Criminal investigations: sham marriage

Version 2.0
## Contents

About this guidance ................................................................. 3
Contacts .............................................................................. 3
Publication ............................................................................ 3
Changes from last version of this guidance .................................. 4
Sham marriage: definition ............................................................ 5
Bigamy and polygamy: considering if a marriage is valid .................. 7
  Bigamy .............................................................................. 7
  Polygamy ............................................................................ 7
Sham marriage: referral and investigation scheme .......................... 8
  Referrals from register offices .............................................. 8
Sham marriage: sections 24 and 24A of the Immigration and Asylum Act 1999 ...... 10
  Post tasking or operational activity ...................................... 10
  Reports on immigration offenders ....................................... 10
Sham marriage: offences relating to sham marriages ...................... 12
  Sham marriage intelligence .................................................. 13
  Suspected trafficking victims ................................................. 13
Sham marriage: facilitation offences .......................................... 14
Sham marriage: conspiracy to facilitate ...................................... 16
Sham marriage: use of deception in EU marriage cases .................. 18
  Removal of a person involved in sham marriage ..................... 18
Sham marriage: foreign national spouse marriage to British nationals ....... 20
Sham marriage: CPS suggested good practice and potential scenarios ...... 21
  CPS suggested good practice ................................................. 21
Sham marriage: scenarios, potential suspects and charges ............... 22
About this guidance

This guidance tells criminal investigators in Immigration Enforcement (IE) and suitably trained and accredited criminal investigators within the Home Office about sham marriages and the offences involved.

Throughout this guidance, the generic term ‘sham marriage’ has been used but where appropriate it also covers sham civil partnerships as well as marriages and civil partnerships of convenience.

It tells you about:

- the definition of a sham marriage
- part 4 of the Immigration Act 2014
- offences relating to sham marriages
- Crown Prosecution Service (CPS) suggested good practice and scenarios for potential suspects and charges
- European Economic Area (EEA) administrative removal options

For more information see:

- Recognition of marriage and divorce
- Marriage investigations

The Home Office has a duty to safeguard vulnerable people and promote the welfare of children for more information see: Vulnerable people and children

Criminal Investigators in Immigration Enforcement must be aware of their obligations under the General Data Protection Regulation (GDPR) and the complementary Law Enforcement Directive (LED) domestic legislation via the Data Protection Act 2018 see: Data protection changes (GDPR and Data Protection Act 2018).

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors then email CFI Operational Guidance Team.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the Guidance Rules and Forms team.

Publication

Below is information on when this version of the guidance was published:

- version 2.0
- published for Home Office staff on 12 November 2019
Changes from last version of this guidance

Revised to include up to date definition of sham marriage, update of links to legislation and other guidance products and removal of items no longer required.

Related content
Contents
Sham marriage: definition

This page tells you about the definition of a sham marriage.

Throughout this guidance, the generic term of ‘sham marriage’ has been used but where appropriate it also covers sham civil partnerships, marriages of convenience and civil partnerships of convenience.

Under sections 24 and 24A of the Immigration and Asylum Act 1999, as amended by section 55 of the Immigration Act 2014, a sham marriage or civil partnership is one in which all of the following apply:

- one or both of the parties is not a British citizen or an EEA or Swiss national
- there is no genuine relationship between the parties
- either or both of the parties enter into the marriage or civil partnership for the purpose of circumventing (avoiding) UK immigration controls, including under the Immigration Rules or the Immigration (EEA) Regulations 2016

Regulation 2 of the Immigration (European Economic Area) Regulations 2016 (the Regulations), sets out that marriages, civil partnerships and durable partnerships of convenience are defined as relationships entered into for the purpose of using the EEA regulations, or any other right conferred by the EU treaties, as a means to circumvent either:

- Immigration Rules that apply to non-EEA nationals (such as any applicable requirement under the 1971 Act to have leave to enter or remain in the UK); or
- any other criteria that the party to a marriage of convenience would otherwise have to meet in order to enjoy a right to reside under these regulations or the EU treaties

The important factor in a sham marriage/civil partnership or a marriage/civil partnership/durable partnership of convenience is that there is no genuine relationship between the parties

Regulation 2 of the 2016 Regulations sets out that the definition of a spouse ‘does not include a party to a marriage of convenience’, preventing non-EEA nationals from acquiring EU law rights directly from the sham marriage. Entering into a sham marriage does not, therefore, entitle migrants to any right to remain or reside in the UK.

However, EU law rights may have already been obtained outside of the marriage.

Sham marriages typically occur when a non-European Economic Area (non-EEA) national marries someone as a means of attempting to gain long term residency and the right to work and claim benefits.
An individual sham marriage is often part of a wider organised crime group (OCG) which may consist of multiple sham marriages and other criminal activity including money laundering and identity fraud.

For more information about OCG disruption see Criminal investigation organised crime group disruption manual.

Related content

Contents
Bigamy and polygamy: considering if a marriage is valid

This page tells you about considering whether a marriage involving bigamy or polygamy is valid.

**Bigamy**

If there is evidence that either the EEA national or the non-EEA national was already married at the time their marriage in the UK took place, and the earlier marriage had not ended in divorce or been annulled, then the marriage is bigamous. In such cases it may be appropriate to consider the offence of bigamy either as a standalone offence or alongside other offences such as conspiracy to facilitate.

For more information, see: Offences Against the Person Act 1861 Bigamy and Section 24 (A1) of the Marriage (Scotland) Act 1977.

**Polygamy**

When you are considering whether a polygamous marriage is valid you must establish where the marriage took place. If the law of the country where it took place does not allow polygamy (as in English law), all marriages celebrated under that law must be monogamous (being married to only one person at a time). This is regardless of whether a party to such a marriage is permitted to practice polygamy in their country of domicile (residence).

Such a person can nevertheless contract a valid marriage here, as long as they are not already married, either here or abroad. Any further marriage contracted in this country would not be valid as it would be bigamous.

If the country where the marriage is celebrated permits polygamy, any marriage contracted there by a person whose country of domicile permits them to enter into a polygamous union is classed as polygamous.

For more information see:
- Polygamy marriages
- Recognition of marriage and divorce

**Related content**

[Contents]
Sham marriage: referral and investigation scheme

This section tells you about part 4 of the Immigration Act 2014.

Throughout this guidance, the generic term of ‘sham marriage’ has been used but where appropriate it also covers sham civil partnerships as well as marriages and civil partnerships of convenience.

The referral and investigation scheme, as provided for by part 4 of the Immigration Act 2014, commenced on 2 March 2015, requiring all proposed marriages and civil partnerships in the UK involving a non-EEA national who could benefit in immigration terms to be referred to the Home Office and to be investigated under an extended notice period of 70 days.

Referrals from register offices

The Immigration Act 2014 makes a major reform of the preliminaries (preparations) for marriage and civil partnership.

This provides the ability to identify and investigate suspected sham marriages and to prevent the participants of a sham marriage or civil partnership from obtaining an immigration advantage.

With effect from 2 March 2015 the Immigration Act 2014 extended the notice period from 15 days to 28 days for all couples wishing to marry following civil preliminaries or form a civil partnership in England and Wales.

With effect from 2 March 2015, the marriage and civil partnership notice period in Scotland and in Northern Ireland was extended to 28 days for all couples, under changes to marriage and civil partnership laws in Scotland and Northern Ireland.

With effect from 2 March 2015, all proposed marriages and civil partnerships in the UK involving a non-EEA national with limited or no immigration status in the UK, or who does not provide specified evidence that they are exempt from the scheme, are to be referred to the Home Office by the registration official.

The Home Office will assess all referrals against:

- intelligence
- evidence based risk profiles
- other information

...
Where the Home Office identifies a case for investigation on the basis that there are reasonable grounds to suspect it is a sham it must, before the end of the 28 days period, notify both the relevant registration official and the couple. Notification of that decision to the relevant registration official and the couple will have the effect of extending the notice period from 28 days to 70 days.

This will allow the Home Office to investigate and take appropriate enforcement or casework action where a sham is established. A couple will be unable to get married or enter into a civil partnership on the basis of that notice if they do not comply with an investigation under the scheme. If the couple still wish to be married, they will need to give notice again.

For more information see:

- Marriage Investigations
- Marriage and civil partnership referral and investigation scheme

Related content

Contents
Sham marriage: sections 24 and 24A of the Immigration and Asylum Act 1999

This page tells you about referrals made by registration officers under sections 24 and 24A of the Immigration and Asylum Act.

Registration officers are required to submit a section 24 or 24A report if, at any stage in the process, they have reasonable suspicions that the marriage or a civil partnership will be or is a sham. A report can be made at any point from when initial contact is made at the Register Office to any time immediately after the marriage or civil partnership has taken place.

A section 24 or 24A report must be sent electronically, together with scanned copies of any documentation that may be relevant, to the Liverpool Thematic Intelligence Hub.

The section 24 or 24A report and accompanying documentation is then assessed and referred to Regional Intelligence Units (RIU's) where it is researched before being taken to tasking for consideration against local and national priorities.

In cases where a section 24 or 24A report contains time critical information (for example a wedding is due to take place imminently), Intelligence will ‘hot task’ it directly to the relevant team for immediate action.

Post tasking or operational activity

The Immigration, Compliance and Enforcement (ICE) team must record the outcome of their visit on the National Operations Database (NOD). They will also update IMS with any intelligence gathered and include details where potential facilitation is identified (for example ‘fixers’ or repeat witnesses) or where intelligence is gathered that points to criminal activity. This intelligence is then routed to an intelligence Initial Assessment Team (IAT) to conduct research prior to passing to a Crime Development Team (CDT) and potential referral to CFI team to investigate.

Reports on immigration offenders

Schedule 6 to the Immigration Act 2014 provides registration officers in England and Wales with powers to share information or documents with the Home Office where they suspect that an immigration offence has been committed.

Where a registration officer comes into contact with a suspected immigration offender during the course of the marriage or civil partnership process or while registering a birth or death, they can report this to the Home Office.
A report made under the provisions of this act will be sent electronically to a intelligence Receipt, Handling and Development (RED) team who will assess the information and refer, to the relevant teams for action.

It is anticipated that similar provision will be made for Scotland and Northern Ireland.

For more information see:

- Section 24 of the Immigration and Asylum Act 1999
- Schedule 6 Immigration Act 2014

Related content
Contents
Sham marriage: offences relating to sham marriages

This section tells you about the main offences relating to sham marriages and who is likely to have committed them.

Throughout this guidance, the ‘generic term’ of sham marriage has been used but where appropriate it also covers sham civil partnerships and marriages/civil partnerships of convenience.

The main types of offences relating to sham marriages are:

- facilitation (assisting people to enter the UK illegally)
- conspiracy to facilitate
- deception
- bigamy
- perjury

Part 4 of the Immigration Act 2014 contains new powers to investigate suspected sham marriages and civil partnerships. This includes the:

- referral and investigation of proposed marriages and civil partnerships specifically about the:
  - decision and conduct of investigations into sham marriages
  - referral of proposed marriages and civil partnerships in England and Wales
- meaning of ‘sham marriage’ and ‘sham civil partnership’
- duty to report suspicious marriages and civil partnerships
- solemnization (formal ceremony) of marriage according to rites of the Church of England
- requirement as to giving of notice of marriage or civil partnership

There are also offences available under the Civil Partnership Act 2004:

In England and Wales:

- section 32: offences relating to Registrar General's Licence
- section 33: offences relating to the recording of civil partnerships
- section 80: false statements with reference to civil partnerships

In Scotland, section 100: offences.

In Northern Ireland:

- section 158: offences
- article 8: perjury (Northern Ireland) Order 1979 false statements with reference to marriage (amended by Section 204)
Sham marriage intelligence

Your local intelligence officers may be able to provide supporting evidence in cases of sham marriage and your information may be valuable to them. You must make sure that you update IMS with any intelligence gathered so it can be routed to an intelligence Initial Assessment Team (IAT) and a Crime Development Team (CDT). This will assist them in building the national intelligence picture.

Suspected trafficking victims

In criminal investigation cases you must be alert to any indication that the individual is a victim of trafficking.

For more information see: Guidance for frontline staff on Victims of modern slavery and forced / duped marriage cases.

Related content

Related external links

Offences relating to sham marriages under immigration legislation
Offences relating to sham marriages under the Police and Criminal Evidence Act (PACE)
Offences against the Person Act 1861 Bigamy
Part 4 of the Immigration Act 2014
Civil Partnership Act 2004
Perjury (Northern Ireland) Order 1979 article 8
Criminal investigation organised crime group disruption manual
Sham marriage: facilitation offences

This page tells you about the offence of facilitation (assisting people to enter the UK illegally) relating to sham marriages.

Section 25 of the Immigration Act 1971 creates an offence of assisting unlawful immigration (known as facilitation). The offence was substituted by section 143 of the Nationality, Immigration and Asylum Act 2002. This covers any act facilitating a breach of immigration law by a non-EU citizen including a breach of another member state's immigration law.

Under section 25(1) an offence is committed when a person:

- does an act which facilitates a breach of immigration law by an individual who is not a citizen of the European Union
- knows or has reasonable cause for believing that the act facilitates a breach of immigration law by the individual
- knows or has reasonable cause for believing that the individual is not a citizen of the European Union

The offence includes assisting someone to remain in the UK by deception. For example, by entering into a sham marriage or other forms of assistance which facilitate a breach of the immigration laws.

Section 25(2) of the Immigration Act 1971 defines an immigration law as ‘a law which has effect in a member state and which controls the following entitlements for some or all people who are not nationals of that state. The entitlement to:

- enter
- transit
- be in the ‘state’

In the case of Kapoor, Singh, Chawla and Sarna the Court of Appeal held that section 2 of the Asylum and Immigration (Treatment of Claimants) Act 2004 is not an immigration law for the purposes of section 25(2).

In sham marriage investigations it is advisable to consult with the prosecuting authorities early when you are considering charges for suspects. You must determine whether the law breached falls into any of the above entitlements or is just regulatory or administrative.

When you refer cases to the Crown Prosecuting Service (CPS) you must:

- name the specific breach on the MG3 form
- include it on the MG5 form

For criminal investigations involving offences under section 25(1) of the Immigration Act 1971, you must:
• be aware when selecting the immigration law said to have been breached
• consider specifying the immigration law in the wording of the offence

Section 30(1) of the UK Borders Act 2007 covers acts committed in the UK, regardless of the nationality of the perpetrator (person committing the crime) as well as acts committed overseas.

Facilitation is an either-way offence which means this offence can be tried summarily in the magistrates' court or on indictment in the Crown court and the maximum sentence on indictment is 14 years' imprisonment. It is also a 'lifestyle offence' under schedule 2 of the Proceeds of Crime Act 2002.

Organised crime groups are often involved in large scale offending for sham marriages and the leading sentencing guide case is R v Le and Stark judgment. This states the most appropriate penalty for all but the most minor offences of this nature is custody. Aggravating features of the offence include:

• repeat offending
• commission for financial gain
• involvement of strangers rather than family members
• a high degree of planning and sophistication
• the number of immigrants involved
• the level of involvement of the offender

You must consider these elements when investigating facilitation in relation to sham marriages.

Related content
Contents

Related external links
Section 25 of the Immigration Act 1971
Section 143 of the Nationality, Immigration and Asylum Act 2002
Section 30 (1) UK Borders Act 2007
Schedule 2 of the Proceeds of Crime Act 2002
R v Kapoor, Singh, Chawla and Sarna judgement
Financial investigation
Criminal investigation organised crime group disruption manual
Sham marriage: conspiracy to facilitate

This page tells you about the offence of conspiracy to facilitate (assisting people to enter the UK illegally) sham marriages.

**Spouses**
In cases involving sham marriages it may be possible to prosecute the European Economic Area (EEA) spouse for either:

- conspiracy to facilitate
- a simple offence of seeking to avoid enforcement action

The conspiracy charge is generally more appropriate as it marks the severity of the offence and also makes sure there is consistent treatment with the EEA spouse.

For more information see the [R v Saik](#) judgment.

Some Crown Prosecution Service (CPS) lawyers authorise facilitation charges against the non-EEA spouse but others do not as they argue a non-EEA party cannot facilitate themselves.

**For England and Wales**
You must consider conspiracy to facilitate charges under section 1A of the Criminal Law Act 1977. This is because it is common in sham marriages for the non-EEA spouse to have to conspire with and pay the:

- fixer or organiser for the marriage
- arranged spouse to carry out the unlawful act

This also means both parties involved in the offence are treated equally and fairly as both face potential maximum sentences of up to 14 years.

**Scotland**
If you are considering using conspiracy as a charge you must contact a Procurator Fiscal.

**Northern Ireland**
You must consider conspiracy to facilitate charges under [article 9 of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983](#).

**Co-conspirators**
You must consider whether others also involved or playing a part in the sham marriage may have committed the offence of conspiracy to facilitate. These might include:

- vicar presiding over a sham marriage:
  - for example, Reverend Shipsides was found guilty in 2013 of conspiracy to facilitate after he conducted fake marriage ceremonies to help illegal African
immigrants to gain residency in UK - the spouses, mainly brides, were economic migrants from Eastern Europe paid to go through the marriage ceremony by the organiser, a co-conspirator parties to the sham marriage (these can include witnesses or wedding guests)

- organised crime groups either in the UK or abroad - for example, when:
  - criminals organise sham marriages and arrange and pay for EEA spouses to marry non-EEA nationals in the UK
  - a groom is based in Pakistan and an EU bride travels to Pakistan to marry the groom - the EEA bride then travels to the UK to make a visa application for her husband to join her in the UK

When a conspiracy takes place inside England and Wales, they can be charged with ‘conspiracy contrary to section 1 of the Criminal Law Act 1977’.

When a conspiracy takes place outside England and Wales and a person residing in England and Wales becomes a party to the agreement, they can be charged with ‘conspiracy contrary to section 1A of the Criminal Law Act 1977’.

In cases where conspiracy to commit Section 25(1) is considered you must prove knowledge and intention by the defendants and not merely 'reasonable cause for believing' that the act would facilitate the commission of a breach of immigration law.

Related content

Related external links

Section 1 of the Criminal Law Act 1977
Section 1A of the Criminal Law Act 1977
Section 25 of the Immigration Act 1971
Article 9 of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983
Crown Office and Procurator Fiscal Service
Sham marriage aide memoire
Criminal investigation organised crime group disruption manual
PPS NI file submission protocols
Sham marriage: use of deception in EU marriage cases

This page tells you about the offence of deception used in sham marriages.

In sham marriage cases the non-European Economic Area (EEA) party is fraudulently seeking confirmation of a right, conferred under EU law, which can ultimately lead to them being issued an EEA residence card for an initial period of 5 years. This entitles them to the rights given under EU law and could eventually lead to permanent residence and British citizenship if applied for and granted by the Home Office.

When a person marries an EEA national they do not get leave to remain in the UK. However, they are automatically entitled to apply for a residence card. For this reason the relevant offence is 'secures or seeks to secure the avoidance, postponement or revocation of enforcement action by deception, contrary to section 24A (1) (b) of the Immigration Act 1971'. Even prior to the application being submitted to the Home Office, the marriage can be deemed as a preparatory act to enable the person to make an application. Thus, enabling them to remain in the UK whereas otherwise they would be liable for enforcement action.

You must establish, by making relevant Home Office checks, whether a person already has leave to remain in the UK or if they will or should be entitled to remain in the UK for other reasons before you can charge them with committing an offence. That is because they will not gain any advantage by entering into the marriage if they already have or are entitled to leave in the UK.

If there is an outstanding Home Office application, on any basis, you are to contact the case owner to:

- bring your investigation to their attention
- assess whether either case has any impact on each other

You will then be able to decide with the investigation supervisor or manager the most appropriate course of action with your suspected sham marriage case.

Removal of a person involved in sham marriage

If someone arranges a sham marriage between an EEA national and a non-EEA national with extant (existing) leave, for example a section 24A (1) (b) offence has taken place. Before you can pursue a criminal case against them, you must establish that the marriage was set up to obtain EEA rights of residence and the non-EEA national has entered the marriage to dishonestly obtain an EEA residence permit that they were not entitled to.

Removal action will be considered for anyone found to be:
• entering into or attempting to enter into a sham marriage
• assisting another person to enter or attempting to enter into a sham marriage.

Under the EEA Regulations 2016, a spouse does not include a party to a marriage of convenience, preventing non-EEA nationals from acquiring EU law rights directly from the marriage. However, EU law rights may have already been obtained outside of the marriage, or a person may have been had an EEA residency right confirmed prior to the sham being discovered which may then afford them an EEA right of appeal for any removal decisions.

As such, where a decision to remove is taken, the removal pathways will be dependent on both the nationality and EEA rights the person may hold:

• Since 1 Feb 2017, EEA nationals arranging shams also become liable to deportation on the grounds of public policy under Reg 23(6)(b) of the 2016 EEA Regulations
• Non-EEA nationals are subject to an administrative removal which will be under regulation 23(6)(a) of the 2016 EEA Regulations if they previously had an EEA card or permit issued, even if it was granted on the basis of the sham relationship, (this process automatically invalidates the extant EEA residence card and any leave needs to be curtailed after the removal decision)
• Non-EEA nationals are subject to an administrative removal under section 10 of the Immigration and Asylum Act 1999 (the 1999 Act) if they do not have an EEA right recognised

For more details see:

• Sham marriage removal pathways
• EEA decisions based on grounds of public policy and public security
• EEA administrative-removal

Related content

Contents

Related external links

Section 24A of the Immigration Act 1971
Regulation 2 of the Immigration (European Economic Area) Regulations 2016
R v Johnson, Ngwa and Omole judgement
Sham marriage: foreign national spouse marriage to British nationals

This page tells you the offence committed when a person enters into a sham marriage with a British national.

When a foreign national enters into a sham marriage with a British national and subsequently applies for leave to remain in the UK, the offence under consideration must be ‘obtains or seeks to obtain leave to enter or remain in the UK by deception, contrary to section 24A (1) (a) of the Immigration Act 1971’.

Related content
Related external links
24A (1) (a) of the Immigration Act 1971
Sham marriage: CPS suggested good practice and potential scenarios

This section tells you about the Crown Prosecution Service (CPS) suggested good practice and the potential offences that are revealed during sham marriage investigations.

Throughout this guidance, the generic term of ‘sham marriage’ has been used but where appropriate it also covers sham civil partnerships and marriages of convenience.

CPS suggested good practice

The CPS has suggested the following points as good practice to adopt during a criminal investigation into sham marriages:

- early consultation between the CPS and the senior investigating officer (SIO) is recommended
- make enquiries to identify whether the sham marriage case is part of a larger, more complex investigation that may involve organised crime groups (OCG)
- if it is a case where you are considering conspiracy charges, where the arrangements for the marriage have taken place outside the UK, but the marriage or breach of immigration law is to be within the UK, you may require the consent of the Attorney General before you can bring charges
- make enquiries to identify whether there are ongoing immigration tribunal proceedings running in conjunction with the criminal investigation - if the claimant is granted leave to remain this might undermine a criminal prosecution in relation to the offences revealed by the sham marriage
- you must make sure that you prepare the file of evidence effectively and subsequent criminal case building is done to:
  o influence the direction of the investigation
  o resolve any potential jurisdictional issues
  o advise on confiscation strategy in the event of money laundering or proceeds of crime investigation

Related content

Contents

Related external links

Financial investigation
CPS Immigration guidance
Section 25 of the Immigration Act 1971
Section 1(1) of the Criminal Law Act 1977
Criminal investigation organised crime group disruption manual
Sham marriage: scenarios, potential suspects and charges

This page tells you about the Crown Prosecution Service (CPS) suggested potential offences that are revealed during sham marriage investigations in England and Wales.

These are some scenarios involving sham marriages indicating the potential suspects to be charged and offences which you might consider.

<table>
<thead>
<tr>
<th>Suspects or defendants</th>
<th>Charge</th>
<th>Example</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>The suspects who have arranged the ceremony. Participants at the wedding including witnesses</td>
<td>Section 25(1) of the Immigration Act 1971, assisting unlawful immigration (facilitation). Section 1(1) of the Criminal Law Act 1977, conspiracy to facilitate breach of immigration law.</td>
<td>An EU female is brought to the UK to marry a non-EEA national (African) male. She is paid for going through the marriage ceremony and is returned when the marriage is completed.</td>
<td>For conspiracy, by virtue of section 4(5) of the Criminal Law Act 1977, a charge of conspiracy under section 1(A). You will need the Attorney General’s consent.</td>
</tr>
<tr>
<td>Parties to the sham marriage</td>
<td>Section 1A of the Criminal Law Act 1977, conspiracy to facilitate breach of immigration law.</td>
<td>An EU national female living in Scotland contracts a marriage with a non-EEA national (Pakistani) male residing in England. The marriage takes place in Scotland. The documents to apply for a visa or leave to remain by the groom are lodged in England.</td>
<td>Section 1A of the Criminal Law Act 1977, conspiracy to commit offences outside England and Wales may apply, depending upon the specific factual scenario.</td>
</tr>
<tr>
<td>Parties to the sham marriage</td>
<td>Conspiracy under section 1(1) of the Criminal Law Act 1977.</td>
<td>Marriage of convenience between 2 Jamaicans and 2 Bulgarians in England.</td>
<td>In this case section 24(1) (a) of the Immigration Act 1971, to obtain leave to enter or remain in the UK by deception was considered first.</td>
</tr>
<tr>
<td>Activity</td>
<td>Law Reference</td>
<td>Result</td>
<td></td>
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<tr>
<td>---------------------------------------------</td>
<td>-------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>Vicar presiding over sham marriage</td>
<td>Section 1(1) of the Criminal Law Act 1977, conspiracy to facilitate breach of immigration law.</td>
<td>Hundreds of fake marriage ceremonies conducted at his church to enable illegal African immigrants to gain residency in UK. The brides were economic migrants from Eastern Europe paid to go through the marriage ceremony by the organiser, a co-conspirator. Monies paid to the vicar to conduct the ceremonies were used to bolster the church's ailing finances.</td>
<td></td>
</tr>
<tr>
<td>Organised crime networks</td>
<td>Section 25(1) of the Immigration Act 1971, assisting unlawful immigration (facilitation).</td>
<td>Network of organised criminals organise sham marriages and arrange and pay for EU brides to marry non-EEA nationals in the UK.</td>
<td></td>
</tr>
<tr>
<td>Organised crime networks.</td>
<td>Section 1(1) of the Criminal Law Act 1977, conspiracy to facilitate breach of immigration law.</td>
<td>Grooms are based in Pakistan and brides from the EU travel to Pakistan to marry the grooms. The EU bride then travels to the UK and submits an application for leave to remain as a spouse. Where a conspiracy takes place outside England and Wales and a person residing in England or Wales becomes a party to the agreement, the provisions of the Act are applicable.</td>
<td></td>
</tr>
</tbody>
</table>
application for a visa for their husband to join them in the UK. They can be charged with conspiracy contrary to section 1(1) of the Criminal Law Act 1977. However, you need to get the Attorney General's consent before you prosecute.

Related content

Contents

Related external links

Section 25 of the Immigration Act 1971
Section 1(1) of the Criminal Law Act 1977
Section 4(5) Criminal Law Act 1977
Section 1A(2) Criminal Law Act 1977
Section 24 1(a) Immigration Act 1971