



Home Office

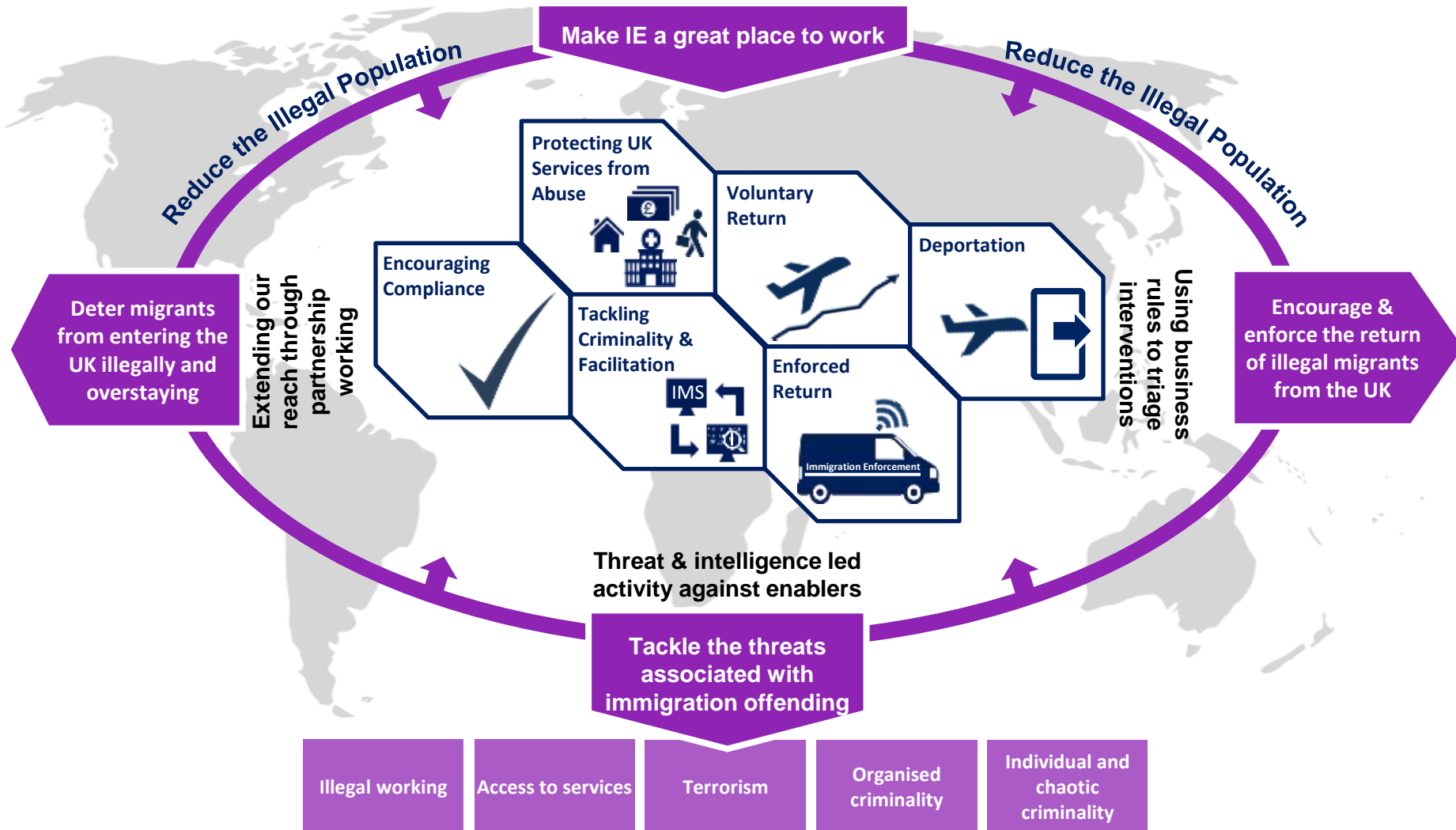
Immigration Enforcement: reducing the size of the illegal population and the harm it causes

15 September 2017

Strategic context

- Government's ambition to cut net migration to sustainable levels
- Preparations for the UK's departure from the EU
- Striking the right balance: controlling immigration, protecting the public, tackling vulnerability, supporting prosperity

Immigration Enforcement's vision is to reduce the size of the illegal population and the harm it causes



Some facts and figures about IE

- An operational command in the Home Office, and part of a wider border, immigration and citizenship system with Border Force, UK Visas and Immigration, HM Passport Office and policy colleagues
- 5,000 staff and a £450m p.a. budget (40% of it spent on detention and escorting)
- Responsible for front line enforcement, caseworking preparation and other logistical support for returns (including foreign national offenders), immigration detention and escorting, the compliant environment, and tackling immigration crime
- Focused on clandestine entrants, those refused applications to stay in the UK, overstayers and foreign national offenders, and those who seek to exploit these individuals
- 6,364 foreign national offenders removed in 2016/17 – the highest ever
- Over 38,000 returns in total in 2016/17
- Many organised crime groups disrupted/successfully prosecuted

The compliant environment

- A framework of deterrence, compliance and enforcement, based on legislative and administrative measures and supported by data sharing across government and with other public and private sector partners
- Designed to prevent access to employment, housing, other services and benefits for those here illegally or otherwise ineligible
- Aims:
 - To deter prospective illegal migrants from making the journey to the UK
 - To deter legal migrants from breaking the conditions of their stay
 - To incentivise voluntary departure or regularisation of stay by those here illegally
 - To protect public services from abuse, and take action against employers, landlords and others who exploit illegal migration
 - To make it as easy as possible for migrants to demonstrate their immigration status, and for those required to check that status to do so

Summary of compliant environment measures

Pre 2010

- Right to work checks by UK employers and civil penalties for employing illegal migrant workers, with prosecution for knowingly employing illegal workers
- Controls on migrant access to non-contributory DWP benefits, HMRC tax credits and child benefit, and local authority social housing and social assistance
- NHS secondary care treatment charges for overseas visitors, including illegal migrants, and NHS debtors rule in the Immigration Rules

Immigration Act 2014

- Doubled the maximum civil penalty to £20,000 for employing an illegal worker
- Housing - Right to Rent disqualified those without leave from renting property
- Health surcharge – for non EEA temporary migrants
- Driving – revocation of UK licences held by illegal migrants
- Banking – illegal migrants prohibited from opening accounts

Immigration Act 2016

- Housing - landlord offences for letting property to a disqualified person, simpler eviction powers
- Illegal Working - powers to close premises used by employers who repeatedly use illegal workers
- Banking – closure of existing accounts
- Driving – criminal offence of driving whilst unlawfully in the UK; powers to seize UK licences
- Alcohol and taxi licensing – new checks

Also: new digital status checking service (initially for employers); Director of Labour Market Enforcement; embedded support for local authorities and NHS; Controlling Migration Fund; enforcement team engagement with diaspora communities

We work to encourage and support the voluntary departure of those unlawfully in the UK

IE's Voluntary Return Service offers a range of support including:

- moving a passport or valuable document to port where an individual has bought their own ticket to return
- providing support in obtaining travel documentation e.g. renewing passport, emergency travel document or European letter
- financial support in the form of travel to airport, travel to embassy, fit to fly and travel ticket to return home
- reintegration assistance (a form of monetary or in kind assistance once someone returns to their home country).

In 2016/17 over 1,500 individuals were assisted to leave with dignity in this way; many more chose to leave voluntarily without such support.

Immigration detention: driving removal, protecting the vulnerable

- 9 immigration removal centres with 3,500 beds (plus 400 in the prison estate for high risk time served foreign national offenders)
- About half of all detainees are illegal migrants arrested in the community or detained on reporting; about a third are FNOs post-prison sentence; the remainder are asylum claimants and port cases
- Monitored by Prisons Inspectorate, Care Quality Commission and local Independent Monitoring Boards
- About 28,000 individuals pass through detention to removal or release each year
- Basic principle is that we can detain an individual lawfully only where there is a realistic prospect of their removal within a reasonable period
- Detainees can apply to the courts for immigration bail at any time
- 64% leave detention within a month, 93% within 4 months, with almost all the longest stayers being FNOs

The Government commissioned, welcomed and has responded vigorously to Stephen Shaw's review of vulnerable adults in immigration detention

In 2016 the Government welcomed Stephen Shaw's review of the welfare of vulnerable individuals in detention, and committed to three key reforms:

- introducing a new **“adult at risk”** concept into decision-making on immigration detention with a clear presumption that people who are at risk should not be detained, building on the existing legal framework
- addressing his concerns about **mental healthcare provision** in detention
- maximising the efficiency and effectiveness of use of detention by implementing a new approach to the **case management** of those detained.

“The Government expects these reforms, and broader changes in legislation, policy and operational approaches, to lead to a reduction in the number of those detained, and the duration of detention before removal, in turn improving the welfare of those detained.”

We have made significant progress on these reforms. Stephen Shaw has now returned to take stock

We are committed to finding ways to reduce time spent in detention, and to pursuing alternatives to detention where these support continuing efforts to secure removal

- We are improving our casework management and reviewing case progression more systematically
- We are tackling judicial reviews and last-minute applications
- We are tackling physical disruption at the point of removal
- We are working to secure more international agreements on returns and biometrics, to tackle redocumentation delays
- We have introduced changes which allow us to conduct same-day removals, where individuals are removed without ever entering detention
- We are removing more foreign national offenders directly from prison, before the end of their sentences – over 2,000 in 2016/17
- We have a programme in place that will, by 2019/20, deliver satellite tracking of foreign national offenders who are not detained and are subject to deportation action
- We continue to explore other alternatives, but these must support continuing efforts to secure removal and not create new pull factors for illegal migration.