

WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Statement of

[REDACTED]

URN:

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Age if under 18

.....

(if over 18 insert 'over 18')

Occupation:

Immigration Officer

This statement (consisting of 4 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature:

[REDACTED]

☐

Date:

23.04.2020

Tick if witness evidence is visually recorded

(supply witness details on rear)

I am the above named officer; I work on the arrest team at the South Yorkshire Immigration, Compliance and Enforcement, part of the Home Office based in Sheffield.

On 23 AUGUST 2019 at 1850hrs hrs I was part of an Immigration Enforcement Team, comprising of Immigration Officer (IO) [REDACTED], IO [REDACTED], IO [REDACTED], IO [REDACTED], IO [REDACTED] and Assistant Immigration Officer (AIO) [REDACTED]. As a result of information provided by local intelligence we attended SPICE OF LIFE, 8-12 WELLOWGATE, GRIMSBY, DN32 0RA under the Immigration Act 1971.

We attended the business at approximately 1850hrs, I entered at the front of the business with OIC [REDACTED] and IO [REDACTED]. IO [REDACTED] engaged with the staff at the bar to establish who was in charge and explain the power of entry. I proceeded to the far end of the business where I recalled from a previous visit the kitchens were located. As I entered the kitchens I saw two men, who I now know to be [REDACTED] and [REDACTED] both nationals of [REDACTED], fleeing through a door on the far wall.

I recalled from a previous visit that the door led to a corridor which accessed the accommodation above the business. I went through the door, [REDACTED] had turned right and was running towards the backdoor. I alerted officers on rear cover and observed IO [REDACTED] detain [REDACTED] as he attempted to flee from

Signature:

[REDACTED]

Signature witnessed by:

.....

Continuation of Statement of [REDACTED]

backdoor.

I proceeded upstairs to search for [REDACTED]. There were around six to seven rooms upstairs, I believe four or five were bedrooms. An initial sweep did not locate [REDACTED] but the majority of the doors were locked. IO [REDACTED], who was positioned in the backyard, advised by radio that he could see a male on what appeared to be a neighbouring property's balcony.

It became apparent that [REDACTED] had climbed though a velux window in the communal corridor and had attempted to set off across the roofs. He had however reached a deadend.

I put my head through the Velux and observed that there was a drainage channel running beneath two ridges. I went to the rear yard and myself and IO [REDACTED] communicated with [REDACTED] and asked that if it was safe to do so if should get back inside.

I returned to the corridor and waited at the velux, [REDACTED] appeared but was very nervous about coming back in. I spoke to him at length to reassure him that irrespective of his Immigration status he need not take the risk of trying to leave via the roof. He eventually dropped back inside where IO [REDACTED] and I assisted him back in. I spoke to [REDACTED], the following Q&A was conducted using a Big Word [REDACTED] interpreter and was recorded on Pronto: -

Q. When did your student visa expire?

A. Maybe 2016.

Q. What college were you supposed to attend?

A. It was in Ilford. That was my second college, St Andrews. I can't remember the first one.

Q. When did that college close?

A. I studied there 70% attendance. I was there for four months. Then I went one day and there was a sign saying college closed down.

Q. Where are you living?

A. I'm living here.

Signature: [REDACTED] Signature witnessed by:

Continuation of Statement of [REDACTED]

Q. The room you are indicating only has one bed and ID docs for a different man.

A. I sleep on the floor.

Q. How long staying here?

A. Not long. About one year,

Q. Are you working in the business downstairs?

A. Yes. I had no choice. I needed to survive and no one would give me a job.

[REDACTED] admitted to officers which was really his room and his passport was located that confirmed his identity. Checks showed that [REDACTED] grant of Leave to Remain as a student was curtailed on 07 FEBRUARY 2015. His grant of leave had been due to expire on 29 FEBRUARY 2016.

Q. How long have you been working here?

A. I was working for a while and then left. And then I came back recently.

Q. When first work here?

A. I worked for 5-6 days and then left. But no one would give me a job so I came back here.

Q. You said you'd been living here a year?

A. I only came back for food. I work here and they give me free food.

Q. But for how long have you been working here?

A. About one year.

Q. What is your job role, what are your duties?

A. I do washing.

Q. Only washing pots?

A. Yes and plates, peel potatoes and pull the bin out.

Q. What days/hours do you work each week?

A. There is no timetable. When I'm hungry I go down. Maybe three days a week.

Signature: [REDACTED] Signature witnessed by:

Continuation of Statement of [REDACTED]

Q. Who allows you to work?

A. A friend who used to go to the same college brought me here.

Q. But the boss must allow you to work? Who is the boss?

A. I don't know. I just work for food.

Q. What days have you worked this week?

A. Tuesday, Wednesday and today. Not Thursday.

Q. What hours?

A. It depends. They give me a task. I'll do it and if there's another task I'll do that.

Q. How are you paid (money, accommodation, food)?

A. Sometimes they give me money so I save that so I'm ready for my flight.

Q. And you also get the food and flat included with the job?

A. Yes.

Q. You pay no rent for your room?

A. No.

Q. Did the manager ask to see any documents when you started working here?

A. My friend that brought me spoke to the manager. I didn't need to speak to him.

Q. So the manager did not ask for any documents?

A. I have never spoken to the manager.

Q. So who pays you?

A. There are quite a few of them here so it depends.

[REDACTED] signed my interview record to confirm it was accurate. He was arrested and detained under Schedule 2 of the Immigration Act 1971. He was escorted to the cell van.

When the liveried Immigration Enforcement vehicles attempted to leave the car park to the rear of the

Signature: [REDACTED] Signature witnessed by:

Continuation of Statement of

business a man in a car blocked the exit. I was advised he was a delivery driver at the business. IO
and I had to speak to the man to ask him to allow us to leave, which he eventually did.

Signature: Signature witnessed by:

Witness contact details

URN : / /

Name of witness:

Home address: Postcode:.....

Email address: Mobile:.....

Home telephone number: Work telephone number:.....

Preferred means of contact (*specify details for vulnerable/intimidated witnesses only*):.....

Gender:..... Date and place of birth:.....

Former name: Ethnicity Code (16 + 1):

DATES OF WITNESS NON-AVAILABILITY:**Witness care**

- a) Is the witness willing to attend court? Yes ☐ No ☐ If 'No', include reason(s) on form **MG6**.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? (*youth under 18; witness with mental disorder, learning or physical disability; or witness in fear of giving evidence or witness is the complainant in a sexual offence case*)
Yes ☐ No ☐ If 'Yes', submit **MG2** with file in anticipated not guilty, contested or indictable only cases.
- d) Does the witness have any particular needs? Yes ☐ No ☐ If 'Yes', what are they? (*Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?*)

Witness Consent (for witness completion)

- a) The Victim Personal Statement scheme (victims only) has been explained to me: Yes ☐ No ☐
- b) I have been given the Victim Personal Statement leaflet Yes ☐ No ☐
- c) I have been given the leaflet "Giving a witness statement to the Home Office...." Yes ☐ No ☐
- d) I consent to police having access to my medical record(s) in relation to this matter (*obtained in accordance with local practice*) Yes ☐ No ☐ N/A ☐
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes ☐ No ☐ N/A ☐
- f) I consent to the statement being disclosed for the purposes of civil proceedings if applicable, e.g. child care proceedings, CICA Yes ☐ No ☐ N/A ☐
- g) **Child witness cases only.** I have had the provision regarding reporting restrictions explained to me. Yes ☐ No ☐ N/A ☐
- I would like the CPS to apply for reporting restrictions on my behalf. Yes ☐ No ☐ N/A ☐

I understand that the information recorded above will be passed on to the Witness Service, which offers help and support to witnesses pre-trial and at court.

Signature of witness: PRINT NAME:

Signature of parent/guardian/appropriate adult: PRINT NAME:

Address and telephone number if different from above:.....

Statement taken by (*print name*): Station:

Time and place statement taken: