



Immediate action needed by government and police to ensure vulnerable migrant victims of crime can confidently report to police - report

Police forces should restrict the sharing with immigration enforcement of information about vulnerable victims of crime, such as domestic abuse, a new report has recommended.

A joint investigation by HM Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS), the College of Policing (CoP) and the Independent Office for Police Conduct (IOPC) found that victims of crime with insecure or uncertain immigration status are fearful that, if they report crimes to the police, their information will be shared with the Home Office.

The report was published following a policing super-complaint, submitted by Liberty and Southall Black Sisters about the practice of the police sharing of victims' immigration information with the Home Office. This is the first police super-complaint investigation to be published.

The investigation raises concerns about the effect the sharing of immigration information between police and the Home Office has on victims of crime with unsettled immigration status. The investigation found that the current system was causing significant harm to the public interest.

The investigation looked at migrant victims in highly vulnerable circumstances – usually arising from crimes of domestic abuse or modern slavery and human trafficking – and found that there are inconsistent approaches to information sharing between police and the Home Office about victims and witnesses to crime.

The investigation's recommendations included:

- where officers only have concerns or doubts about a domestic abuse victim's immigration status, they should immediately stop sharing with Immigration Enforcement information on those victims;
- the Home Office should review the relevant legal framework and policy to establish sound and fair priorities regarding migrant victims of crime and migrant witnesses to crime, with insecure or uncertain immigration status;
- the Home Office and the National Police Chiefs' Council should develop a safeguarding protocol about the police approach to migrant victims and witnesses of crime; and
- the police should establish safe reporting pathways for all migrant victims and witnesses to crime.

HM Chief Inspector of Constabulary Sir Thomas Winsor said:

"Victims should have every confidence in approaching the police for protection. They should expect and receive protection at times when they are vulnerable and so desperately need the assistance of the agents of the state. Victims should never be in a position where they fear the actions of the police could unintentionally but severely intensify their vulnerability and thereby strengthen the hands of organised criminals and others whose motives and objectives are to inspire fear and do them harm."

Mike Cunningham, College of Policing CEO, said:

“The report on the super-complaint submitted by Liberty and Southall Black Sisters is the first of its kind to be published and has been a collaborative effort between the organisations involved. The report found that policing is committed to investigating crimes that affect vulnerable people and seeks to make victims safer.

“Unfortunately, the lack of clarity about the circumstances in which information will be shared with Immigration Enforcement may lead to fear among victims who have insecure or uncertain immigration status, usually because they entered the UK on a spousal visa or work permit, that they will be investigated for immigration offences. This can dissuade victims from reporting to police, stopping them from getting the support and protection they need, but also enabling abusers to continue their behaviour unchallenged.

“The College will work with the Home Office and National Police Chiefs’ Council to develop briefings so that the circumstances in which information should be shared with Immigration Enforcement are clear. We hope that the clarity will reassure victims of crime about how allegations will be investigated and encourage them to come forward to report.”

IOPC Director General Michael Lockwood said:

“First and foremost, victims of crime deserve to be protected. Victims must have confidence that, regardless of their immigration status, their allegations will be robustly investigated and given a high priority.

“Domestic abuse is a horrific crime and it is deeply concerning that we found vulnerable people were afraid to report crimes for fear of information being shared with immigration enforcement.

“Liberty and Southall Black Sisters’ ongoing advocacy for those who otherwise felt voiceless has helped identify important learning opportunities for the police and the Home Office. We hope the super-complaints system will help drive change in policing.”

Following this investigation, HMICFRS, the College of Policing and the IOPC have made recommendations for the police, NPCC, APCC and the Home Office to ensure victims of crime are always treated as victims first and foremost, regardless of their immigration status. The report also includes actions for HMICFRS and the College of Policing regarding their own work.

Notes to editors

- [HMICFRS](#), the [College of Policing](#) and the [Independent Office for Police Conduct](#) are responsible for assessing, investigating and reporting on police super-complaints. We have collaborated on the investigation and on drawing conclusions. This super-complaint is the first we've investigated. It is important because it raises complex concerns that may not otherwise have been a focus of our combined work.
- The police super-complaints system allows designated organisations to raise issues on behalf of the public about harmful patterns or trends in policing.
- This [super-complaint](#) was made by Liberty and Southall Black Sisters about the police sharing immigration data, and was received in December 2018.
- A super-complaint is a complaint made by a designated body that “a feature, or combination of features, of policing in England and Wales by one or more than one police force is, or appears to be, significantly harming the interests of the public.” (Section 29A, Police Reform Act 2002)
- The process for making and considering super-complaints is set out in the Police Super-complaints (Designation and Procedure) Regulations 2018.

- The police super-complaints system enables designated bodies to raise concerns on behalf of the public about a feature of policing in England and Wales that is, or appears to be, significantly harming the interests of the public.
- Section 29B, Police Reform Act 2002 explains that a designated body is a body which the Home Secretary has designated in regulation (The Police Super-complaints (Criteria for the Making and Revocation of Designations) Regulations 2018). The full list of designated bodies is [available on gov.uk](#).
- Recommendation 1 refers only to victims of domestic abuse (including honour-based abuse and FGM). All other recommendations refer to all migrant victims and witnesses of crime.
- Current super-complaints assessed as eligible for investigation:
 - [Police super-complaints: police use of protective measures in cases of violence](#) against women and girls
 - [Police super-complaints: police response to victims of modern slavery](#)
 - [Police super-complaints: force response to police perpetrated domestic abuse](#)
 - A super-complaint from the Tees Valley Inclusion Project entitled 'Police Response to Black, Asian, Minority and Ethnic Victims of Sexual Abuse' is also eligible but is awaiting publication on gov.uk
- More information about the police super complaints can be found on gov.uk.
- The report will be made available to the public at 1000 Thursday 17 December 2020 on [gov.uk](#).
- For further information, HMICFRS's press office can be contacted from 9:00am – 5:00pm Monday – Friday on 07836 217729.
- HMICFRS's out-of-hours press office line for urgent media enquiries is 07836 217729.