



A Short Notice Inspection of a Sham Marriage Enforcement Operation

14 - 24 October 2013



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Independent Chief Inspector of Borders and Immigration



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Our Purpose

We provide independent scrutiny of the UK's border and immigration functions, to improve their efficiency and effectiveness.

Our Vision

To drive improvement within the UK's border and immigration functions, to ensure they deliver fair, consistent and respectful services.

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Foreword from John Vine CBE QPM

Independent Chief Inspector of Borders and Immigration



Sham marriages between non-Europeans and EU nationals are an increasing threat to immigration control. If not detected, they allow individuals to obtain residency for five years and then settle permanently in the UK on the basis of relationships that are not genuine. This inspection examined how the Home Office is seeking to disrupt sham marriage, through observation of an operation by West London enforcement staff.

The enforcement operation at Brent Register Office was triggered by the referral of suspected sham couples by local registrars. It was conducted professionally, although I was concerned that guidance was widely spread across different documents and had not been updated with recent experience of operations at register offices. The intelligence provided by Brent, and developed by the West London team, proved to be accurate and two arrests were made.

The enforcement team had developed a good relationship with Brent and several other local register offices. However, many register offices refer few, if any, cases of suspected sham marriage to the Home Office, despite the fact that they have a statutory duty to do so. This means that a significant number of sham marriages may be going undetected. It also creates a risk that sham marriages will be displaced from areas where they are identified to those where they are not.

The Home Office must work with the General Register Office to ensure that all such marriages are referred to it by local register offices in order that a true picture of this problem can be painted. Its national focus on tackling sham marriage also needs to be reflected consistently in the priorities of local enforcement teams.

A handwritten signature in black ink that reads "John Vine .". The signature is written in a cursive, slightly stylized font.

John Vine CBE QPM
Independent Chief Inspector of Borders and Immigration

CHAPTER 1 - EXECUTIVE SUMMARY

- 1.1 This inspection examined the efficiency and effectiveness of an enforcement operation at Brent Register Office in North West London. This took place under ‘Operation Mellor’, the Home Office’s strategic initiative to tackle sham marriages and sham civil partnerships, which began on 14 January 2013.
- 1.2 We accompanied a West London enforcement team to the enforcement action at Brent Register Office, which had reported suspicions about two couples due to be married that morning. It was suspected that both ‘grooms’ were entering into sham marriages with European nationals in order to circumvent the Immigration Rules and remain in the UK.
- 1.3 In most sham marriages, a national of a country outside the European Economic Area (EEA)¹ marries an EEA national in the UK. Such marriages, if not detected, provide a way for non-Europeans who do not meet the requirements of the Immigration Rules to remain in the UK as the spouses of European nationals. This is because the spouses of EEA nationals are given the same rights to free movement under European law as EEA nationals and may qualify for permanent residence in the UK after five years.

Such marriages, if not detected, provide a way for non-Europeans who do not meet the requirements of the Immigration Rules to remain in the UK as the spouses of European nationals

Positive Findings

- 1.4 The Home Office considers sham marriage to be one of the most significant threats to immigration control, and it acknowledges that its intelligence on the problem is incomplete. It is seeking to address this through ‘Operation Mellor’ and also by establishing an intelligence team in Liverpool.
- 1.5 The enforcement action we observed in Brent was conducted professionally and in line with Home Office guidance. The intelligence provided by Brent Register Office, and built up by the West London team, proved accurate and two immigration offenders (both ‘grooms’) were arrested. At the end of the enforcement action, all of the necessary input to databases and other logs, as well as witness statements from the arresting officers, were completed and submitted. We found that the Home Office team had an effective working relationship with Brent Register Office, which had contributed to the quality of the intelligence and the outcome.

Areas for Improvement

- 1.6 We found that the West London team had built up experience of tackling sham marriage, but there was no nationwide process for identifying existing good practice and sharing it. The guidance was dated and spread across several documents, although the Home Office told us that it was being updated. The Home Office should deliver clear and comprehensive guidance for these particular enforcement situations and establish a way for good practice to be shared.

¹ The EEA comprises the member states of the European Union plus, via separate agreement, Iceland, Liechtenstein, Norway and also Switzerland.

- 1.7 We saw that the two available interviewing approaches adopted by staff (marriage questionnaire or standard interview) each had advantages and drawbacks. The Home Office should find a way for these interviews to be timely and effective, as this form of enforcement is constrained by both the timing of the next wedding ceremony and the layout and facilities of a register office.
- 1.8 Finally, we looked at the national picture on sham marriage enforcement activity. We were surprised to find that the national target on sham marriage was not supported by local targets on the issue. Therefore, some enforcement teams had no incentive to focus on this problem. This risked inconsistency of approach.
- 1.9 All of those to whom we spoke considered that suspicions about sham marriage are being under-reported by register offices, despite there being a statutory duty on registrars to refer such marriages to the Home Office. The Home Office must work with the General Register Office² to ensure that all suspicions are reported.
- 1.10 However, more reports from register offices and the Home Office's increasing focus on tackling sham marriage will bring their own risks, not least that the 19 enforcement teams around the country will not have sufficient resources to deal with it alongside other enforcement priorities such as combating illegal working. The Home Office should therefore ensure that local enforcement teams are adequately resourced to deal with any increase in referrals of suspected sham marriages.

All of those to whom we spoke considered that suspicions about sham marriage are being under-reported by register offices

² The GRO oversees civil registration in England and Wales and maintains the national archive of all births, marriages and deaths dating back to 1837.

CHAPTER 2 - SUMMARY OF RECOMMENDATIONS

We recommend that the Home Office:

1. Works with the General Register Office to ensure that local register offices refer all cases of suspected sham marriages via section 24 reports.
2. Ensures that local enforcement teams are adequately resourced to act on suspected sham marriage referrals.
3. Provides clear and comprehensive guidance to enforcement staff on how to conduct sham marriage operations; and establishes a mechanism that ensures that good practice is shared between enforcement teams.
4. Ensures that interviews of those suspected of entering into sham marriages are conducted in an effective and timely manner.

CHAPTER 3 - THE INSPECTION (METHODOLOGY AND BACKGROUND)

SCOPE/METHODOLOGY

Purpose

- 3.1 The purpose of the inspection was to examine the efficiency and effectiveness of enforcement activity under the specific Home Office initiative 'Operation Mellor' relating to tackling suspected sham marriages.
- 3.2 The Home Office was given one week's notification of the inspection. We assessed the efficiency and effectiveness of an enforcement activity using four of the Independent Chief Inspector's inspection criteria (see Appendix 2), which are grouped under the themes of:
- Operational Delivery;
 - Safeguarding Individuals; and
 - Continuous Improvement.
- 3.3 For this inspection, our focus was observation of a Home Office enforcement operation at Brent Register Office by a group of enforcement staff from the team which covers West London. The operation took place in response to registrar reports of suspicions about two non-European citizens giving notice of intention to marry citizens of the EEA.

We examined the following:

- the registrar's perspective of the statutory duty under section 24 of the Immigration and Asylum Act 1999 to report suspicious marriages to the Home Office;
 - the development of two section 24 reports into an enforcement operation;
 - the quality of information acted on, risk assessment and staff briefing;
 - how the action was carried out - treatment of people and use of enforcement powers;
 - resource implications; and
 - the immediate outcome of the operation.
- 3.4 The inspection took place between 14 October and 24 October 2013.
- 3.5 During that period, we observed:
- an enforcement operation at Brent Register Office (North West London) where the aim of the Home Office West London enforcement team was to investigate and then take action (if appropriate) to prevent two suspected sham marriages and to arrest two foreign nationals for immigration offences.

3.6 We interviewed the following Home Office staff:

- senior management for the Home Office Immigration Enforcement Directorate and ‘Operation Mellor’;
 - West London management for enforcement (and ‘Operation Mellor’);
 - strategic intelligence analysts; and
 - West London enforcement staff who conducted the operation;
- and we also met with a representative from Brent Register Office.

Figure 1: Home Office staff interviewed during the inspection

HM Immigration Officer	3
HM Inspector	1
Higher Executive Officer	1
Senior Executive Officer	1
Grade 7	1
Grade 6	2
Senior Civil Service	1
Total	10

3.7 We also examined:

- Home Office policy and guidance relating to enforcement and sham marriage;
- the Home Office strategy for the launch of ‘Operation Mellor’ and supporting analysis of trends and patterns relating to sham marriage;
- written records of the enforcement operation we observed; and
- management information from 14 January-30 September 2013 relating to ‘Operation Mellor’ performance.

3.8 On 29 October 2013 we provided feedback on high-level emerging findings to the Home Office. The inspection identified four recommendations for improvement.

BACKGROUND

Marriage in the UK

3.9 To be valid in the UK, a marriage must be monogamous³ and in accordance with the requirements of the Marriage Acts 1949-1994, the Marriage (Scotland) Act 1977 and the Marriage (Northern Ireland) Order 2003.⁴ The total number of marriages recorded for the UK in 2011 (latest figures available) was 285,391. There were 247,890 in England and Wales, 29,135 in Scotland and 8,366 in Northern Ireland.⁵ In June 2013, the Office for National Statistics reported that two-thirds of marriages in England and Wales were now civil ceremonies. This report was submitted to the Home Secretary on 17 December 2013.

³ Having only one spouse at a time.

⁴ Lawful impediments to marriage normally include a pre-existing marriage that has been neither dissolved nor annulled (bigamy), a vow of celibacy, lack of consent, or where those intending to marry are related within the prohibited degrees of blood-related kinship.

⁵ Figures from the Office for National Statistics, the General Register Office for Scotland and the Northern Ireland Statistics and Research Agency.

3.10 To register an intention to marry and get a wedding date, British and EEA citizens must attend in person at the register office in the district where they have had their usual residence for seven days prior to giving notice of their intention to marry.⁶ Other nationals are not restricted and can attend any of the UK's 75 Designated Register Offices (DRO).⁷ Anyone intending to marry must give a notice period of 15 days. They can then marry from day 16 onwards. Evidence of name, age, marital status and nationality must be given. Scotland operates slightly different procedures, as couples can give notice by post as well as in person.

Sham Marriage

3.11 Section 24(5) of the Immigration and Asylum Act 1999 contains a legal definition of a sham marriage⁸. The relevant European Directive refers to 'marriages of convenience'⁹. The Home Office usefully describes such a marriage as one that:

'typically occurs when a non-European national marries someone from the European Economic Area ... as a way to gain long-term residency and the right to work and claim benefits in this country.'

3.12 Sham marriages operate at three levels:

- **Individual level** – marriage used by individuals to circumvent the Immigration Rules and obtain residency in the UK. They might ask a friend to help them or contact someone via the internet who will marry them for a payment;
- **Local facilitation** – one or more persons who abuse their position by facilitating a number of marriages for financial gain, or other reasons; and
- **National/International facilitation** – marriages facilitated by organised criminal networks which are often involved in multiple immigration offences¹⁰. This activity can generate large amounts of money.¹¹

3.13 The extent and scale of sham marriage and sham civil partnership in the UK is not known, due to a lack of comprehensive and reliable data. However, the Home Office considers sham marriage to be one of the 'biggest threats to immigration control'.¹² In January 2013, when 'Operation Mellor' began, it estimated that between 3,000 and 10,000 applications to stay in the UK per year were made on the basis of sham marriages, but it could not be more precise due to significant gaps in both intelligence and data capture. It is working to improve intelligence on sham marriage through increased enforcement activity, closer co-operation with registrars and the creation of an intelligence hub focusing on all types of applications for residency in the UK.

3.14 We intend to examine the work of the intelligence hub as part of our forthcoming inspection of European casework, which will also look at the other steps the Home Office is taking to identify marriages of convenience when non-Europeans apply for residence cards on the basis of their relationships with EEA nationals.

6 For British and EEA citizens, Superintendent Registrars need to satisfy themselves that each party has lived in that registration district for the previous seven days. For non-EEA nationals, there must be proof of residence in a district within England or Wales for the same period of time.

7 A Designated Register Office is where anyone who is subject to immigration control must give notice of intention to marry or enter a civil partnership.

8 (a) entered into between a person ('A') who is neither a British citizen nor a national of an EEA State other than the United Kingdom and another person (whether or not such a citizen or such a national); and

b) entered into by 'A' for the purpose of avoiding the effect of one or more provisions of United Kingdom immigration law or the Immigration Rules.

9 Directive 2004/38/EC.

10 Such as illegal working, identity fraud, money laundering.

11 Example news report - <https://www.bbc.co.uk/news/uk-england-london-21498874>

12 Home Office Strategic Threat Assessment, October 2013

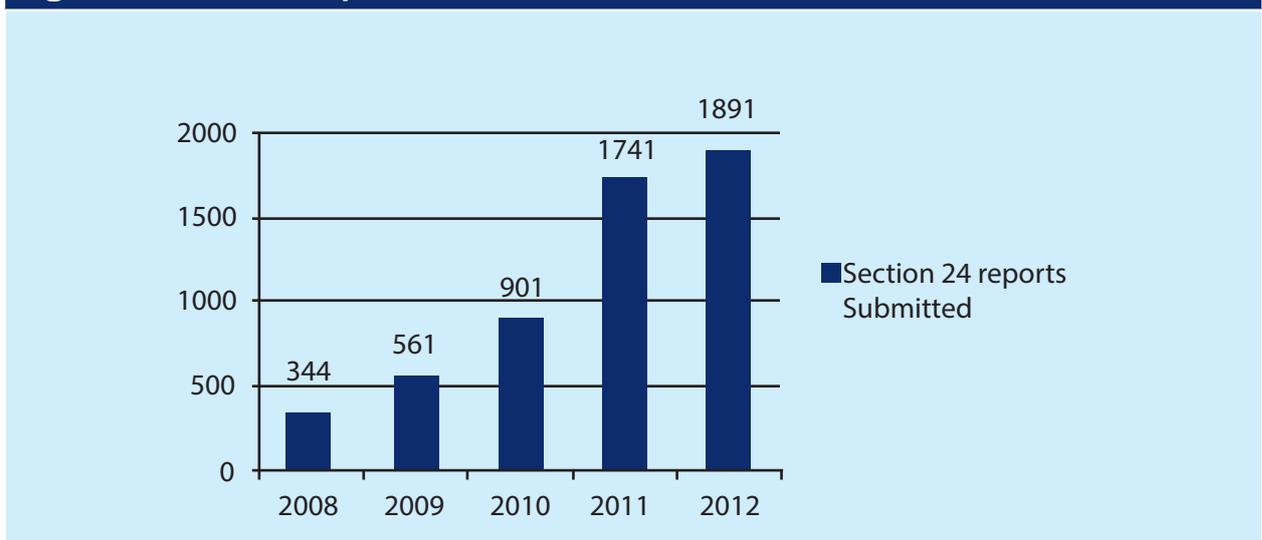
- 3.15 EEA nationals are prominently involved because it is more straightforward for non-Europeans to obtain residency in the UK through such relationships than by marrying British citizens. This is because the European free movement rights that allow EEA nationals to live in each other's countries also extend to their non-European spouses,¹³ whereas non-Europeans marrying British citizens are subject to the more stringent UK Immigration Rules, as they are not exercising treaty rights in order to stay here.
- 3.16 The potential impact of using marriage to circumvent the Immigration Rules is particularly significant in the long term. A non-EEA individual who, with or without the knowledge of the EEA partner, uses marriage to benefit from their partner's rights can initially apply for a residence card and then apply for permanent residence in the UK after five years.
- 3.17 Our recent inspection of Tier 1 of the Points Based System found that applications for further Leave to Remain as an entrepreneur increased as other routes to remain in the UK were tightened.¹⁴ The Home Office considers that such displacement is one of the drivers for the apparent increase in the incidence of sham marriage between EEA and non-EEA nationals.
- 3.18 As at October 2013, the Home Office forecast that, for the financial year 2013-14, it will issue around 43% of 43,000 applications for residence cards made by non-EEA nationals seeking confirmation of their free movement rights as the spouses of EEA nationals.

Recent preventative measures

Section 24 Reports

- 3.19 Registrars have a statutory duty to report all suspicions of sham marriage to the Home Office under Section 24 of the Immigration and Asylum Act 1999. The Home Office is particularly dependent on them for this information.¹⁵ The total number of section 24 reports recorded as received by the Home Office over the last five years is 5,438. Figure 2 below sets out the figures for each year from 2008 to 2012.

Figure 2: Section 24 reports submitted to the Home Office 2008-12



Source: Home Office Section 24 Annual Report, March 2013.

¹³ The Immigration (EEA) Regulations 2006 apply and interpret the UK's obligations under the Free Movement of Persons Directive 2004/38/EC into domestic law. The right given to EEA nationals under these regulations is known as 'free movement'.

¹⁴ <http://icinspector.independent.gov.uk/wp-content/uploads/2013/09/An-Inspection-of-Tier-1-PBS-Investor-and-Entrepreneur-Applications.pdf>

¹⁵ It otherwise relies on the public and its own casework (migration casework) to flag up suspicious circumstances where individuals may be using marriage to circumvent the Immigration Rules.

Certificates of Approval

- 3.20 In February 2005, the Government introduced the ‘Certificate of Approval’ scheme which required non-EEA nationals to obtain permission to marry, subject to a fee of £135 for applications.¹⁶ Following a House of Lords ruling,¹⁷ it was formally abolished on 9 May 2011 on the grounds that it breached Article 14 (prevention of discrimination) of the ECHR.¹⁸ In approximately 18 months following this ruling, the Home Office received about 2,900 section 24 reports, an increase of about 1,000 reports on the previous three years combined.

Church of England

- 3.21 The Church of England is not required by law to report suspicions about non-EEA and EEA nationals marrying in its churches. However, it has tightened its procedures after cases such as that of the vicar in East Sussex who was found guilty of conducting 370 sham marriages and jailed for four years in September 2010.¹⁹

‘Operation Mellor’

- 3.22 The current Home Office response to suspected sham marriage lies largely with the launch on 14 January 2013 of ‘Operation Mellor’, an ‘intelligence-led’ initiative that uses enforcement to:
- disrupt suspicious weddings;
 - obtain evidence to test the genuineness of a marriage;
 - penalise breaches of Immigration Rules and contribute to investigations and prosecutions for facilitators and criminal offenders; and
 - remove people with no permission to remain in the UK.
- 3.23 Between 14 January and 30 September 2013, the Home Office carried out 500 ‘Mellor’ enforcement operations prompted by Section 24 reports. These led to 334 arrests for immigration offences. As at 30 September 2013, a total of 78 people had been removed from the UK.
- 3.24 The Home Office is also conducting a series of short-term enforcement projects to help develop more effective intelligence and responses to people suspected of having breached the Immigration Rules and entering sham marriages in order to qualify to stay in the UK. Under the ‘Mellor’ initiative, a ‘campaign week’ took place between 27 October and 3 November 2013. It was not within the scope of this short notice inspection.

Changes to Immigration Legislation

- 3.25 The Government is focused on reducing the incidence of sham marriage and seeks to tighten the approach to suspected and known abuses of the immigration system to help reduce immigration overall.
- 3.26 The Immigration Bill,²⁰ introduced in October 2013, contains a number of proposals to reduce the opportunity to use marriage to circumvent the Immigration Rules and to increase the referring of suspicions. For example, the Bill proposes giving the Home Office a period of time to investigate a reported suspected sham marriage before it is allowed to go ahead, much extending the current minimum legal gap between interview and ceremony of 15 days.

¹⁶ The approval scheme was for civil marriages only.

¹⁷ Following the case of Baiai. see www.bailii.org/uk/cases/UKHL/2008/53.html.

¹⁸ European Convention on Human Rights. To be read with Article 12 (the right to marry).

¹⁹ <http://www.independent.co.uk/news/uk/crime/vicar-jailed-over-sham-marriages-2071508.html>

²⁰ <http://www.publications.parliament.uk/pa/bills/cbill/2013-2014/0110/14110.pdf>

The London Borough of Brent

- 3.27 Brent is one of the most ethnically diverse London boroughs. According to the 2011 Census, Brent's total population was 311,215,²¹ of whom 216,277 (69%) were Black, Asian or from other minority ethnic groups. More than 55% of the total population in Brent were born outside the UK. Brent Civic Centre, where we observed the enforcement operation, is purpose-built with a large register office conducting approximately 1,500 marriages and 30 civil partnerships each year.

West London Immigration, Compliance and Engagement Team

- 3.28 The Home Office's West London team is one of 19 such teams and has more than 60 arrest-trained staff. In addition to covering Brent, the team responds to suspected and known immigration offences in a further seven London Boroughs.²² As with all enforcement teams across the UK, the West London team contributes to the Home Office's overall removals target for people with no legal right to remain in the UK.

21 2011 Census, Second Release, December 2012

22 London Boroughs of Ealing, Hammersmith and Fulham, Harrow, Hillingdon, Hounslow, Kingston-upon-Thames and Richmond-upon-Thames.

CHAPTER 4 - INSPECTION FINDINGS

Customs and immigration offences should be prevented, detected, investigated and where appropriate, prosecuted

Detecting a Suspected Immigration Offender to Generate an Enforcement Action

- 4.1 When they attend a register office to book their wedding a couple must be interviewed, pay the fee (£70 in Brent), and produce proof of age, nationality, marital status and current address. A registrar may form suspicions of a potentially sham marriage at this first interview or at the wedding ceremony, often because the couple interact very little despite it being such a significant day.
- 4.2 Register offices submitted 1,891 section 24 reports in 2012. Of these, 81% were received prior to a marriage taking place. The Home Office estimates that it will have received 2,300 such reports by the end of 2013 (an 18% increase).
- 4.3 The reports received after the wedding could still be investigated if the non-EEA partner applied to the Home Office for issue of a residence card on the basis of marriage to an EEA national. Interviews and home visits can be conducted at that stage.
- 4.4 Brent Register Office became suspicious of the two couples in our inspection at the first interview. These interviews generally include at least five standard questions – name, date of birth, occupation, address and nationality. Both males were from non-EEA countries and their partners from relatively new EEA member states.
- 4.5 The Home Office provides senior registrars with a telephone help line for checking immigration status. Brent staff used the helpline to establish that the first groom had no Home Office immigration record (in line with his disclosure of illegal entry) and that the other was a student who was working in breach of his conditions of stay. The one-page section 24 proforma was then submitted to the Home Office for each couple.
- 4.6 The registrar reported concern about the first intended groom because he admitted that he had entered the UK illegally and became suspicious of the second couple as there was little interaction between them. The Brent representative told us that staff had experience of couples who were ‘blatant’ in their lack of knowledge about each other at these interviews.

Benefits of Close Working Between Register Office and Enforcement Team

- 4.7 We saw an effective working relationship built up between the West London enforcement team and Brent Register Office. Brent submitted the section 24 reports to the Home Office’s intelligence team at Croydon and to the West London team simultaneously. This gave local enforcement staff additional time to undertake immigration checks, to establish the

We saw an effective working relationship built up between the West London enforcement team and Brent Register Office

quality of the intelligence and to decide whether to authorise an enforcement operation. All staff we interviewed in the West London team stressed the importance of receiving co-operation from registrars in tackling sham marriage. One went so far as to describe sham marriage as a ‘massive loophole in the Immigration Rules at the moment.’

Section 24 Reports and Urgency of Action

- 4.8 We learned more about timings between interview and ceremony when Brent showed us the bookings across several weeks, for both weekdays and the shorter weekend opening (Brent is one of a minority of offices conducting marriages seven days a week).
- 4.9 The majority of weekday marriages at Brent take place directly after, or soon after, the 15-day wait but most couples intending to get married at the weekend provide more notice. Brent explained that, in the past, some couples suspected of entering into sham marriages had booked outside venues to resemble many of the weekend weddings but enforcement visits had found very few guests for the huge venue booked.
- 4.10 A short time-lapse between giving notice of the intention to marry and the actual date is not, of itself, a direct marker for potential sham marriage as foreign nationals living in the UK may, for example, be arranging to have a subsequent religious ceremony. Couples may not view a process in a municipal building as the actual ‘big day’ and it would be culturally insensitive not to acknowledge that people will have a range of attitudes to a civil wedding.

Linking Wedding Appointments to Detecting Immigration Offenders

- 4.11 As the Human Rights Act 1998 includes a right to marry, the West London Enforcement Team only goes out to weddings when a suspected immigration offender is involved. Where there is intelligence that the wedding has a connection to a criminal offence that is likely to lead to prosecution (e.g. facilitation or bigamy), the enforcement operation may be more likely to be carried out by a crime team and/or the police.
- 4.12 The suspected immigration offences that triggered the operation we observed were first detected by the register office via the suspicions of sham marriage and the helpline. The section 24 process then alerted the Home Office and the West London team. On receipt of the section 24 reports, West London undertook further checks and decided that sufficient intelligence had been received for an enforcement action to be authorised.
- 4.13 Figure 3 below sets out the West London enforcement response to section 24 reports, in the context of ‘Operation Mellor’, between 14 January and 30 September 2013.

Figure 3: Enforcement actions and arrests generated by section 24 reports		
	Enforcement actions	Arrests
Nationally	500	334
West London	52 (10%)	33 (10%)

- 4.14 These statistics indicate that West London is more proactive than many enforcement teams in seeking to tackle suspected sham marriages.

Building Working Relationships for Quality Intelligence

- 4.15 We were aware that the West London Team was atypical. It was one of three which senior Home Office managers identified as having built up extensive experience in sham marriage enforcement, the

others being those based in Stoke-on-Trent and in Scotland. In interviews with local managers and staff, we found two main reasons for West London's focus on suspected sham marriages.

- 4.16 The first was a local history of interest in sham marriage, coupled with relevant enforcement experience being passed to new team members. A manager told us that West London had been doing sham marriage enforcement 'visits' for a long time, but since the team doubled in size earlier in 2013 they had been able to have a dedicated team of four people each day for the last two months. Sham marriage enforcement was 'business as usual' for them, but the team also undertook other work, such as home visits requested by the European Casework unit in Liverpool (they try to do 15 such visits a week). We were pleased to find this, given our recommendation on the need for a strategy on the use of interviews and home visits in our recent report on marriage and civil partnerships.²³
- 4.17 Figure 4 below sets out the sources of the West London actions (what the Home Office calls enforcement 'visits').

Figure 4: Sources of West London 'visits' under 'Operation Mellor' (14 January to end September 2013)

Section 24 reports	52
Allegations (public etc)	0
Other parts of the Home Office	165

- 4.18 The second reason for West London's proactive approach to sham marriage was the working relationship it had built up with register offices. An enforcement manager's view was that, to be effective, a 'bespoke service' was needed and that West London had had some success in using a single point of contact service for register offices. They set the enforcement team contact at a decision-making grade so that intelligence could be quickly assessed and pushed through to the authorisation stage. This manager also gave feedback to register office staff on reasons why any section 24 report could not be acted on (e.g. lack of staff, or no immigration offence). We agree that providing a suitable contact point, and always giving feedback, are good practice in building these relationships.
- 4.19 Brent Register Office confirmed it to be an effective relationship, which we observed on the day of the operation. Brent also told us that it was still working with its staff to build up the numbers of section 24 reports and that, to offset any missed suspicions, the Superintendent Registrar had arranged for the enforcement team to have access to the wedding appointments list to carry out immigration checks. The wedding appointments are normally shown electronically in the Civic Centre lobby. This direct access meant that more potential intelligence for timely tackling of sham marriages came from Brent than just section 24 reports.

A Home Office senior manager described the obtaining of residency through sham marriage as akin to a 'golden ticket'

Prevention of Sham Marriages

- 4.20 The focus during the operation we observed was on the two individual immigration offenders whom the enforcement team, after interviews, considered to be entering into sham marriages as a way of remaining in the UK. The operation ended with the two 'grooms' arrested and the two 'brides' departing (the guests had already left).
- 4.21 An enforcement manager told us that the appearance of the uniformed enforcement staff had a deterrent effect on couples intending to enter into sham marriages. Brent Register Office, however, had not identified any deterrent effect from enforcement operations. They warn all suspected 'sham' couples about the section 24 report being submitted to the Home Office; despite this, the couples

²³ <http://icinspector.independent.gov.uk/wp-content/uploads/2013/01/marriage-and-civil-partnerships-FINAL-PDF.pdf>

still appear for their wedding appointments and sit calmly in the waiting room when the enforcement team arrives. A Home Office senior manager described the obtaining of residency through sham marriage as akin to a 'golden ticket'. We are not surprised that it would take more to deter a couple than the appearance of an enforcement team at the register office.

Enforcement powers should be carried out in accordance with the law and by members of staff authorised for that purpose

Operational Guidance

- 4.22 We have found over a number of inspections that updating guidance consistently lags behind operational experience²⁴ and this was also the case here. We observed that the enforcement action complied with Home Office enforcement guidance but also noted that relevant enforcement instructions were spread across a number of chapters of guidance and also came from the Code of Practice agreed with the General Register Office. However, the internal guidance specific to carrying out operations at register offices was only three sentences long and was not cross-referenced to what had been agreed with the GRO. A less experienced enforcement team than West London would need much more detailed guidance in order to carry out an operation to tackle a suspected sham marriage safely and appropriately.
- 4.23 The lack of consolidated guidance certainly did not reflect the Home Office's strong emphasis since January 2013 on preventing sham marriages via 'Operation Mellor'. The Home Office told us that some additional support had been given to the inexperienced teams, but we consider that it would have been more logical and efficient to have developed detailed and up-to-date guidance ready for the launch of 'Operation Mellor' in January 2013, to ensure that all teams were properly supported to get started straight away.
- 4.24 When we interviewed enforcement staff, we found that they relied solely on their training and local procedures. There was little familiarity with the central enforcement guidance. All had attended the arrest training, which they praised.
- 4.25 We were concerned that there was no formal framework for those experienced in sham marriage enforcement to share what they had learned with colleagues. Possible ways of doing this would be for the experienced teams to produce dedicated guidance or to establish a network like the Senior Caseworkers' Forum within the asylum process.

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We recommend that the Home Office:

- Provides clear and comprehensive guidance to enforcement staff on how to conduct operations at register offices; and
- Establishes a mechanism that ensures that good practice is shared between enforcement teams.

²⁴ For example, <http://icinspector.independent.gov.uk/wp-content/uploads/2013/10/An-Inspection-into-the-Handling-of-Asylum-Applications-Made-by-Unaccompanied-Children-FINAL.pdf>

Observation of the Briefing Meeting

- 4.26 The briefing meeting was for all the enforcement staff due to take part. The generic briefing template was marked as ‘restricted when completed’ and staff noted details directly into their official notebooks and not onto loose papers, so we were satisfied that attention was given to the protection of individuals’ data.
- 4.27 The completed briefing template for each couple started with:
- the reference number assigned to the operation;
 - Brent Civic Centre as venue;
 - the CAD²⁵ reference;
 - entry to be by consent; and
 - the names, dates of birth, nationalities and genders of the two couples.
- 4.28 The names and allocated roles for all staff taking part were set out as required, including which vehicle each would travel in and their mobile phone numbers.
- 4.29 Information from the section 24 report and subsequent checks followed. These clarified what the register office had obtained from the Home Office helpline and added results from the key checks with the Police National Computer and Experian.²⁶ The dates of entering and leaving the UK are not recorded for EEA nationals as they have free right of movement, so the Experian check can be an effective pointer to when someone became economically active in the UK and thus to when they might have arrived. We were satisfied that appropriate checks had been done and within the timescale required in the relevant guidance.
-
- We were satisfied that appropriate checks had been done and within the timescale required in the relevant guidance*
-
- 4.30 Senior managers, intelligence analysts and local enforcement staff told us that many brides in sham marriage cases arrived from the newer members of the European Union and often only shortly before the wedding. They referred to these individuals as ‘awayday brides’. We understand how the date of first opening a bank account or renting accommodation in the UK may therefore provide significant intelligence about arrival here. Some of these ‘brides’ may return to their home countries soon afterwards.
- 4.31 The briefing pack also included a Human Rights statement that this was a lawful action, justified as intelligence-led and non-discriminatory. The risk assessment was divided into a health and safety risk assessment specific to the action and the generic ‘Sham Marriage Enforcement’ risk assessment.

Entry to the Venue

- 4.32 Brent Civic Centre has an open-plan layout. We agree with Brent Register Office that the ten immigration officials in full uniform and PPE²⁷ (plus Inspectorate observers) would not have been able to enter unobtrusively and we understand why the register office established another route via staff accommodation. The route is considered later in this report in relation to the arrests.

²⁵ The old term ‘Computer Aided Dispatch’ room – i.e. the main police contact point which would have sent officers to assist if the team had requested support.

²⁶ One of several companies providing detailed individual credit histories.

²⁷ Personal Protective Equipment – ‘stab vest’, protective boots, telescopic baton and handcuffs.

The Interview Stage

- 4.33 We were in place by 9.30 am and the first couple had arrived early, so the separate, but simultaneous, interviews of the first couple began at around 9.40. There was an agreed process for Home Office staff to go to where the couple and guests were waiting to explain what would happen, rather than a registrar. Brent Register Office later confirmed that this was a tried, satisfactory and necessary approach. The first couple had two guests – in effect, just the two witnesses required by law. The second couple had four guests.
- 4.34 We observed four interviews. Interviewing officers started by correctly using the standard caution from the Police and Criminal Evidence Act 1984.²⁸
- 4.35 Observing Home Office interviews with two couples allowed us to see both interviewing methods – the marriage questionnaire and questions chosen by the interviewing officer. It also meant that we could observe how time-constrained the interviews were because of on-going register office business for the day.
- 4.36 The marriage questionnaire is a template of questions devised by the Home Office specifically for interviews in cases of suspected sham marriage. Managers and staff told us that couples were often now ‘well-rehearsed’, as the existence of the questionnaire was widely publicised on internet sites and by immigration advisers.
-
- Managers and staff told us that couples were often now ‘well-rehearsed’*
-
- 4.37 In one exchange about whether the couple’s shared one-bedroom flat had laminate flooring or carpet, the interviewee confirmed his answer with the words ‘in my bedroom, yeah’. The interviewer should have checked this – to identify whether this was simply confusion over English personal pronouns and he had meant ‘our’, or whether to probe further to established that the couple did not cohabit after all. This is one example, but we believe that too exclusive a focus on the questions in the marriage questionnaire inhibits the interviewer’s ability to listen actively and probe the answers given.
- 4.38 While Brent reported that the couples could speak English, this did not necessarily mean that they spoke it as fluently as their first languages. In one interview, the interviewer failed to rephrase a question immediately when the interviewee clearly did not understand. Asking the question several times in exactly the same way took up valuable time when the operation was already time-constrained. We considered that this approach also carried some risk of interviewees being perceived as obstructive when, in fact, they were still seeking to understand the question.
- 4.39 In this situation, someone experienced in interviewing would have recast the question using plain English. Time lost would then be minimised. A senior manager told us that many of the recent enforcement recruits did not have wide experience of interviewing those speaking English as an additional language.
- 4.40 A senior manager told us of a drive to ‘professionalise enforcement’. To this end, there were plans to improve interviewing techniques (with on-the-job training and mentoring expected to be the most effective methods). The Home Office would also be introducing four days per year of professional development.
- 4.41 The marriage questionnaire did have an operational advantage, because using it allowed the officer in charge to move between the two simultaneous interviews, reviewing answers and even taking a completed page to the other interviewer. This identified discrepancies and areas to probe. This could not be done when the interviewing officer was writing both questions and answers into the small official notebook, as the answers could not be viewed over the interviewer’s shoulder or removed from the room without pausing the interview.

²⁸ <https://www.gov.uk/police-and-criminal-evidence-act-1984-pace-codes-of-practice>

4.42 Those in charge of the enforcement kept track of the time the double operation was taking. The second interviews were then paused to take both pocket books out to identify any discrepancies. Brent Register Office had separate interview rooms which the team was using, but we could see that timing would be a significant issue in register offices with little interview accommodation and the next wedding group due to arrive. There is clearly a need to have the most effective interviewing skills and styles in use in the time-constrained investigation situation for sham marriages.

There is clearly a need to have the most effective interviewing skills and styles in use in the time-constrained investigation situation for sham marriages

4.43 We welcome the news that the Home Office will be introducing professional development for enforcement officers, to include interviewing skills. However, there also needs to be a general review of the interviewing currently in use for suspected sham marriages. This type of enforcement may have only a narrow window for interview before starting to impinge on a register office and subsequent wedding appointments. It needs to use the most appropriate and effective approach, particularly as the 'Operation Mellor' aim of engaging more enforcement teams in sham marriage will mean more interviews and different register offices (many of them with very limited interview accommodation).

We recommend that the Home Office:

- Ensures that interviews of those suspected of entering into sham marriages are conducted in an effective and timely manner.

Arrest, Handcuffing and Transfer

- 4.44 We were told that West London had instituted an arrangement whereby referrals for outcome and arrest went to the local manager most experienced in sham marriage, if on duty. This made good use of the experience built up in the team and contributed to a level of consistency in decisions. In this case, it was decided that both were sham marriages and both immigration offenders were arrested using correct procedures.
- 4.45 The arrest training includes police guidance on the use of handcuffs, and Home Office guidance also covers when and how to use handcuffs. Any decision to use them must, however, be formally justified for the audit trail (as was done by these officers) because application of handcuffs without justification is unlawful.
- 4.46 The arresting officers correctly searched the two males for anything that could 'cause injury or aid escape' and then chose to handcuff them using the 'front stack' position (one wrist above the other in front). Handcuffs were removed once a detainee was placed in a cell in the van.
- 4.47 As each detainee had to be taken directly past occupied staff desks with use of two staff-only lifts to get back to the underground car park, we consider that handcuffing at Brent Register Office might have been included as the standard approach in the risk assessment briefing under the section specific to the premises. This would have been justified.
- 4.48 We asked the Home Office how many people were arrested and also handcuffed as a result of 'Operation Mellor' enforcement operations prompted by Section 24 reports up to the end of September 2013, as well as the most common justifications for their use. The Home Office confirmed that 334 people had been arrested but central records were not kept on use of handcuffs unless they were forcibly used to restrain people.
- 4.49 The Home Office explained that, in order to obtain information on 'compliant handcuffing', individual enforcement records and staff notebooks would need to be examined. This lack of central

recording is a concern as, if the Home Office does not record and analyse data on handcuffing, it cannot assure itself and the public that handcuffs are always being used in accordance with guidance and the law.

Outcome

4.50 The sham marriage lead manager for the team told us that he was satisfied that they had had minimal impact on business as usual at the register office and that it had gone as well as it could.

4.51 We concluded that the intelligence had been accurate as the enforcement team found the individuals and the circumstances that they had planned for. There had been no incidents of any kind with the public and all staff had carried out their roles as assigned.

We concluded that the intelligence had been accurate as the enforcement team found the individuals and the circumstances that they had planned for

4.52 Both the detainees were taken back to the West London offices in the celled van and transferred to a detention facility.²⁹ Both had their own passports, which, in theory at least, would facilitate removal from the UK, as they would not need to be re-documented by their own governments.

4.53 Removal arrangements were made for both, but these had to be dropped as they sought and were granted permission to seek Judicial Review of their removals on Human Rights Act grounds. In marriage cases, both Article 8 (right to a family life) and Article 12 (right to marry) can potentially be invoked. The two were detained for a combined total of 51 nights before being released on bail, which cost well over £6,000. On release, they were placed under reporting conditions pending the outcomes of their Judicial Reviews. Home Office records indicate that both are pursuing their marriage plans.

4.54 The Home Office provided the written records from the enforcement action. All of the necessary entries to electronic databases and logs, such as the Premises Search Book, had been done. We saw witness statements and transcripts of the interviews, together with photocopies of the pocket books into which the second interviews were contemporaneously written. We were pleased to note an organised process at West London to ensure that all of these very numerous requirements were fulfilled.

All individuals should be treated with dignity and respect and without discrimination in accordance with the law

4.55 Senior managers and strategic intelligence analysts told us that four non-EEA nationalities (Indian, Pakistani, Bangladeshi and Nigerian) were most commonly found to be involved in suspected sham marriages. 82% of the non-EEA parties to sham marriages were men and they were frequently matched with women from the newer members of the EEA.

4.56 We were satisfied that the intelligence provided by Brent Register Office was acted on in accordance with immigration offences having been identified and in line with the statements in the Human Rights section of the risk assessment. There was no evidence that the couples involved had been targeted purely because of their nationalities.

There was no evidence that the couples involved had been targeted purely because of their nationalities

²⁹ Tascor is the detention provider contracted by the Home Office.

- 4.57 We did not note any adverse impact from this operation on these couples' guests. All the guests left while the interviews were taking place. There was no report from register office staff that this operation had any adverse impact on any genuine couples awaiting an appointment.
- 4.58 Partnership between West London enforcement staff and Brent allowed suspected sham marriages to be scheduled for early in the day so that, if the interviewing teams were satisfied that the marriage was genuine, the wedding could still be slotted in for later on the same day.
- 4.59 We did have some concerns about the length of time that the first detainee was in the celled van after arrest. This double operation meant that he was in the van for almost two hours until arriving at the West London offices. We refer this concern back to the recommendation to conduct interviews in a timely manner so that any detainees can be transferred to appropriate accommodation as soon as possible.

Risks to operational delivery should be identified, monitored and mitigated

The Enforcement Operation

- 4.60 Enforcement staff told us that the risk assessment process for such operations had recently been streamlined. We welcome this approach, as risk assessments should always be targeted and focused. We were satisfied that there was a designated officer in command, so there was a clear chain of command for any critical incident that might have arisen.
- 4.61 There were areas, however, where the risk assessment could have been improved. The document stated that there would be 'no media attention in this case'. However, Sky News had been running a series of short filmed pieces on immigration issues and, that morning, they were filming an interview with the Superintendent Registrar of Brent in his role as the Chairman of the Local Registration Services Association. This was known prior to the operation.
- 4.62 As it turned out, the film crew had left just before the team arrived. As a matter of good practice, we consider that the risk assessment should have acknowledged the presence of the film crew and the potential implications if the two timings had overlapped.
- 4.63 Another issue came up during the journey to Brent, as the fact that the second bride had told the registrar that she was seven weeks pregnant had initially been omitted from the briefing. As the stated pregnancy was on the section 24 form, we consider that this information should have been treated as a risk with consideration of what to do if she became distressed.
- 4.64 Another key issue not raised in the risk assessment was that Brent Civic Centre was an Airwave radio dead spot. This was clearly not an ideal situation, but we accept that mobile phones were already in place as a fall-back. But it was surprising that the known radio situation was not reflected anywhere in the risk assessment, as the document clearly stated that 'the risks have been managed by comprehensive research on the subjects and the premises to be visited'. It then asserted that any risk impact would be minor because staff had 'appropriate communications e.g. Airwave Radio', which was not the case.
- 4.65 Such documents need to pay closer attention to health and safety matters and risks which are specific to an operation. Otherwise there is a risk that the Home Office could find itself being non-compliant with health and safety requirements for its staff or dealing with a public situation which could have been avoided.

Enforcement Activity Nationally

- 4.66 Home Office staff and managers to whom we spoke considered that sham marriage was a growing problem, but that knowledge of the extent of the problem and the intelligence to deal with it was lagging behind. Brent Register Office told us that it considered that it would have enough work (sham marriage/immigration offences) for an enforcement officer stationed there every day. A senior Home Office manager shared Brent’s view that sham marriage was widespread. He told us: ‘The more we police it [sham marriage], the more we know’.
- Home Office staff and managers considered that sham marriage was a growing problem, but that knowledge of the extent of the problem and the intelligence to deal with it was lagging behind*
- 4.67 The Home Office also accepted that there were significant intelligence gaps in relation to facilitation and other criminal activity linked to sham marriage. There is no requirement for churches to report any suspicions about marriages, but some staff believed sham marriage was a problem in church weddings. There is, however, no up-to-date intelligence on this.
- 4.68 The Home Office is in the process of establishing an intelligence hub in Liverpool which will include sham marriage in its remit. At a local level, West London enforcement staff undertake 15 home visits per week to assess suspected sham marriages – a local manager told us that they find sham marriages in around 10 of those. While we welcome these initiatives, the Home Office must continue to improve its intelligence on sham marriages as a matter of urgency.
- The Home Office must continue to improve its intelligence on sham marriages as a matter of urgency*
- 4.69 The lack of engagement from some of the Home Office’s 19 enforcement teams is also a risk. In some instances, enforcement teams have not historically regarded sham marriage as a priority, whereas in some locations registrars are not submitting section 24 reports to them.
- 4.70 ‘Operation Mellor’ moved sham marriage onto the national tasking level. One of the Home Office’s main priorities in recent years has been increasing the number of foreign nationals with no right to remain who are removed from the UK. As enforcement teams are often able to make multiple removals from other tasking such as illegal working, there is a risk that they will continue to concentrate on those enforcement areas rather than taking on more sham marriage work.
- 4.71 Figure 5 sets out removals under ‘Operation Mellor’ and should be considered alongside other removals figures. For example, the Home Office recently told the Parliamentary Home Affairs Committee that 200 to 300 removals each month resulted from public allegations about immigration offenders.³⁰

Figure 5: Removals under ‘Operation Mellor’ (14 January to 30 September 2013)

All areas	78
W London	7 (9%)

³⁰ <http://www.parliament.uk/business/committees/committees-a-z/commons-select/home-affairs-committee/inquiries/parliament-2010/the-work-of-the-uk-border-agency-and-border-force/>. In quarter one 2013 the Home Office received nearly 19,000 allegations of suspected immigration or smuggling crime. 9% were of suspected ‘bogus marriage’ compared with illegal working (35%) and no permission to be in the UK (40%).

4.72 We were surprised to find that, while a national target for sham marriage operations had been set by the Home Office, there were no local targets for sham marriage to support this. This creates a risk where local teams, whose targets relate to arrests and removals, may continue to choose enforcement activities which net the highest numbers of removals per officer deployed.

We were surprised to find that there were no local targets for sham marriage

4.73 This would result in an inconsistent approach to tackling sham marriage nationally. Furthermore, if local enforcement teams can choose not to engage fully, they will not be building up the relationships with their local register offices necessary for encouraging more suspicions to be submitted via section 24 reports.

4.74 The Home Office told us that it was engaging with the General Register Office to encourage greater compliance with the section 24 duty. Home Office analysis in 2012-13 identified a disparity between, and within, DROs which suggests under-reporting. The most recent Home Office figures (a snapshot of April-June 2013) showed that, of 491 Section 24 reports received, 20 register offices had sent in around 15% more than the remaining 88 register offices combined.³¹

The most recent Home Office figures showed that 20 register offices had sent in around 15% more than the remaining 88 register offices combined

4.75 The figures appear to show no clear correlation between the demographics of an area and the numbers of section 24 reports being submitted. The West London enforcement staff told us that they received good co-operation from several of their boroughs but had few referrals from others despite their diverse mix of nationalities and cultures.

4.76 We noted that a number of large cities did not figure in the top 20 snapshot for April-June 2013. If the Home Office intends to make investigating sham marriage an intelligence-led activity, it must ensure that any suspicions at all are reported via the statutory section 24 duty. Both the centre and each local enforcement team will need to work on building relationships.

4.77 While submission of section 24 reports varies so much geographically, there is a further risk that sham marriage applications will be displaced from register offices where enforcement teams are known to undertake enforcement 'visits' to other locations where they could be missed.

We recommend that the Home Office:

Works with the General Register Office to ensure that local register offices refer all cases of suspected sham marriages via section 24 reports.

4.78 We are also concerned about resources. The Home Office is already seeking to increase the number of suspected sham marriages referred via section 24 reports. In addition, the Immigration Bill is intended to make a number of changes which will lead to more sham marriage enforcement opportunities. This will include having direct access to all register office wedding bookings for undertaking immigration checks. We saw that West London was able to field a daily team to undertake its work to tackle sham marriage because it was well-resourced with over 60 arrest-trained staff. However, the current operational approach was to take 10 personnel for two adjacent investigations. We are not persuaded that this is sustainable if, as seems inevitable, expectations on enforcement teams continue to increase.

4.79 Local managers in West London told us they had sufficient resources to undertake sham marriage operations alongside their other work. However, all those to whom we spoke during this inspection considered that sham marriage was being under-reported. This is set in a context of sheer numbers

³¹ Home Office, Section 24 Quarterly Assessment, April - June 2013.

of potential enforcements, as the Office for National Statistics reported in June 2013 that 70% of all weddings in England and Wales are now civil ceremonies.³²

- 4.80 We therefore consider that enforcement teams across the UK, including West London, may struggle to deal with the significant increase in sham marriage referrals that is likely to result as the Home Office improves its intelligence on the problem and secures greater co-operation from registrars.

Enforcement teams across the UK may struggle to deal with the significant increase in sham marriage referrals

We recommend that the Home Office:

Ensures that local enforcement teams are adequately resourced to act on suspected sham marriage referrals.

³² <http://www.ons.gov.uk/ons/rel/vsob1/marriages-in-england-and-wales-provisional-2011/stb-marriages-in-england-and-wales-provisional-2011.html>

APPENDIX 1

Role & Remit of the Independent Chief Inspector

The role of the Independent Chief Inspector ('the Chief Inspector') of the UK Border Agency (the Agency) was established by the UK Borders Act 2007 to examine and report on the efficiency and effectiveness of the UK Border Agency (UKBA). In 2009, the Independent Chief Inspector's remit was extended to include customs functions and contractors.

On 26 April 2009, the Independent Chief Inspector was also appointed to the statutory role of independent Monitor for Entry Clearance Refusals without the Right of Appeal as set out in section 23 of the Immigration and Asylum Act 1999, as amended by section 4(2) of the Immigration, Asylum and Nationality Act 2006.

On 22 March 2012, the Chief Inspector of the UK Border Agency's title changed to the Independent Chief Inspector of Borders and Immigration. This followed a decision by the Home Secretary in February that year to transfer the Border Force functions from UKBA back into the Home Office.

On 26 March 2013 the Home Secretary announced that the UK Border Agency would be abolished and all remaining functions would also transfer back to the Home Office.

The Chief Inspector's statutory responsibilities remain the same. The Chief Inspector is independent of the Home Office and reports directly to the Home Secretary.

APPENDIX 2

Inspection Criteria

The following of the Chief Inspector's standard inspection criteria were used in this inspection.

Inspection criteria used for this inspection
Operational Delivery
1. Customs and immigration offences should be prevented, detected, investigated and, where appropriate, prosecuted
2. Enforcement powers should be carried out in accordance with the law and by members of staff authorised for that purpose
Safeguarding Individuals
3. All individuals should be treated with dignity and respect and without discrimination in accordance with the law
Continuous Improvement
4. Risks to operational delivery should be identified, monitored and mitigated

APPENDIX 3

Glossary

Term	Description
A	
Arrest-trained Officer	An officer, typically of Assistant Immigration Officer or Immigration Officer grade, who is designated as being able to use police-like powers of arrest and associated powers of entry, search and seizure. Must successfully complete an initial three-week training course and an annual two-day refresher training course.
B	
Briefing	A team meeting where a designated person runs through, for the persons due to be involved, all the intelligence and arrangements for an enforcement operation.
C	
CAD (Computer Aided Dispatch System)	The local police communications control which would send police assistance if the enforcement team required it.
Chief Immigration Officer	Management grade above Immigration Officer (equivalent to Higher Executive Officer).
Critical Incident	Any incident where the planning, event, outcome or consequence of that incident is likely to result in: <ul style="list-style-type: none"> • serious harm to any individual; • significant community impact; or • a significant negative impact on the confidence of the public in the Home Office.
D	
Designated Register Office (DRO)	If either party to a marriage or civil partnership is subject to immigration control, they must give their notice of intention to marry at one of the 75 DROs.
E	
Enforcement Action / Operation	Action taken within the UK (as opposed to being undertaken at the border) by trained Home Office staff to locate and process suspected or known immigration offenders.

European Economic Area (EEA)	<p>The European Economic Area (EEA) was established on 1 January 1994 following an agreement between the member states of the European Free Trade Association (EFTA) and the European Community, later the European Union (EU).</p> <p>All European Economic Area (EEA) nationals enjoy free movement rights in the EEA. This means that they are not subject to the Immigration Rules and may come to the United Kingdom and reside here in accordance with the Immigration (EEA) Regulations 2006. They do not require permission from the Home Office to enter or remain, nor do they require a document confirming their free movement status.</p>
G	
General Register Office	The General Register Office is part of Her Majesty's Passport Office and oversees civil registration in England and Wales. It maintains the national archive of all births, marriages and deaths dating back to 1837.
Grade 7	Senior manager, subordinate to Grade 6, superior to Senior Executive Officer.
Grade 6	Senior manager, subordinate to Senior Civil Service, superior to Grade 7.
H	
Higher Executive Officer (HEO)	Management grade, subordinate to Senior Executive Officer. Equivalent to Chief Immigration Officer.
Home Affairs Committee (HAC)	The Home Affairs Committee is appointed by the House of Commons to examine the expenditure, administration and policy of the Home Office and its associated public bodies.
Home Office	The Home Office is the lead government department for immigration and passports, drugs policy, crime, counter-terrorism and police.
I	
Immigration Officer	Management grade above Assistant Immigration Officer and subordinate to Chief Immigration Officer.
Inspector	Management grade above Chief Immigration Officer (equivalent to Senior Executive Officer).
Intelligence	The material that results when information is recorded, assessed and developed.
J	
Judicial Review (JR)	The means through which a person or people can ask a High Court Judge to review the lawfulness of public bodies' decisions.
O	
Officer in Charge (OIC)	Officer who has overall control of the arrest team in a specific enforcement operation, must be of at least Immigration Officer grade.

P	
Pocket Notebook	Used by enforcement officers to document a visit. Officers have their own individual books in which to record briefings, interviews, notes etc.
Police National Computer (PNC)	The PNC holds details of people, vehicles, crimes and property that can be accessed electronically by police and other criminal justice agencies.
Premises Search Book	A detailed document that must be completed for every visit. It contains details of all the actions taken by the enforcement team.
Prohibited degrees of kinship	Blood-related persons not allowed to marry e.g. uncle and niece.
R	
Register Office	The office of the Superintendent Registrar who has legal custody of all the birth, marriage and death registers for the local registration district.
Registrar	Used as a generic term in this report to denote someone who carries out duties under the Marriage Acts at a register office.
Removal	The process by which a person with no permission to remain, through assistance or through enforcement by the Home Office, physically leaves the UK.
Risk Assessment	Process by which the Home Office assesses the risk an operation poses to the public and staff. Will consider factors such as any history of violence, presence of children, number of people resident at the premises etc. The risk assessment is then used to introduce mitigation to limit or remove the risk. This may include cancelling the operation if the risk is too great.
S	
Section 24 Report	Section 24 of the Immigration and Asylum Act 1999 creates a duty on a superintendent registrar, to whom a notice of marriage has been given, to report suspicious marriages where they have reasonable grounds for suspecting that the marriage will be a sham marriage. However, Section 24 does not apply to persons who wish to marry within the Anglican Church.
Senior Civil Service	Management grade, senior to Grade 6. Leads on managing a Home Office business unit.
Senior Executive Officer (SEO)	A management grade, subordinate to Grade 7. Equivalent to Inspector in the enforcement team.
Superintendent Registrar	The Superintendent Registrar is responsible for the legal preliminaries to marriage for residents of the registration district and officiates at civil marriages both in the Register Office and at other approved premises.

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