



RESPONSE OF THE POLICE AND CRIME COMMISSIONER OF WILTSHIRE AND SWINDON TO THE HMICFRS REPORT: SAFE TO SHARE? REPORT ON LIBERTY AND SOUTHALL BLACK SISTERS' SUPER-COMPLAINT ON POLICING AND IMMIGRATION STATUS

Police and Crime Commissioner's comments

I welcome the HMICFRS report on "Liberty and Southall Black Sisters' super-complaint on policing and immigration status". The report is a result of a joint investigation by HMICFRS, the College of Policing and the Independent Office for Police Conduct.

The report represents a significant step forward in understanding how uncertain immigration status impacts reporting crime to the police. Although the report clearly states that there are currently no data available which would establish the connection between the crime in which a person was a victim or witness with individual referrals to the Home Office for immigration purposes, it makes a set of recommendations based on their qualitative approach. In this regard, I am pleased to hear that the report has taken into account the victims' voices to make sure that their experiences are heard.

All victims of crime have the right to expect clear and consistent communication from the police and signposting to the right support services regardless on their immigration status. This has been recently clearly articulated in the Updated Victims Code of Practice by Ministry of Justice. The updated version will come into effect from 1st April this year and it states in its introduction that victims are 'entitled to services regardless of their resident status'. Nonetheless, there is still a long journey to go to ensure that victims and witnesses with insecure or uncertain immigration status are confident to report crime to the police, especially when it comes to victims of domestic and sexual abuse and violence as highlighted by the super-complaint.

In my Police and Crime Plan, I have clearly stated my priorities and one of them is to "put victims, witnesses and communities at the heart of everything we do". In my role as the Police and Crime Commissioner, I continue to commission Horizon Victims Services to ensure quality services for both victims and witnesses. I also commission additional and specialist services to support vulnerable victims

including those who have experienced very serious crime. Since the beginning of the global pandemic, my Office has been working tirelessly to successfully secure additional funding of £180,000 in November 2020 and £200,000 in February 2021 from the Ministry of Justice to provide further support for victims of domestic abuse and sexual violence in Wiltshire and Swindon. It is undeniable that lockdown makes it even harder for victims to come forward and report crime in spite of their immigration status.

I welcome recommendations which the report makes, and I strongly believe that the whole policing community should take steps to promote victims' and witnesses' confidence in reporting crime to the police including those whose immigration status may be uncertain. However, it is important to state that reporting is just the start of their journey through the Criminal Justice System, and therefore it is vital that Police and Crime Commissioners and wider Criminal Justice Partners must do everything they can to prevent any delays throughout the criminal justice journey to ensure that victims do not lose their confidence in the system and do not withdraw from the process. I have commissioned additional resources for victims in 2021 in order to ensure that increased support is available.

In my role as the chair of the Wiltshire Criminal Justice Board, I play a pivotal role in supporting local justice partners to work together to address both local and national priorities for improvement. In this regard, we agreed to provide an effective and efficient Criminal Justice System in Wiltshire.

As Police and Crime Commissioner, I hold the Chief Constable to account on the implementing Her Majesty's Inspectorate of Constabulary and Fire and & Rescue Services' recommendations and ask for regular progress and performance reports during my discussions with the Chief Constable either during our 1-2-1 meetings or during my Monitoring Board which takes place every two weeks. I will ensure that HMICFRS is provided with the implementation progress update in 6 months' time.

Chief Constable's comments

The Chief Constable of Wiltshire notes the published report and recommendations made within it and welcomes recommendations to improve systems and processes to support victims of crime.

Portfolio lead comments

The Force works closely with all victims and witnesses of crime in an effort to support them through the process of reporting. Referrals are made to relevant support agencies on behalf of victims and witnesses whenever appropriate. Any recommendations made to the Force will be acknowledged and action will be taken where required.

Recommendations	Wiltshire response
<p>Recommendation 1. To chief constables</p> <p>As an interim measure, pending the outcome of recommendation 2, where officers only have concerns or doubts about a victim's immigration status, we recommend that they immediately stop sharing information on domestic abuse victims with Immigration Enforcement.</p> <p>Instead, police officers should link the victim to a third party that can provide advice and assistance, as set out in recommendation 4 (on the creation of safe reporting pathways).</p> <p>This applies where police officers have doubts about a victim's immigration status, not where they have evidence that an offence has been committed. The College of Policing will immediately develop guidance for the police service to clarify this aspect of practice</p> <p>(This recommendation to stop information sharing only applies to victims of domestic abuse)</p>	<p>Wiltshire Police notes the recommendation to support victims of domestic abuse and ensure they are provided with opportunity for relevant and supportive advice and guidance.</p> <p>Wiltshire Police will take steps to prevent the routine sharing of information with Immigration Enforcement for complainants of domestic abuse through a change of procedure.</p>
<p>Recommendation 4. To chief constables</p> <p>With reference to recommendation 1, and in consultation/collaboration with local or national specialist organisations, chief constables should take steps to ensure that all migrant victims and witnesses of crime are effectively supported through safe reporting pathways to the police and other statutory agencies.</p> <p>They should:</p> <ul style="list-style-type: none"> • ensure there is a proper policy and practice framework in place for officers to work within; • develop victim and witness support policies that reflect the characteristics of the safeguarding protocol set out in recommendation 3, and: • draw on all relevant national guidance with reference to the Code of Practice for Victims of Crime and data protection legislation; • are developed in partnership with and include pathways to the relevant specialist organisations for supporting victims and witnesses with insecure immigration status; • are clear about the circumstances in which information will be shared by police with immigration enforcement; • provide clarity about the purpose of sharing information at different points of the pathway; and • explicitly recognise the importance of telling victims, witnesses and supporting agencies whether information will be shared with Immigration Enforcement, and if so, when and in what circumstances. • promote understanding among police officers and staff to differentiate between responses to victims of modern slavery/human trafficking and victims of domestic abuse; • promote awareness within their forces of any existing pathways to specialist organisations for supporting victims with insecure immigration status; • ensure the policy and practice framework is adopted by all officers and staff who come into contact with victims of crime who have insecure immigration status; and • promote police engagement in regular outreach community work, 	<p>Wiltshire Police works well with partners having good mechanisms in place to refer victims and witnesses of crime to relevant pathways. The force notes and awaits the creation of a safe reporting pathway process, which will compliment current force practice, working in line with Victims Code of Practice.</p> <p>Any actions that come from this process will be discussed at the relevant Domestic Abuse Subgroup and assigned to the appropriate agency for ownership.</p>

<p>as highlighted as good practice in this report.</p>	
<p>Recommendation 5. To chief constables and police and crime commissioners (or equivalents)</p> <p>With reference to recommendation 1, pending the developments outlined in other recommendations, and in consultation/collaboration with local or national specialist organisations, chief constables and police and crime commissioners should take steps, through the appropriate channels, to promote migrant victims' and witnesses' confidence in reporting crimes to the police through safe reporting pathways, without fear of prioritised immigration control.</p>	<p>Wiltshire Police recognises the importance of victims and witness having the confidence to report, to this end the force works closely with the community to positively influence reporting and utilises opportunities via social media to influence this. Further, the force's community-based policing teams work to forge good links with the community. The force notes the recommendation which provides a good platform to further influence reports.</p>
<p>Recommendation 8. To all recipients of recommendations from this investigation;</p> <p>Provide an update to Her Majesty's Chief Inspector of Constabulary on progress in implementing these recommendations within six months of the date of publication of this report.</p>	<p>The force notes the recommendation.</p>

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