



HMICFRS - Report on Liberty and Southall Black Sisters' super-complaint on policing and immigration status

Recommendation 1. To chief constables

As an interim measure, pending the outcome of recommendation 2, where officers only have concerns or doubts about a victim's immigration status, we recommend that they immediately stop sharing information on domestic abuse victims with Immigration Enforcement. Instead, police officers should link the victim to a third party that can provide advice and assistance, as set out in recommendation 4 (on the creation of safe reporting pathways).

This applies where police officers have doubts about a victim's immigration status, not where they have evidence that an offence has been committed. The College of Policing will immediately develop guidance for the police service to clarify this aspect of practice.

Notes to recommendation 1

- This recommendation to stop information sharing only applies to victims of domestic abuse.
- The College of Policing guidance will also clarify the difference between insecure and uncertain status and immigration offending.
- Any sharing of information should be done in compliance with Information Commissioner's Office (ICO) guidance.
- 'Third party' could include a local or national specialist victim support organisation or another individual/organisation that can act as an intermediary and advocate on the victim's behalf in communications with Immigration Enforcement – as required.



Force response

In November 2018 all forces were asked to complete a questionnaire, which was duly completed. Following this, the force produced two articles of giving guidance to staff on information sharing practices, namely 04/01/18 - Victims of crime where there are immigration status concerns and 06/12/18 - Treatment of foreign national victims and witnesses.

Following publication of the detail in the super complaint report. Further guidance was published in the Force Bulletin 18/03/21. This provided staff with a precis of the report and that domestic abuse victim information should not be shared with immigration enforcement with immediate effect.

Further consideration regarding these specific recommendations awaits the approach outlined by the NPCC leads in these areas who are actively seeking to develop a consistent national position.

Recommendation 4. To chief constables

With reference to recommendation 1, and in consultation/collaboration with local or national specialist organisations, chief constables should take steps to ensure that all migrant victims and witnesses of crime are effectively supported through safe reporting pathways to the police and other statutory agencies. They should:

- ensure there is a proper policy and practice framework in place for officers to work within;
- develop victim and witness support policies that reflect the characteristics of the safeguarding protocol set out in recommendation 3, and: draw on all relevant national guidance with particular reference to the Code of Practice for Victims of Crime and data protection legislation; are developed in partnership with and include pathways to the relevant specialist organisations for supporting victims and witnesses with insecure immigration status; are clear about the circumstances in which information will be shared by police with immigration enforcement; provide clarity about the purpose of sharing information at different points of the pathway; and explicitly recognise the importance of telling victims, witnesses and supporting agencies whether information will be shared with Immigration Enforcement, and if so, when and in what circumstances.
- promote understanding among police officers and staff to differentiate between responses to victims of modern slavery/human trafficking and victims of domestic abuse;
- promote awareness within their forces of any existing pathways to specialist organisations for supporting victims with insecure immigration status;



- ensure the policy and practice framework is adopted by all officers and staff who come into contact with victims of crime who have insecure immigration status; and
- promote police engagement in regular outreach community work, as highlighted as good practice in this report.

Force response

Required activity has been captured on the HMIC/DHR sheet of the Constabulary's Domestic Abuse 4P's plan. Further consideration regarding these specific recommendations awaits the approach outlined by the NPCC leads in these areas who are actively seeking to develop a consistent national position.

Recommendation 5. To chief constables and police and crime commissioners (or equivalents)

With reference to recommendation 1, pending the developments outlined in other recommendations, and in consultation/collaboration with local or national specialist organisations, chief constables and police and crime commissioners should take steps, through the appropriate channels, to promote migrant victims' and witnesses' confidence in reporting crimes to the police through safe reporting pathways, without fear of prioritised immigration control.

Force Response

Required activity has been captured on the HMIC/DHR sheet of the Constabulary's Domestic Abuse 4P's plan. Further consideration regarding these specific recommendations awaits the approach outlined by the NPCC leads in these areas who are actively seeking to develop a consistent national position.



Recommendation 8. To all recipients of recommendations from this investigation
Provide an update to Her Majesty's Chief Inspector of Constabulary on progress in implementing these recommendations within six months of the date of publication of this report.

Force response

Required activity has been captured on the HMIC/DHR sheet of the Constabulary's Domestic Abuse 4P's plan. Further consideration regarding these specific recommendations awaits the approach outlined by the NPCC leads in these areas who are actively seeking to develop a consistent national position.

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