The Home Office response to the Independent Chief Inspector's report:

An Inspection of General Aviation and General Maritime

February – July 2015

The Home Office thanks the Independent Chief Inspector (ICI) for this report.

As an island nation situated in close proximity to the European continent, the UK faces particular challenges, ranging from clandestine migration to drugs smuggling, in the General Aviation (GA) and General Maritime (GM) spheres. The unscheduled nature of traffic and the high number of private airfields, landing strips, harbours and marinas involved necessitate a responsive capability that is mobile, intelligence-led and adaptable.

Significant improvements have already been delivered over the last year:

- There is now a network of around 100 Field Intelligence Officers working for Border Force based around the country, able to work with airfield operators, harbourmasters and voluntary groups to ensure that suspicious activity is reported and acted upon. Recent successes include the disruption of a people trafficking gang at Royal Portbury Docks and the seizure of Class A drugs from yachts at Brighton and Dover marinas.

- The National Maritime Information Centre has been reinforced with additional resources from Border Force and partner organisations, sharing intelligence and surveillance from across the partners. This has led to significant successes, including the largest ever Class A seizure (the MV Hamal) in April 2015, found using NCA and overseas intelligence, and maritime surveillance capabilities.

- Border Force has maintained mobile capabilities in the East of England and intends to further extend this type of brigade. Recent successes include the disruption of a people trafficking gang at Orford Ness in Summer 2014 and the discovery of alcohol smuggling at Ipswich Docks in late 2015. The risk of people smuggling into the UK via GA/GM is not currently assessed as being significant, however we remain vigilant to changes in methods and the measures outlined will strengthen our response should the risk picture change.

- As the ICI notes, Border Force is routinely assessing General Aviation flights for risk and has made a number of seizures this year, including the discovery of seven kilogrammes of cocaine in a light aircraft in North Yorkshire and a large consignment of tobacco in a private jet at a London airport.

- In summer 2015, BF launched a new partnership with the National Coastwatch Institution aiming to improve intelligence sharing and reporting by NCI volunteers.

Border Force has a clear vision for its approach to GA and GM. This comprises a mix of investment in new technology, changes in operational practice, and more effective collaborative working with partner organisations from across the public, private and voluntary sectors. These changes will leave Border Force better placed to detect, intercept and disrupt more threats to border security from the GA and GM sectors. More enhancements to Border Force capabilities are planned.

On GA, the Government and Border Force intend to make improvements in five key areas:

- **Strengthening legislation around GA.** The Counter-Terrorism and Security Act 2015 provides for there to be regulations requiring advance passenger and crew data on unscheduled aviation and maritime traffic. The Home Office will be consulting shortly with the sector on how these regulations should be implemented.

- **Improving the systems through which General Aviation Reports (GARs) are captured**, in order to make submission of data easier for pilots, and to improve the accuracy and timeliness of data that is submitted.

- **Tackling non-compliance by working with air traffic control (NATS) to track flights which fail to report** and, through improvements to legislation, take action against those who persistently fail to comply with our reporting requirements.

- **Improving the Border Force operational response on the ground,** by ensuring that GARs inform not only immigration risks, but also crime and customs risks. Border Force intends to change how the risk of a flight is scored to better capture customs risks.

- **Improving the collection and management of intelligence on general aviation,** notably by making full use of intelligence provided by the public through Project Pegasus, a joint initiative with the National Crime Agency.

Although Border Force transformation has to date focused upon the strength of our air border and controls of scheduled traffic, the next phase of work will centre on our maritime border.

Border Force plans involve the delivery of a new operational model, which is centred on the use of multidisciplinary, intelligence-led brigades of law enforcement officers deployable through national co-ordination structures. These teams will be complemented by more versatile and effective off-shore and in-shore assets. This revitalised approach will allow Border Force to combat the ever changing nature of the threats posed by harmful commodities and undesirable individuals entering the UK illegally via unscheduled maritime routes. It will do so by:

- **Ensuring sufficient resource is dedicated to maritime operations,** by continuing to drive efficiencies in other modes. Border Force intends to protect resources that are assigned to maritime controls so that it can develop stronger capabilities to deal with the range of potential threats in the GM sphere.

- **Properly co-ordinating investment across law enforcement partners,** including the Ministry of Defence, HM Revenue and Customs (HMRC) and the National Crime Agency (NCA), so that assets are shared where this is right and economies of scale are delivered. This will increase law enforcement coverage of the coastline and deliver better value for money. For example, in April 2015, improved intelligence gathering led to more than three tonnes of cocaine being

recovered from an ocean going tug intercepted in a joint NCA, Border Force and Royal Navy operation in the North Sea.

- **Strengthening the coordination of maritime security assets so that maximum coverage at sea is delivered.** Border Force has already worked with partners including the Marine Management Organisation and the Royal Navy to undertake joint working in which Border Force officers are present on other organisations' vessels to gather intelligence and enforce the law. Following the Strategic Defence and Security Review, and subject to funding decisions, Border Force intends to extend this way of working with our key partners. Beyond these new ways of working, **Border Force is committed to the establishment of a cross-Government command and control centre,** into which maritime security[1] stakeholders commit resources to service an integrated joint control strategy, delivering operational activity and cross-government security objectives in the UK Marine Area. There is broad, cross-government support for this, and the National Maritime Security Committee (Officials) will take this forward. Lead departments are the Department for Transport (as independent Chair), the Home Office and the Ministry of Defence.

- **Delivering an integrated operational response to General Maritime events,** whether they are in-shore at a maritime port or on board Border Force's fleet of cutter vessels. In future, deployment decisions for all Border Force maritime assets will be centrally co-ordinated through our 24/7 National Operations and Command Centre, to ensure that all relevant Border Force assets are considered when Border Force receives reports of a maritime incursion. Border Force also intends to create a new operating base in the South West in 2016/2017 which will be responsible for air and general maritime operations in this area.

- **Moving over time to a balanced set of Border Force maritime assets** that can more effectively respond to in-shore and coastal operations, to better reflect our current understanding of risk.

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[1] Maritime Security encompasses activities by the Home Office (Customs, law enforcement and Border Protection), Marine Management Organisation (Fisheries and EEZ enforcement, including the RN's Fishery protection contract), and Department for Transport (Maritime Coastguard Agency, safety conventions and codes, and Search & Rescue).

- **Improving the collection and management of intelligence in the GM sphere.** Strategic development of information flows will allow further uncovering of valuable intelligence such as the provision of information in July 2015 which led to the seizure of two kilogrammes of cocaine at Brighton Marina from a vessel that had arrived from St Lucia. Border Force will continue to sponsor the National Maritime Information Centre, as the United Kingdom's key intelligence sharing and situational awareness centre for civilian maritime security and enforcement. But beyond that, Border Force intends to work more closely with voluntary and community organisations. For example:

  - Kraken is an NCA led campaign that seeks to increase public reporting of suspicious activity related to GM. It is supported by posters and a dedicated reporting hotline.

  - Coastwatch, which initially started as a pilot project in the South West of England and has since been rolled out nationally. It uses existing volunteers from the National Coastwatch Institution. Border Force is working with its law enforcement partners to build a network of intelligence suppliers, through links to similar organisations.

In addition, the Immigration Bill, currently before Parliament, includes provisions to strengthen the powers held by Border Force to:

- **stop, board, divert and detain** a vessel where there are reasonable grounds to suspect that it is being used to facilitate the breach of immigration law, or is being used in connection with such facilitation;
- **search a ship and anyone and anything on the ship,** to obtain information or evidence of the facilitation offence;
- **arrest any person reasonably suspected** of being guilty of an offence of facilitation, and seize relevant information or evidence;
- **use reasonable force** in the exercise of any of these powers or functions.

Together, this work will help to meet the aim of better securing the UK's maritime border. Its delivery will be a priority for Border Force during the next four years.

Border Force partially accepts one of the Chief Inspector's nine recommendations, and fully accepts the remaining eight.

The Home Office response to the recommendations.

1. **Recommendation 1** – Ensure that sufficient priority is given by Border Force to improving knowledge and understanding of the threats and risks surrounding General Aviation and General Maritime.

1.1 **Accepted**.

1.2 Border Force will continue to sponsor the National Maritime Information Centre, which will be the UK's key centre for the exchange of maritime intelligence, and to work closely with the NCA to understand the GM threat. In addition to this, Border Force is already investing in improvements in field intelligence, through our intelligence transformation programme. Beyond that, Border Force intends to work with a wide variety of private and voluntary organisations – as well as with local police forces to drive up reporting of suspicious movements.

2. **Recommendation 2** – Record evidence of illegal activity related to General Aviation and General Maritime traffic in sufficient detail, including as a minimum port of entry, to inform threat and risk assessments at both the strategic and operational levels.

2.1 **Accepted**.

2.2 Border Force will review its approach to recording GA and GM data, in order to identify a suitable technical solution to deliver this recommendation. More broadly, greater awareness of the threat from illegal activity will be enhanced by the creation of a network of field intelligence officers, who will work with local partners and the public, to increase intelligence gathering and provide public reassurance.

Furthermore, as part of Border Force workforce plans, we will ensure that all frontline officers understand their role as primary intelligence officers. This requires a cultural shift, but is essential as Border Force matures as a law enforcement organisation.

3. **Recommendation 3** – Capture and retain, consistently and in a retrievable form, General Aviation Report (GAR) and General Aviation Risk Assessment Tool (GARAT) data, including non-compliance with the GAR system, using it to improve knowledge in relation to specific airports, aircraft, routes and individuals, and to produce better-informed threat assessments of individual GA flights.

3.1 **Accepted**.

3.2 The GA guidance for Border Force staff is clear regarding retention of GARs and GARAT forms. Nevertheless, Border Force acknowledges that this could be managed more effectively, and will put in place a plan of action to improve consistency across the regions. This will be tested by the ongoing assurance regime, with a view to improving the information available to inform risk assessments.

4. **Recommendation 4** – Improve training and guidance for Border Force officers on the completion of the General Aviation Risk Assessment Tool (GARAT) form, including:
   - amendment of the GARAT form to provide space for a justification of each rating;
   - guidance on what database checks (in addition to a Warnings Index check) should be considered for crew and passengers arriving in the UK on a GA flight;
   - how identified risks should be translated into low, medium or high-risk ratings (to ensure greater consistency); and,
   - the introduction of an assurance regime to identify errors and drive improvements.

4.1 **Accepted**.

4.2 Current guidance on the type and nature of checks to be conducted is included in the Border Force Operating Mandate. Building on the findings of this inspection, in the first quarter of 2016 Border Force will identify those areas within the GARAT which may contribute to inconsistency in completion, which will then serve to inform improvements in training and guidance. In the medium term, there are plans for a more effective automated system, which will allow for the electronic submission of GAR forms, and automated watchlist checking.

5. **Recommendation 5** - Ensure that the Civil Aviation Tracking System (CATS) is monitored for General Aviation flights and checked systematically against General Aviation Reports (GARs) so that flights that have failed to inform Border Force of their arrival are identified in time for officers to attend the arrival where required.

5.1 **Partially accepted**.

5.2 In the long-term, and subject to funding availability, Border Force intends to implement an IT solution to provide a direct, public facing web interface for electronic submission of GARs. This will include the provision of an automated cross comparison tool for the identification of non-compliant flights. In the meantime, best practice is to check CATS periodically throughout the day, to identify flight plans and compare them with submitted GARs, to identify flights which have not been notified by means of a GAR or alternative form of submission. It is not necessarily always an effective use of operational resources to manually check the CATS system at all locations on a 24/7 basis as recommended; rather, our operational approach is to focus effort on the high risk, or deliberately non-compliant cohort, while engaging with the sector to raise awareness of their responsibilities.

6. **Recommendation 6** - Ensure that customs controls for General Aviation flights are adequate in light of known and suspected threats and risks.

6.1 **Accepted**.

6.2 Border Force already uses information and intelligence on both people and goods to inform its operational deployment, and mobile teams are cross-trained to deal with both immigration and customs work. This means that customs controls are focused on targeted, intelligence-led intervention. Improvements to the GARAT, as referenced in the response to recommendation 4, will further enhance the profiling of flights for customs purposes.

7. **Recommendation 7** - Develop and implement a strategy to improve the flows of information about General Maritime (GM). This should cover, both nationally and locally:

- ways to encourage better compliance with existing reporting requirements, including customs declarations and the 'Q' flag system;
- ways to encourage greater voluntary reporting by GM Pleasure craft, working with the Royal Yacht Association (RYA) to explore solutions to the practical difficulties for pleasure craft in providing advance notification of arrival into the UK;
- better engagement by Border Force with small port authorities as a key source of information about GM vessels arriving into the UK, including routine visits to harbours and marinas, in addition to attending known GM arrivals, to ensure authorities have, understand and display the latest Border Force information and instructions.

7.1 **Accepted**.

7.2 To support the wider law enforcement response to this area, Border Force will co-ordinate the development of a cross-agency strategy to improve the flow of information about GM. This will be in place by summer 2016. As set out in the response to Recommendation 2, Border Force is developing a network of field intelligence officers. Border Force is also emphasising the important role played by every Border Force officer in reporting suspicious activities.

7.3 Border Force will have increased public confidence as a key objective of its maritime security strategy. The public, and marine personnel at small harbours and marinas, have an important role to play in the gathering of information about movements at the coast, and Border Force will develop a programme of work in the coming months which harnesses this capability in a more systematic way. This will be supported by a more agile workforce, thereby, enabling more frequent attendance by Border Force at more remote locations, either by land or sea.

8. **Recommendation 8** - Roll out, once fully evaluated, the Maritime Priority Assessment Tool (MPAT), supported by clear and comprehensive guidance to officers on how to use it to assess the risk from General Maritime traffic, including the mandated and discretionary actions that flow from the risk assessment.

8.1 **Accepted.**

8.2 Evaluation of the MPAT, which was underway at the time of the inspection, has now been completed, and the accompanying guidance has been published.

9. **Recommendation 9** - Put processes in place to capture, enhance and analyse information received about General Maritime, including evidence of criminal activity, and management information, in order to improve knowledge of the threats and risks and to inform operational and resourcing decisions.

9.1 **Accepted**.

9.2 As stated in the response to Recommendation 2, Border Force will review its approach and identify the most effective method of data capture for General Maritime. Border Force works closely with both law enforcement and other partners at the border, to develop and maintain a dynamic intelligence picture to inform resource deployment. Additionally, the implementation of an improved intelligence-led approach to the deployment of the cutter fleet will ensure that available resources are used efficiently to counter threats.