



Home Office

**The Home Office response to the Independent Chief Inspector of Borders and Immigration's report:**

**An Inspection of the Home Office's response to in-country clandestine arrivals ('lorry drops') and to irregular migrants arriving via 'small boats'.**

**May to December 2019**

**The Home Office thanks the Independent Chief Inspector of Borders and Immigration (ICIBI) for this comprehensive report.**

The inspection examined the Home Office's identification and handling of migrants having entered the UK concealed in a commercial vehicle and those migrants seeking to cross the English Channel in "small boats".

The Home Office is pleased that the ICIBI identified good practice including the close working and co-operation between the UK and French counterparts; joint working with the Belgian Police at Zeebrugge; and close co-operation between the Home Office, Police Forces and the National Crime Agency. This co-ordinated approach with partner agencies in the UK and overseas is central to our strategy for tackling unauthorised entry to the UK and the criminal activity that perpetuates it and is something that we have built on since this inspection.

The Home Secretary is determined to tackle the clandestine threat and, in particular, make the perilous crossing of the Channel by small boat unviable. That is why, in August this year she appointed a senior leader to focus exclusively on tackling this issue. The Clandestine Channel Threat Commander (Dan O'Mahoney) will oversee every aspect of the Home Office's operational response to Small Boats, as well as wider Government support, bringing greater coherence and alignment. This will include the work of the Clandestine Threat Command, which co-ordinates the operational response to the threat posed by high-risk attempts to enter the UK, alongside a Clandestine Investigations Brigade which bolsters our overall investigative response.

The Home Secretary has also made clear that the Home Office, working closely with partners such as the National Crime Agency and the police, is determined to deal with the criminal gangs whose ruthless activity puts the lives of vulnerable people at risk. We are also working closely with the French and other European authorities to tackle this dangerous and illegal activity.

The ICIBI has made five recommendations. The Home Office has fully accepted three recommendations, and partially accepted two and work is already well underway to tackle the issues raised in this report.

## The Home Office response to the recommendations

### The Home Office should:

1. Carry out a fundamental review of the Borders, Immigration and Citizenship System's criminal investigation and prosecution capabilities and capacity, looking at clandestine entry (incorporating people smuggling, trafficking and modern slavery) and other immigration-related crimes, and revisiting with the National Police Chiefs' Council (NPCC) and the National Crime Agency, and others if appropriate, where the underlaps are at National Intelligence Model (NIM) Levels 1, 2 and 3.

#### 1.1 Partially Accepted.

- 1.2 The Home Office accepts that there is more to do to better co-ordinate the approach to organised immigration crime. Since this inspection started, there has been an independent review of Serious and Organised Crime (SOC). It was led by Sir Craig Mackey QPM, former deputy commissioner of the Metropolitan Police, with support from stakeholders and advisors from law enforcement and national security. We are considering the review's recommendations and will provide details of the key findings in due course. Alongside this, there has been work done within the Home Office to clarify roles and responsibilities and streamline governance on organised immigration crime.

- 1.3 Rather than conduct an additional review at this stage, the Home Office will, therefore, take the findings of this ICIBI inspection fully into account alongside the findings of the SOC review when working with partners, including the National Crime Agency. The department's newly formed Illegal Migration Strategy Board and the Clandestine Threat Board are both considering the response across the Borders, Immigration and Citizenship system to the criminality behind the clandestine threat and Home Office teams will continue to review roles and responsibilities with other partners over the course of 2020.

- 1.4 Longer term, the Home Office's Immigration Enforcement Directorate is undertaking an exercise to develop its future footprint and improve capacity and capability in relation to criminal and financial investigations. We expect our response to the existing reviews to fully address the issues that led to the ICBI's findings.

- 1.5 Within Immigration Enforcement's Criminal and Financial Investigations team (CFI), work is underway to professionalise capabilities. For example, all operational criminal investigators must undertake learning and development in line with the College of Policing accredited Professionalising Investigations Programme. All officers are mandated to achieve PIP Level 2 accreditation to undertake Serious and Complex Investigations, in line with the accreditation held by a Detective within a Home Office Police Force or an investigation officer within the National Crime Agency. This requires completion of a 92-week long programme of learning and workplace assessment which is both internally and externally verified. Work is also underway to streamline small boats and lorry drops processes and to reduce hand-offs. This work has been expanded to

include all high-risk clandestine methods of entry, and to include all Home Office staff working inside the clandestine threat arena.

**1.6** We are also working with French colleagues to improve our investigation and prosecution capabilities. For example, a new UK/France Joint Intelligence Centre (JIC), based in France, has recently been established. This assists with real-time intelligence sharing, targeted patrols, and will support mirror investigations in France and the UK. The JIC, alongside the Joint Debrief Team (JDT) and Centre Conjoint d'Information et de Coordination (CCIC), will assist in coordinating intelligence-led operations and packages.

**2. Review the roles and responsibilities of the Borders, Immigration and Citizenship System (BICS) teams involved in responding to “lorry drops” and “small boats” with a view to reducing the number of “hand offs” and requirements for staff to travel large distances or to be on detached duty from their normal place of work, including by:**

- a. conducting a skills audit and training needs analysis, with the aim of creating efficiencies and greater resilience through more multi-skilling;**
- b. considering whether the Midlands Intake Unit should operate in the same way as the Kent Intake Unit in terms of receiving migrants directly from the police, and whether similar facilities are required in any other regions**

**2.1 Accepted.**

**2.2** A new senior leadership role – the Clandestine Channel Threat Commander – was created in August 2020 to provide leadership across Home Office commands. This role will also coordinate bodies across Government including the police, the National Crime Agency and Joint Maritime Security Centre to end the viability of the small boats route as a means of entering the UK illegally. The role will enhance partnership working with other departments, including the Ministry of Defence and the Department for Transport – to galvanise the whole-of-Government effort, making full use of HMG’s wider maritime, military and national security capabilities.

**2.3** Reporting into the Clandestine Channel Threat Commander under a single structure is the Clandestine Threat Command (CTC), which coordinates the overall response to clandestine entry, alongside a Clandestine Investigations Brigade to bolster the investigatory response. The CTC has carried out a complete skills audit for frontline responders and has put together a training requirement for all those responding to clandestine events.

**2.4** Asylum Operations has an agreed transformation programme and plan of work which includes an immediate focus on improving the operation of screening at the front end of the asylum process. A separate, longer term project is looking specifically at the asylum intake model and strategy to improve consistency, address fragmentation and consider the opportunities for differentiation. This will feed into the wider transformation programme with options for the future target operating model for front end services, including considering the value of having facilities operating on a model similar to the Kent Intake Unit.

**2.5** To improve coordination at a strategic policy level, since the Purfleet tragedy in October 2019, the Home Office has been driving forward a renewed, comprehensive strategy to tackle the illegal migration threat to the UK. This strategy adopts a “whole-of-route”

approach, focusing on the threat to the UK and the high-risk methods of clandestine entry, such as small boats crossing the Channel.

**3. Work with the National Police Chiefs Council to create joint plans for the monitoring and “policing” of the whole of the UK coastline (including ports and harbours) for the smuggling of people and goods and related criminal activities, integrating Border Force/Immigration Enforcement priorities, resources and functions, including intelligence collection, with those of coastal police forces.**

**3.1 Partially Accepted.**

**3.2** Whilst this is a complex recommendation and cannot be fully accepted without the agreement of several agencies, Devolved Administrations and Police and Crime Commissioners, Border Force will undertake an assessment with key stakeholders of the scope of a joint plan that would be operationally effective in monitoring and policing the coastline, as set out in this recommendation. In parallel, CTC will continue work with the Organised Immigration Crime National Police Chiefs Council lead (CC Shaun Sawyer) to improve the response from policing, mostly clandestine entry via lorry, using tactical advisers in South East counties to help identify and deal with organised immigration crime more effectively, supporting the police as the first responders in 90% of ‘lorry drop’ cases.

**3.3** In the meantime, the operational response will be led for the Home Office by Border Force National Operations with a new team being set to better co-ordinate the approach to maritime security. This will include a relaunch of project KRAKEN, a joint project designed to raise the ‘vigilance’ capability among the general maritime community against the threat from general crime at the border, illegal immigration and smuggling. The relaunch will improve the communications approach with the general public and review information flows into law enforcement agencies. A working group with representatives from the Home Office and the police has been put in place to support this. In addition, the Joint Maritime Security Centre (JMSC), created in 2019, is supported by all the 15 Government and law enforcement bodies involved in UK maritime security, including the National Police Chiefs Council. It will continue to work cross-government to better support a whole system response to maritime security threats.

**4. Produce a detailed monthly analysis of clandestine entry attempts detected at the juxtaposed controls and at UK ports, and “failures” (vehicles later identified in connection with “lorry drops”), and the factors over which Border Force had control, including staffing levels, targeted vehicles, and search techniques used, (ensuring that the information provided by frontline staff is specific and complete), and use this analysis to identify the resources and tactics required to drive up detections and reduce “lorry drop” numbers.**

**4.1 Accepted.**

**4.2** The Home Office has recently produced analysis in relation to clandestine activity which partly addresses this recommendation. As a priority, Border Force will build on this work through establishment of a dedicated performance team over the course of 2020/21 which will, as part of its remit, work to deliver better management information on lorry drops and clandestines. These outputs will be used in tandem with other information to direct and improve the operational response.

**5. Engage the Cutter and Coastal Patrol Vessel (CPV) crews in an open consultation exercise to review and address any concerns about their terms and conditions, training opportunities and career paths, providing them with as much clarity as possible about future plans for the Maritime Command. In the meantime, ensure that all crew members have the personal equipment they need to perform their duties effectively and safely and that Standard Operating Procedures (SOPs) are comprehensive and updated in line with events.**

**5.1 Accepted.**

**5.2** Work is underway to address the issues identified in the report.

- A review of terms and conditions, to which staff contributed, was completed in early 2020. Based on the outcomes of that, a new set of terms and conditions will be developed for further consultation with staff with an intention to move to implementation in the 2021/22 business year.
- Maritime staff are fully engaged with plans for the command including the future role, capabilities and capacity of maritime operations.
- Training provision has been reviewed and several new courses are now part of the routine maritime training offer delivered by qualified staff from within the maritime command.
- Deck and engineering pathways will be in place by the end of 2020 to address the need for clearer career progression.
- As a professional maritime operation, safe systems of working and agreed risk assessment processes are in place and kept under regular review. Since this inspection, crews have additional personal equipment such as new marinized body armour and specialist kit such as dry suits and helmets for boarding teams. In addition, in January 2020 a new Safety and Environmental Management System was put in place across the Command to better co-ordinate all policy, procedure and guidance documents relating to the safe operation of the fleet.
- New requirements and standards for Standard Operating Procedures for the command were set in 2019 and all operations are subject to documented de-briefs to ensure those procedures are updated as required.