



Home Office

**The Home Office response to the
Independent Chief Inspector's report
'An inspection of Immigration
Enforcement activity in London and the
West Midlands ('Operation Nexus')**

The Home Office thanks the Independent Chief Inspector for his report.

Home Office Immigration Enforcement (IE) is responsible for robust enforcement of the immigration law and for tackling the criminality behind illegal migration. In doing this, we perform a crucial role contributing to all Home Office objectives: cut crime; reduce immigration; and prevent terrorism, thereby supporting growth.

Nexus is aligned to support the delivery of the four IE strategic objectives:

- Protect: Strengthening our safeguards against immigration abuse
- Prevent: Stopping people staying in the UK illegally or supporting immigration abuse
- Pursue: Taking action against immigration offenders
- Prepare: Improve our ability to protect UK interests

Operation Nexus is a joint initiative between Immigration Enforcement and the Police. It aims to more effectively tackle offending by foreign nationals, through close working and smarter use of police and immigration interventions. This includes the identification of those lawfully here (both EU and non EU nationals) but whose conduct merits their removal or deportation from the United Kingdom, and has included criminals where intelligence demonstrates involvement in serious crimes including sexual offences against children and rape.

Nexus commenced in the Metropolitan Police area in October 2012 and variants of the Nexus operating model have been developed for adoption across the UK. Currently there are four broad operating models and each is designed to take into account regional differences in size, geography and community demographics. A Nexus operating model has been introduced in the West Midlands, Greater Manchester, Scotland, Merseyside, Cleveland Kent, West Yorkshire, Cheshire and Wales. IE expects to implement a Nexus model within Avon and Somerset by January 2015, with East Midlands and Lancashire by spring 2015.

The Home Office is pleased that the Chief Inspector recognises Nexus is having a positive impact in London and that through Nexus a greater number of immigration offenders are being identified and removed or deported from the UK. Also, that through the sharing of intelligence, more high harm individuals are being identified and removed from the UK. Finally, we welcome the recognition that the Home Office has developed a detailed performance framework to allow all aspects of Nexus to be reported on, and that performance is being scrutinised through internal and external mechanisms.

We have worked closely with the police to support their work in maximising the number of foreign nationals in respect of whom information is sought relating to convictions abroad (ACRO checks). This has resulted in a 44% increase in the volume of immigration checks requested by the police during this financial year. Where the conduct of a foreign national merits such action, we will take steps to withdraw any immigration status and seek their removal or deportation from the UK. Action has been taken against criminals with foreign convictions including murder and rape.

We are grateful to the Chief Inspector for highlighting areas requiring improvement.

The Home Office accepts all five of the Chief Inspector's recommendations in full and the Home Office response is below.

- 1. Recommendation 1: The Home Office takes action to improve the number of removals in the West Midlands Police force area by ensuring that status checks are undertaken on all foreign nationals Under Operation Nexus**
- 1.1. Accepted**
- 1.2 Access to West Midlands Police custody systems is restricted to vetted officers. Immigration Enforcement officers are now vetted to allow direct access to these systems. The ability to electronically review who is in custody now allows officers to prioritise face to face interviews and to conduct status checks remotely.
- 1.3 The IE Command and Control Unit (CCU) offers 24 hour support to the police and Immigration, Compliance and Enforcement (ICE) teams. CCU conducts checks on foreign nationals on behalf of the police and ICE teams, during and outside of Nexus operating hours. This allows for a greater volume of status checks to be conducted. The Chief Inspector acknowledged in his report that the volume of status checks conducted by CCU on behalf of the police has increased and this can be seen as an indication of a closer working relationship between the police and Immigration Enforcement. To become more dynamic in its response to offending levels, West Midlands ICE has introduced a daily management meeting to reallocate staff to manage Nexus cases depending on the volumes of people being processed at custody suites. Additionally, CCU can be called upon during peak times to supplement the work of the embedded officer. Through embedded officers and increased police awareness of the support provided by CCU, each foreign national should have their immigration status checked.
- 1.4 The Home Office has worked with the College of Policing to create a foreign national toolkit. The toolkit provides guidance to the Police on how to effectively manage foreign national offenders within the custody environment. The toolkit outlines how important the responsibilities of the police are to capture the correct identity, any intelligence or overseas convictions and the immigration status of all foreign national offenders (FNO) each time they are arrested. The toolkit also reiterates the support provided by the Command and Control Unit, how to contact them and the information the police should provide to CCU so they can run effective checks. The role CCU plays in supporting Nexus was also raised at the Offending by Foreign Nationals conference in July (facilitated by ACPO).
- 1.5 A monthly joint Home Office and Police performance forum has been established in the West Midlands. Its primary aim is to learn and develop new ways of working to support Nexus through analysing its performance. The forum will ensure best use of regional resources to increase the number of checks on those arrested. This will be replicated by a similar meeting in London.
- 1.6 Following the inspection by the ICI, a 'deep dive' review of Nexus in the West Midlands was completed in July, supplemented by a further review in August. Daily management calls to each Nexus embedded officer have now been introduced, followed by a daily management meeting. The introduction of this new governance structure gives local managers the opportunity to assess what resources should be allocated to Nexus on any particular day, depending on the volume of arrests, planned operations or business needs. We will continue to assess and improve performance and process.
- 1.7 A link between Police and Immigration fingerprint databases in the West Midlands, London, Kent and British Transport police now ensures automatic checking of all arrested foreign nationals against the Immigration and Asylum Biometric Information system

(IABS) to determine if this person is of potential immigration interest. This enables an expedited discovery of those individuals who are in breach of the immigration control.

2. Recommendation 2: The Home Office introduces a system for recording all cases where the Police have released an immigration offender because an Immigration Officer was unable to attend a custody suite

2.1. Accepted

- 2.2. West Midlands and London Enforcement are reviewing their current Nexus operating models. London Enforcement is currently working with the MPS to review the deployment of Nexus officers within the MPS area. This review is being carried out in conjunction with the development of the MPS Custody Command Units, which will see a reduction of custody centres in London. This will allow IE to concentrate its resources more effectively and align them to the new MPS operating model. A review of foreign national arrest footfall is also being undertaken to evaluate if the current levels of resource allocated to Nexus reflect levels of demand. West Midlands ICE is reviewing the level of resource and response daily, ensuring Nexus presence at high volume custody suites. The Command and Control Unit provides resilience by ensuring more individuals can be checked, systems are updated and papers are served remotely, if required.
- 2.3. In London, a Joint Operations Centre (JOC) has been created and is staffed by immigration and police officers. Police and immigration systems have been co-located to better manage the deployment of officers under Nexus. To ensure that the right level of immigration presence is available at custody suites, we acknowledge that we need to develop a more proactive approach to the deployment of our resources.
- 2.4. We have also introduced a new data collection system within the JOC to understand the number of times an immigration officer was unable to attend a custody suite. The Command and Control Unit has introduced a database to capture this information at national level. Longer term the capability to capture this information is being developed as part of the new national call handling database and IT system, allowing for data to be routinely extracted, analysed and shared with ICE teams to identify non-attendance. Through this we will be able to review the number of occasions this has happened, better improve our attendance and response to potential foreign national offenders.

3. Recommendation 3: The Home Office maintains accurate central records of the total number of status checks that are undertaken at custody suites

3.1. Accepted

- 3.2. The Home Office is committed to providing accurate information on the number of status checks undertaken at custody suites and is therefore looking to build on the current method of capturing activity under Nexus. At present, a number of police and immigration systems are updated to capture activity and outcomes following an arrest or encounter. The long term aim is to standardise information gathering and reporting through a single law enforcement platform. In the interim, Nexus has introduced an Electronic Reporting Form (ERF) to allow data and systems to be linked to produce a more linear understanding of activity from arrest to detention. The ERF has been introduced in the West Midlands, Manchester, Merseyside, Kent, Wales, Cheshire and Cleveland. A phased implementation commenced in London in September 2014.

3.3. To align reporting and data sharing further, we are looking to introduce the national call handling system currently being used by Command and Control Unit into the Nexus JOC in Croydon. This will allow data to be collected in a standardised way as well and being easier to match. Introducing this system will also automate the way information is recorded and will produce management information as and when required, providing greater assurance around the quality of decision making.

4. Recommendation 4: The Home Office ensures embedded Immigration Officers complete ETD forms in appropriate cases in order to facilitate re-documentation

4.1. Accepted

4.2 The Home Office recognises the need to complete Emergency Travel Document (ETD) applications to support the timely removal of immigration offenders from the UK. Where an ETD is required, this should be done at the earliest available opportunity, and Nexus often represents the first encounter an offender has with the Home Office. To ensure Immigration Officers (IO) are aware of the need to apply for ETDs, guidance has been updated to include instructions that ETD application forms should be completed for all appropriate cases encountered at custody suites.

5. Recommendation 5: The Home Office works with the relevant National Policing Business Lead to create a single definition of 'High Harm' for foreign national offenders.

5.1. Accepted

5.2 The definition of High Harm under Nexus has previously been agreed on a force by force basis due to the variance of each force's priorities and the makeup of criminal activity in their geographical locations. The Home Office recognises and accepts the need to have a single definition of High Harm. Work is already underway to agree a single definition with a review of the two existing versions in London and the West Midlands. A proposed draft is being discussed (in the first instance) with West Midlands and Metropolitan police. The Home Office is keen to introduce a degree of flexibility into the definition to enable Operation Nexus to respond to emerging trends in the FNO community and meet the varying requirements of different regional forces with a single and universal definition.