

REF	SUPER-COMPLAINT RECOMMENDATION	FORCE POSITION PROVIDED BY	SYP RESPONSE
#17527	<p><b>Recommendation 1</b> <b>To chief constables</b></p> <p>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).</p> <p>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.</p> <p><b>Notes to recommendation 1</b></p> <ul style="list-style-type: none"> <li>• This recommendation to stop information sharing only applies to victims of domestic abuse.</li> <li>• The College of Policing guidance will also clarify the difference between insecure and uncertain status and immigration offending.</li> <li>• Any sharing of information should be done in compliance with Information Commissioner's Office (ICO) guidance.</li> <li>• '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</li> </ul>	<p>DCI Deborah Mahmood, in consultation with OPCC</p> <p>May 2021</p>	<p>We are still awaiting the CoP guidance before this action can be completed. However, in the meantime, PVP Governance have reviewed all relevant cases which mention Immigration in the investigation.</p> <p>There are no concerns regarding our practices and none of the cases indicate victims of DA have been reported to Immigration for their status to be investigated for deportation or negative reasons. Nothing indicates victim reluctance to report to police due to insecure immigration status; to the contrary, victims are reporting to police for support and safeguarding.</p> <p>The majority of cases are where SUSPECTS have been checked by Immigration following reports from SYP, many of them being reported to SYP by DA victims. This indicates illegal immigrants, suspects circulated as wanted, victims reporting not wanting to sponsor perpetrators.</p> <p>Several of the cases are Human Trafficking cases where NRMs are completed but this is where Immigration and SYP are fully supportive of a victim.</p> <p>There are a couple of cases where as part of victim safeguarding, DA victims have been assisted by SYP and Partner agencies to secure immigration status.</p> <p>There is one case where Immigration state NFA for a victim of insecure immigration status.</p> <p>It is very apparent on the attachment that victim safety, security and protection has been at the forefront of every investigation by SYP.</p>
#17573	<p><b>Recommendation 4</b> <b>To chief constables</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>• ensure there is a proper policy and practice framework in place for officers to work within;</li> <li>• 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.</li> <li>• promote understanding among police officers and staff to differentiate between responses to victims of modern slavery/human trafficking and victims of domestic abuse;</li> <li>• promote awareness within their forces of any existing pathways to specialist organisations for supporting victims with insecure immigration status;</li> <li>• 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</li> <li>• promote police engagement in regular outreach community work, as highlighted as good practice in this report.</li> </ul>		<p>Current policy and Standard Operating Procedures will be updated to encompass the recommendations from this report once the College of Policing guidance is received. It will be circulated to all staff and monitored for compliance through PVP Governance.</p> <p>Victim safety is the absolute priority for SYP regardless of Immigration status and there are several examples where this is evidenced.</p> <p>A recent case involved an adult female who was living with her abusive husband and being treated as a slave. Police supported her escape and together with a local BME charity, she was suitably accommodated outside of force area. This was funded initially by Police then by Adult Social Care.</p> <p>SYP issue all victims with a blue booklet called Supporting Victims, which provides details of support victims are entitled to and contact details of supporting agencies.</p> <p>SYP also recommend to victims to download the Bright Sky App. It is a covert weather app and contains details of both local and national services, both statutory and voluntary.</p> <p>SYP have introduced a new DA online reporting process since the start of the covid lock down for victims unable to make telephone contact.</p> <p>999 process to click 55 when unable to speak will trigger an immediate response for victims.</p> <p>SYP are the first force in the country to go live with the new TecSOS App.</p> <p>Although in its infancy stage, SYP are also supporting the 'Ask for Ani' Government Initiative whereby victims can seek help via their local pharmacy.</p>
#17616	<p><b>Recommendation 5</b> <b>To chief constables and police and crime commissioners (or equivalents)</b></p> <p>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.</p>		<p>SYP positively promote confidence in reporting through regular internal and external media releases, and through joint dialogue/training events with partners. We will ensure that this reflects the objectives of the College of Policing guidance once received.</p> <p>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:</p> <ul style="list-style-type: none"> <li>• <b>2014:</b> 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 one to be obtained in the UK.</li> <li>• <b>2014:</b> First female in the UK to be made ward of court with non-molestation order to prevent her being taken to Somalia for FGM.</li> <li>• <b>2018:</b> 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.</li> <li>• <b>2018:</b> Repatriation for a female forced marriage victim. Girl repatriated from Pakistan back to the UK.</li> <li>• <b>2019:</b> Repatriation of a forced marriage female adult from Pakistan to prevent a forced marriage.</li> </ul> <p>Furthermore, in March 2021, a review of DA 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 SYP.</p> <p>None of the cases indicated that victims of DA have been reported to Immigration for their status to be investigated for deportation or negative reasons. Nothing indicates victim reluctance to report to police due to insecure immigration status in fact; to the contrary, victims are actively reporting to the police for support and safeguarding.</p> <p>The majority of cases are where SUSPECTS have been checked by Immigration following reports from SYP, many of them being reported to SYP by DA victims. This indicates illegal immigrants, suspects circulated as wanted and victims reporting not wanting to sponsor perpetrators.</p> <p>Several of the cases reviewed relate to Human Trafficking where NRMs are completed, but this is where Immigration and SYP are supportive of a victim.</p> <p>The review also highlighted cases where, as part of victim safeguarding, DA victims have been assisted by SYP and Partner agencies to secure immigration status.</p>