cannot name, what remains resistant, far away... Thus, turning to affect has allowed the humanities to *constantly possibly* introject any seemingly absent or forgotten dimension of inquiry...” (preface). While planning the transitions, I decided to include a visual of a woman's body that would represent the absented Lucia. Not explicitly, not clearly, but as a shadow or figure that barely appears in the dark for few seconds. We can catch it if the timing of our gaze is right. The attempt is to see how the uncertainty and ambiguity would be translated and to experiment with the potential of adding a presence to reflect Lucia condition. The positioning and timing of that presence's appearance/disappearance and its proximity to the viewer were critical points to make sure that the body belongs to the scene and doesn't appear as decoration.

CONCLUSION

It is in the gestures, techniques, and turns of demonstration, whether poetic, dramatic or narrative, that forensic aesthetics can make things appear in the world.

—Thomas Keenan and Eyal Weizman, *Mengele's Skull*, 2012

The main objective of my thesis was to question what is visible in the Canadian migrant detention system by looking its out-of-sight bodies. Research started with an examination of the Forensic Architecture collective and obtaining materials that would articulate Lucia's story. Videos available online demonstrated the architecture of detention center, which served as the initial core evidence representing the constraints that detained migrants face. Examining the coroner's inquest transcriptions allowed the many traces left behind in Lucia's case to appear. Even after identifying only the main agents in the complex assembly that is the Canadian migrant detention system, the arbitrary practices of that assembly unfolded. This investigation supports what Barbara, Lucia's fellow inmate, said: "It wasn't just that they targeted her. This is the way CBSA does their job" (JCI, September 29, 2014, p.108).

Constructing the assemblage of elements into a story that would work within an immersive digital experience was a crucial aspect of my research. Given the limited time and space for expression of Lucia's experience within the artwork being developed, conscious decisions had to be made as to what portions of the full range of her experience should be retained and represented. Arendt (1971) says "no thing, no side of a thing, shows itself except by actively hiding the others" (loc.394). Evidently, there was a constant decision that needs to be made about what needs to be exposed. This constant decision-making process was very challenging. It put me in an active mode that could bring the politics of being and of migrants

like Lucia into vision and that could bring unexposed facts and experiences into a space where the performance of the body as a viewer matters. In order to give power to verbatim processes, it seemed better to focus on several small key events in the story, and project the overall story as an exploded view, rather than try to convey the full assemblage, a fundamental challenge in finalizing the story.

There is an organic relationship between forensics and affect. In my findings, the rhetoric of transcriptions of speech from the coroner's inquest was powerful, but developing exchanges between the material non-human context and the human experience made stronger connections for the development of an immersive embodied experience. The scenes that work effortlessly are the ones that give voice to the material context: the forest where Lucia crossed the border, the train station where she was initially detained. Immigration lawyers give voice to the detention centers. Rosa gives voice to the scars on her body. Counsel for the Coroner gives voice to the materials Lucia used for the suicide in the bathroom. Questioning the form in which this assemblage could be translated into a full immersive experience led me to investigate the aesthetic of Forensic Architecture. I didn't push the limits of visibility through technology, as other Forensic Architecture projects do to present complex assemblages of evidence. Rather, I chose to expand the limits of visibility by using 360° cinema. 360° cinema establishes the forum and offers an embodied experience of the evidence. The resulting artwork does not focus on who is guilty; rather, it is a "contact zone" (Stewart, 2014) to feel the spatial strategies of detention. 360° cinema isn't only a tool to mimic environments but to perform limitations and ambiguity. The process proved to me that in order to create presence you need to give room to absence.

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APPENDIX A

Prototype 1 Workflow

Equipment:

Shooting: 4 x GoPro Hero Black

Stitching: Kolor

Editing: Adobe Premiere 2017

Adding interactive elements: Wonda VR

I used four GoPros Hero Black 4s to shoot the one-minute scene, then, imported all the video footage of the same take from all the cameras and synchronized the cameras in Kolor AutoPano Video. Later, I choose an IN and OUT of the scene. Then I linked the synched and primary stitched video files to Autopano Giga. By playing with the control points, I corrected the stitches and adjusted lens circles when necessary. Once I had a satisfactory result with the stitching I rendered 4 videos as an equirectangular video in mp4.

I edited the footage, voice-overs and sound in Adobe Premiere and added necessary GFXs through Mettle's Skybox plugin set. Finally, I used Wonda VR to place interactive text. Wonda VR is an authoring solution that allows you to create interactive experiences in a virtual environment by placing interactive annotations or sounds without code. I presented the first prototype on Wonda VR platform.

APPENDIX B

Prototype 2 Workflow

For the second prototype, all VR environments were created in 3D Max with the help of 3D designer Shawn Michael Mitford. Three scenes were created: the common room of Vancouver Holding Center, the bathroom where Lucia committed suicide in the holding center and the hall in the Vancouver Holding Center. All three scenes were combined in Adobe Premier and edited. For this prototype, I experimented using Facebook's 360° Spatial Workstation in which the sound elements are positioned in 360° spatial environments creating 8-channel output with Reaper. Then, I used the Facebook utility to merge 360 VR audio and video for final delivery. I presented the project on YouTube.

Draft Scenes



Figure 1.
Common area in
Vancouver Holding Center.

Carman, T. (2014).
The Vancouver Sun
Retrieved from
<http://www.vancouversun.com/news/Lucia+Vega+Jimenez+Border+services+information+censorship+exposed/10437597/story.html>



Figure 2. 3D treatment of the common area in Vancouver Holding Center.



Figure 3.
Bathroom in Vancouver Holding Center.

Carman, T. (2014). The Vancouver Sun
Retrieved from
<http://www.vancouversun.com/health/vancouver+airport+cells+where+woman+killed+self+plagued+understaffing/10260975/story.html>



Figure 4. 3D treatment of the bathroom where Lucia committed suicide.

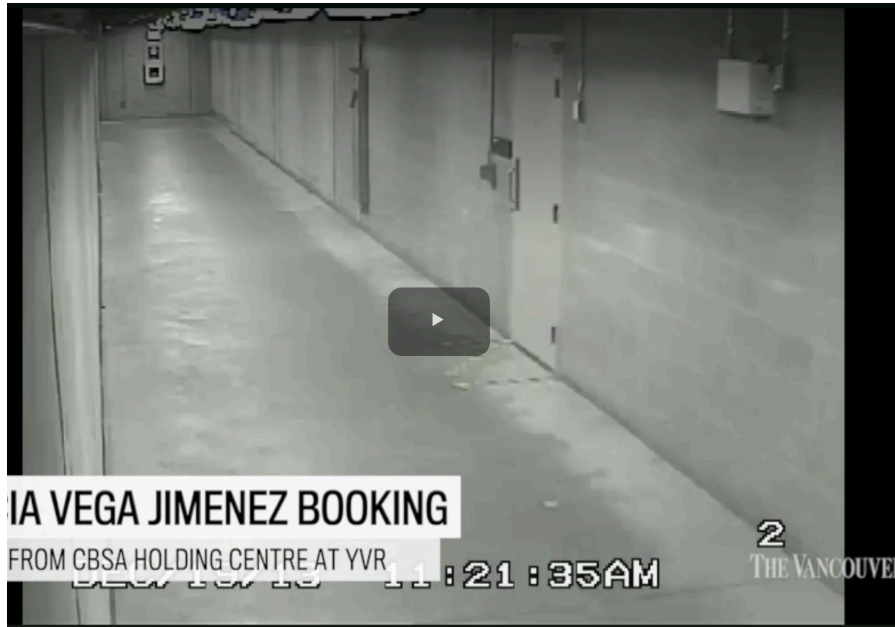


Figure 5.
Hall in Vancouver
Holding Center.

Carman, T. (2014), The
Vancouver Sun
Retrieved from
<http://www.vancouversun.com/news/Lucia+Vega+Jimenez+Border+services+information+censorship+exposed/10437597/story.html>

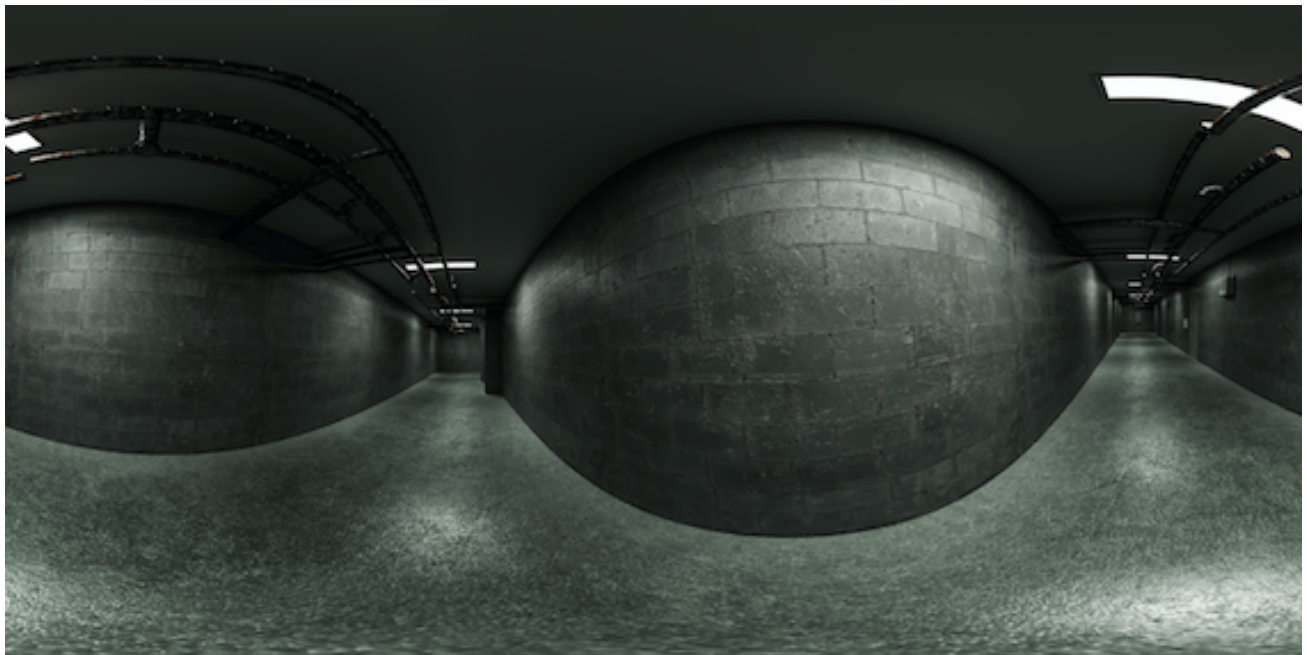


Figure 6. 3D treatment of the hall.

APPENDIX C

Final Artwork Workflow

First, I created the storyboard and completed the design of all the 3D scenes with 3D designer Shawn Michael Mitford. Then, I zoomed in on each scene and planned the appearances and objectives: The lights, sounds, location, timing and performance of the character in the scene, planning interactions. In the mean time, I finished the voice recording with actors. The next step was creating a rough prototype to define the timing of each scene and appearances. I filmed the green screen materials to be integrated into the performance scenes. Isorine Marc is the actress who represents Lucia. VFX artist and compositor Ergin Sanal implemented the scenes. Once I finished the prototype, I worked on the sound mixing. The final work is presented on YouTube.

Additional Scenes



Figure 7. Border crossing by walking in B.C. scene



Figure 8.
Alouette Correctional
Centre for Women

MCW Consultants
Retrieved from:
<http://www.mcw.com/Projects/Details?f=p&title=Alouette-Correctional-Centre-for-Women>

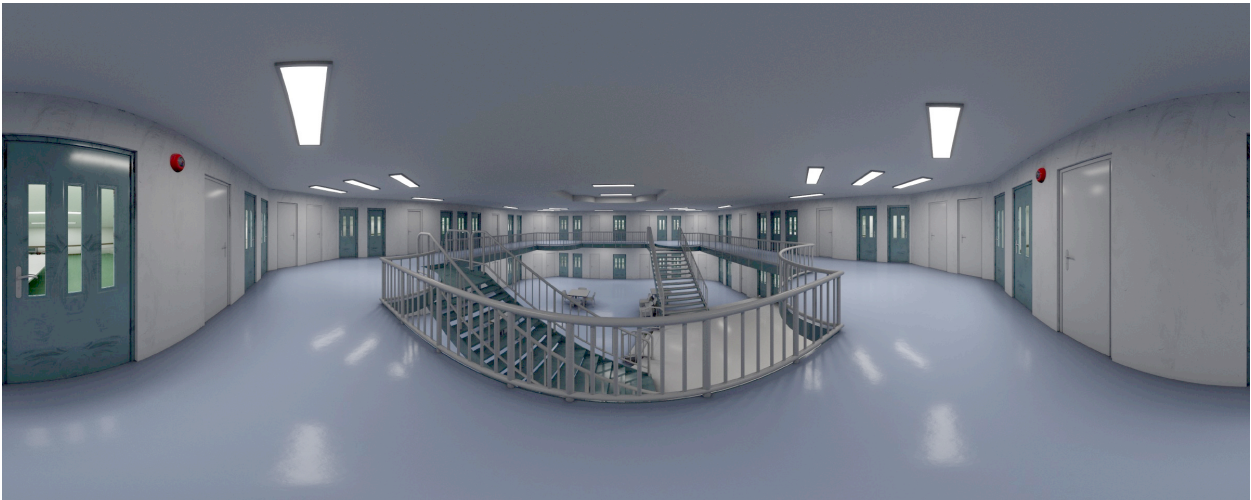


Figure 9. 3D treatment of prison scene upstairs.



Figure 10. 3D treatment of prison scene downstairs.



Figure 11. SkyTrain, Main Street Science World Station, before renovation.
Retrieved from Youtube

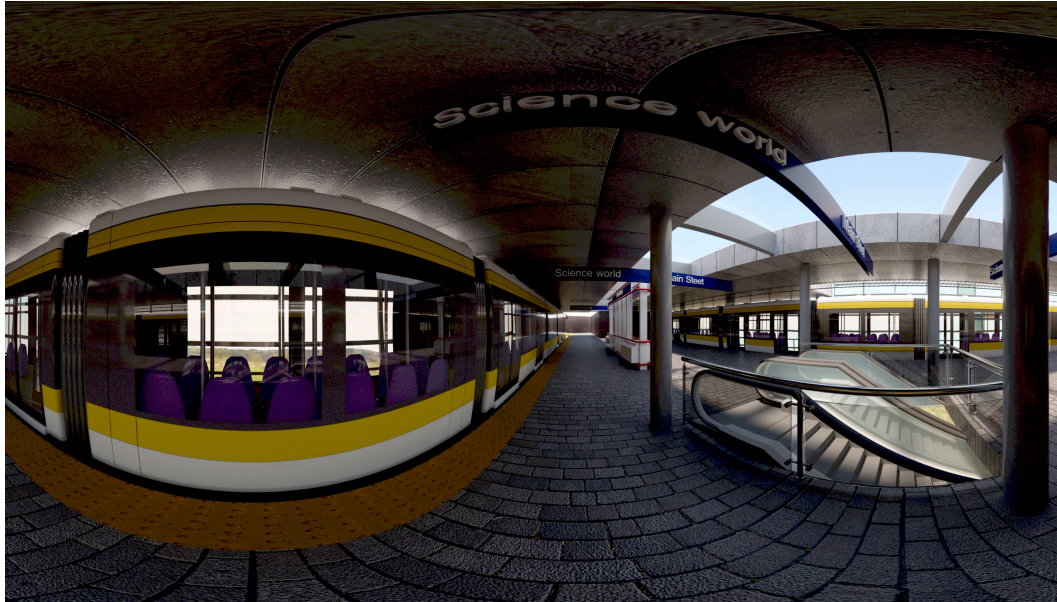


Figure 12. 3D treatment of Train Station where Lucia stopped.



Figure 13. A room in Vancouver Holding Center where Lucia was kept

Carman, T. (2014), The Vancouver Sun Retrieved from <http://www.vancouversun.com/news/Lucia+Vega+Jimenez+Border+services+information+censorship+exposed/10437597/story.html>



Figure 14. 3D treatment of the room where Lucia was kept.