

Durham Constabulary



Altogether Better Policing

Ciaron Irvine
Deputy Chief Constable

Chief Constable's Office
Constabulary Headquarters
Aykley Heads
DURHAM
County Durham
DH1 5TT

Tel. No.: 101
Web Site: www.durham.police.uk
Our Ref: DCC

Date: 3rd December 2021

Dear All

SUBJECT: Durham – Update to Recommendations in HMICFRS Report “Safe to share? Report on Liberty and Southall Black Sisters’ super-complaint on policing and immigration status”

Thank you for your letter dated 23 November 2021 requesting an update for recommendations made in the above report.

Please find below a response to the areas raised in the report.

Please note this response is from Durham Constabulary and Durham's Police and Crime Commissioner.

Recommendation 1 : 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. Instead, police officers should link the victim to a third party that can provide advice and assistance.

Durham Constabulary's response is presently aligned with the current view of the NPCC leads for MSHT, OIC and immigration partners: that the existing guidance around information sharing remains in place and is accurate. Moreover, any information that is shared with agencies will always incorporate the THRIVE (Threat, Harm, Risk, Investigation Opportunities, Vulnerability, Engagement) principles with the question being 'By making this decision to share what additional risks are generated?' Sharing of information also remains aligned to current Information Commissioner's Office guidance.

The Force currently follow the NPCC position that it should be at the discretion of the police as to whether Immigration Enforcement are contacted, and that this should be done on a case by case scenario. The Force also plan to follow and update their position if guidance to the contrary was to develop and be published by the College of Policing/ NPCC. Any scenario planning and discourse will be integrated into the next redraft of DA force guidance.



facebook

www.durham.police.uk

twitter

DURHAM
CONSTABULARY



101

IN AN
EMERGENCY
ALWAYS
CALL 999

Recommendation 4 : 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.

As with all victims, Durham Constabulary and the Office of the Police, Crime, and Victims' Commissioner commission, promote and facilitate bespoke victim care services. A multi-agency approach is used for the range of victim types, which aims to help victims and give them a voice. However, we are continually learning from our own experiences on how to deliver the best possible victim care and services. Further scoping is ongoing to explore police participation in partner engagement and training, alongside a more joined-up approach with other force areas when dealing with domestic abuse where the victim their immigration status is in doubt.

The Office of the Police and Crime Commissioner are scoping 'out sourcing' a specific MSHT / OIC victim pathway following a model embedded in Cleveland which has received favourable feedback.

Recommendation 5: 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.

In light of the HMICFRS report, the Force are developing advice sheets on specific initiatives to assist internal and partners: Multi-Agency Risk Assessment Conference (MARAC), Domestic Abuse Innovation Officers (DAIOs), Safeguarding Detective Inspectors/ Detective Sergeants, Victim Care and Advice Service (VCAS), and the Domestic Abuse advisor in the Control Room. These will be put on the force-wide Intranet. These advice sheets will inform about how the Force deal with a victim where their immigration status is in doubt.

The advice given includes four steps that should be taken prior to a decision on information sharing with Immigration Enforcement:

1. Safeguarding
2. Assess the needs of the victim
3. Investigation including positive action and evidence gathering
4. Referral to support agencies e.g. HALO; Harbour; Local Authority Housing; VCAS

The above steps are expected to be put in place before any consideration is given to reporting the victim to Immigration Enforcement. Liaison with Immigration Enforcement should only be completed in consultation with partner agencies and with the oversight of an SIO or D/Insp dependent on the level of the investigation following a full assessment of the safety of the victim and other affected persons.

These measures should promote a culture of operating which will enable domestic abuse migrant victims to feel confident in reporting crimes to the police without the additional fear of prioritised immigration control.

Recommendation 6. To police and crime commissioners (or equivalents) Conduct an assessment of local access to specialist victim support organisations or networks and take any necessary steps to build up such networks.

The PCC is confident that the locally commissioned victim service offers appropriate support following any referral and that this includes an assessment of risk and need, however the wider availability of specialist victim support organisations or networks has been raised with the Adult Safeguarding Board and a piece of work is being looked at to develop our understanding of this in our area. The PCC is also keen to develop a modern slavery network and is in conversation to establish this as soon as possible

Recommendation 8 : 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.

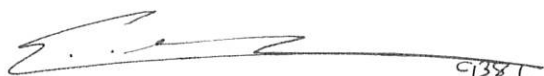
There are quarterly regional co-ordination meetings to allow for current regional and national trends to be understood and this includes membership from the Force OIC / MSHT lead.

There will be additional NPCC and COP guidance supplied to Forces by the end of 2021 but as yet this has not been shared with the National Co-Ordinator or with the Force SPOC.

This will be reviewed when it is in place to allow the Force 4P plan and guidance to be reviewed.

The Force has an embedded analytically supported process that allows the picture of MSHT / OIC to be understood 'in house' and discussed with wider partner groups in already embedded performance meetings to allow for identification of trends and threats

Kind Regards,

A handwritten signature in black ink, appearing to read 'C. Irvine', with the initials 'CIBST.' written in smaller text below the signature line.

Ciaron Irvine
Deputy Chief Constable

