

To: The Home Secretary

14 January 2022

Dear Home Secretary

Response from Dr Alan Billings, Police and Crime Commissioner for South Yorkshire, to the HMICFRS Report: Safe to share? Liberty and Southall Black Sisters' super-complaint on policing and immigration status

This super-complaint concerns migrant victims in vulnerable circumstances. They usually arise from crimes of domestic abuse or modern slavery and human trafficking.

The super-complaint put forward by Liberty and Southall Black Sisters is about the treatment of victims of crime and witnesses with insecure immigration status. It focuses on how information about them is passed to the Home Office for immigration enforcement. It concerns two features of policing:

- the passing of victim and witness data to the Home Office by the police for immigration enforcement purposes; and
- the operation of and/or perception of a culture of police prioritising immigration enforcement over safeguarding and the investigation of crime.

Liberty and Southall Black Sisters say that these features deter victims and witnesses engaging with the police because of their unsettled immigration status. As a consequence, victims are denied justice, while offenders go unpunished and remain a threat to the public.

I welcome Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) report. Vulnerable victims and treating people fairly is a priority in my Police and Crime Plan and victim safety is an absolute priority regardless of immigration status.

South Yorkshire has a longstanding commitment to addressing the issue of human trafficking and modern-day slavery through the work of the Office of the Police and Crime Commissioner. I have been involved in establishing the South Yorkshire Anti-Slavery Partnership and I am a member of the National Anti-Slavery Network (NASN).

Since 2012, South Yorkshire's focus on the threat to vulnerable people who may have an insecure immigration status has led to the publication of the ground-breaking 'Modern Slavery Transparency in Supply Chains (TISC) Statement', which represents a landmark collaboration between the police forces and PCCs/Mayors of the North East region.

South Yorkshire Police and Crime Commissioner
Carbrook House, Carbrook Hall Road, Sheffield, South Yorkshire S9 2EH
Tel: 0114 2964150
Email: thepcc@southyorkshire-pcc.gov.uk
www.southyorkshire-pcc.gov.uk

Modern slavery in the supply chain is considered in all my procurement activity.

My commissioned and / or co-commissioned victim services are available to all victims, including those with uncertain immigration status.

The following information provides an update from South Yorkshire Police on their work in response to the report's information.

Recommendation 1 – To Chief Constables

As an interim measure, pending the outcome of [a Home Office review of policy], 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 [the creation of safe reporting pathways]

South Yorkshire Police are still awaiting the College of Policing guidance.

Following the publication of the HMICFRS report South Yorkshire Police have reviewed all relevant immigration cases. Findings from the review has shown that victim safety, security and protection has been at the forefront of investigations.

Recommendation 4 – To Chief Constables

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

Once the College of Policing guidance is received South Yorkshire Police will be updating current and Standard Operating Procedures to encompass the recommendations from the report.

All victims in South Yorkshire are:

- issued with a booklet called Supporting Victims, which provides details of support to victims are entitled to and contact details of support agencies
- recommended to download the Bright Sky App. This is a covert weather app and contains details of both local and national services, both statutory and voluntary

Since the start of Covid-19 South Yorkshire Police have introduced a new Domestic Abuse online reporting process for victims unable to make telephone contact.

South Yorkshire Police is also the first force in the country to go live with the TecSOS App. TecSOS is a unique mobile solution that provides immediate connection to the Police at the touch of a button 24/7.

Although in its infancy, South Yorkshire Police are also supporting the `Ask for Ani` Government Initiative whereby victims can seek help via their local pharmacy.

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

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

Both South Yorkshire Police and the Office of the Police and Crime Commissioner positively promote confidence in reporting through regular internal and external media releases, and through joint dialogue/training events with partners.

SYP proactively prevent victims returning to their countries of birth if they are at risk of harm, regardless of their immigration status. Examples of court orders obtained to highlight this is as follows:

- 2014: First forced marriage protection order in the UK obtained by SYP for an adult female without her consent to prevent her being taken to the Kashmir where she intended to kill herself to avoid the forced marriage. This was the first adult without consent to be obtained in the UK.
- 2014: First female in the UK to be made ward of court with non-molestation order to prevent her being taken to Somalia for Female genital mutilation (FGM).
- 2018: First forced marriage protection order in the UK for an adult male obtained. This was to prevent him being taken to Pakistan for a forced marriage.
- 2018: Repatriation for a female forced marriage victim. Girl repatriated from Pakistan back to the UK.
- 2019: Repatriation of a forced marriage female adult from Pakistan to prevent a forced marriage.

In March 2021, a review of domestic abuse cases where `immigration` was considered a risk was undertaken. It is apparent from the review that victim safety, security and protection has been at the forefront of every investigation by South Yorkshire Police.

None of the cases indicated that victims of domestic abuse have been reported to Immigration for their status to be investigated for deportation or negative reasons. Nothing indicates victim reluctance to report to the police due to insecure immigration status in fact; to the contrary, victims are actively reporting to the police for support and safeguarding.

The majority of cases are where suspects have been checked by Immigration following reports from South Yorkshire Police, many of them being reported to South Yorkshire



Police by domestic abuse victims. This indicates illegal immigrants, suspects circulated as wanted and victims reporting not wanting to sponsor perpetrators.

The review also highlighted cases where, as part of victim safeguarding, domestic abuse victims have been assisted by South Yorkshire Police and partner agencies to secure immigration status.

I will continue to monitor progress against these recommendations.

All good wishes

A handwritten signature in black ink that reads 'Alan Billings'.

Dr Alan Billings
South Yorkshire Police & Crime Commissioner

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Carbrook House, Carbrook Hall Road, Sheffield, South Yorkshire S9 2EH
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