



Foreign Nationals Policy (Surrey and Sussex) (1216/2024)

Abstract

This policy and supporting procedures detail the checks to be made within routine policing encounters when dealing with a person known or suspected to be involved in criminality who cannot be confirmed as a British citizen at birth. This is the definition of a Foreign National Offender taken from College of Policing International Authorised Professional Practice (APP), International Criminality Checklist V5.

Policy

1. Introduction

1.1 This policy is necessary as the checks identify whether there is any information to assess the risk posed by or to a foreign national and to assist police in identifying the most appropriate tactical option with Immigration Enforcement (IE). It adheres to Authorised Professional Practice (APP) on International Investigations.

2. Scope

2.1 Application of this policy will ensure that all decisions made during encounters with foreign nationals known or suspected to be involved in criminality who cannot be confirmed as British citizens at birth are done so with reference to all the available information. These decisions span every aspect of the interaction, including risks posed by the individual, tactical opportunities by virtue of their status and potential criminal justice outcomes.

3. Policy Statement

3.1 It is important that Surrey Police and Sussex Police acquire and use all available information on international criminality and immigration status within police decision making. By following this policy officers and staff will be confident of the identity of the individual they are dealing with and will make well-informed decisions on the risks posed and opportunities available to them.

Procedure

1. Process to be followed

1.1

- Verify identity with fingerprints - where taking fingerprints is permitted, run immigration searches if not automatic.
- Research identity via Police National Computer (PNC), Niche intelligence, Police National Database (PND) and crime records.

- Obtain travel / identification (ID) documents for your subject - using search powers under Section 44 UK Borders Act 2007
- Scan the biometrics page of any passport(s) and both sides of national ID cards. Attach these to an Intelligence Report (Refer to Operation Chronical)
- Check immigration status and open a case with the IE National Command and Control Unit (NCCU) (redacted).
- Check overseas conviction history. The ACRO Criminal Records Office enquiries are automated within custody (including voluntary attendance) but can be submitted manually via an ACRO Enquiry form if outside of custody.
- Consider Semaphore checks to establish if there is a pattern of travel.
- Conduct an Interpol person search via the Pronto App and consider an I-24/7 check - use your own I-24/7 account or in-force access where possible. The I-24/7 INTERPOL system is the mechanism available to UK policing to circulate and receive international information about people, property, documents, criminal groups, and methods.
- All custody centres, missing persons teams, Violent and Sex Offender Register (VISOR) teams and many operational teams have staff trained to access I-24/7, as well as our Force Research Bureau (Sussex), Data Bureau (Surrey) and International Liaison Officer (ILO) in Force Intelligence Bureau (FIB). For more information on I-24/7 refer to APP.
- Where it applies, issue an IM3 (Notice as regards liability to Deportation form) - where charged and tell the NCCU about case disposal.
- Where appropriate consider the Foreign National Offender (FNO) conditional caution as a disposal option. The FNO Conditional Caution is a voluntary outcome (the offender must be over 18 and will need to agree to leave the country) and offenders must NOT have the right to remain in the UK and be committing immigration offences. Immigration Enforcement will manage the conditions of the Caution once issued, alerting police if the condition is not met.

Surrey refer to Deportation Foreign Nationals Procedure.

Sussex refer to How do I? Extradition.

2. Automated ACRO Checks

2.1 All automated ACRO Checks are returned to a single central mailbox. These are then forwarded on to the Officer in Charge (OIC) for their use.

In Surrey it is the responsibility of (redacted) Custody Support Sergeant and their designated deputy (or Custody Training in their absence) to monitor the mailbox and disseminate incoming ACRO checks to OICs.

In Sussex it is the responsibility of Investigation Hub Supervisors to monitor the mailbox and disseminate incoming ACRO checks to OICs.

3. International app

3.1 If you are dealing with a foreign national, an investigation with foreign links, or have any questions regarding international policing you can obtain up-to-date information via the International app available through the Play Store, or live-time advice and support 24/7 by calling the International Crime Coordination Centre (ICCC) (redacted).

4. Guidance

4.1 Surrey and Sussex Force Intelligence Bureaus have dedicated International Liaison Officers who can provide advice and guidance on international enquiries.

4.2 The National Police Chiefs' Council (NPCC) has produced a useful short guide on international policing.

4.3 The Joint International Crime Centre (JICC) has published extensive operational guidance and practical information on international criminality on the Knowledge Hub (opens an external website in the same tab) (you will need to log in to this) alongside an International Investigation Plan.

4.4 College of Policing International APP, International Criminality Checklist V5

4.5 CJ Guidance Hub - Language Services - Guidance for Officers and Staff.

Team: Specialist Crime Command. Intelligence.