

Accelerated Immigration Enforcement removal of foreign offenders awaiting residency or asylum

Effective use of Immigration Enforcement hearings to implement administrative removal of foreign offenders cultivating cannabis.

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Key details

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| Purpose | Investigation cases |
| Topic | Drugs and alcohol offences Criminal justice Offender management |
| Organisation | Ministry of Defence Police (MDP) |
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| Start date | January 2023 |

Description

Albanian organised crime group (OCG) members and their cultivators were arrested for possession and cultivation offences across North and West London, including on Ministry of Defence (MOD) estate. Following arrest, the suspects provided no comment in interviews and refused to provide mobile device pins.

The suspects had a previous history of arrests for similar drugs offences but no convictions because of a lack of evidence.

The OCG members knew that the most likely outcome from the arrests would be bail with conditions (usually a single condition of residence) or they would be released under investigation. This low-level operating model allowed the OCG to employ and rotate cultivation teams with damaging effect.

The OCG primarily used Western Balkan males as their cultivators. In most cases, these males were known to Immigration Enforcement (IE), however because of a backlog of causing significant delays, their asylum or residence applications had not yet been assessed. The OCG's cultivators existed in a grey area of residency in the UK, legally residing, but only until the backlog of cases can be resolved.

Line of enquiry

The MOD developed an understanding of how IE prioritise their assessment hearings for foreign applications. If someone has committed an offence while they are on the waiting list for an assessment, IE can initiate an accelerated hearing process. This means applications can be denied without a full hearing, and IE local officers can be authorised to undertake administrative removals of offenders.

Outcome

This process offers an alternative disposal outcome, removing foreign national offenders from the UK while saving time and resources for police, Crown Prosecution Service, His Majesty's Courts and Tribunal Services and His Majesty's Prison and Probation Service.