

**WITNESS STATEMENT****Criminal Procedure Rules, r 27.2: Criminal Justice Act 1967, s.9: Magistrates' Court Act 1980, s.5B**Statement of [REDACTED] URN: [REDACTED]Age if under 18 ☐ Over 18 ☐ (if over 18 insert 'over 18') Occupation: Immigration Officer

This statement (consisting of: .... 3..... 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: ..... Date: 30/04/2020

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am Immigration Officer [REDACTED]; I have been employed as an Immigration Officer [IO] since 1992, and I am currently seconded to Humberside Police at Clough Road Police Station in Hull. My regular duties include interviewing foreign nationals to determine their immigration status in the UK and conducting Immigration Enforcement visits to commercial and other premises. On FRIDAY 23<sup>rd</sup> AUGUST 2019 I was on duty as part of an Immigration Enforcement team who had been deployed to the SPICE OF LIFE, 8-12 WELLOWGATE, GRIMSBY, DN32 0RA; THE OFFICER IN CHARGE [OIC] WAS IO [REDACTED] who allocated me a role covering the rear exits while she and other officers entered the restaurant at the front. I took up position at 18:49hrs outside an open fire exit to the right of the building. The door was open and I could see a corridor about twenty feet long, leading to what appeared to be a kitchen or store room. After several minutes, I heard the sound of raised voices from within the kitchen area, and then an adult male wearing a brown chef's jacket and white chef's hat began to run towards me, looking over his shoulder, back into the kitchen area, he hadn't seen me and I suspected that his running away from IOs in uniform demonstrated a negative reaction to their presence and that he may therefore have been an immigration offender in the UK illegally and/or working illegally. Accordingly, when he emerged from the doorway, still running at full speed, I

Signature: ..... Signature witnessed by: .....

grabbed hold of him and immediately arrested him on suspicion of being in the UK illegally. This knocked the wind out of him, after a brief struggle I managed to apply rigid handcuffs in the front stack position, at which point he ceased any further attempts at escape and became compliant. He spoke English and gave his name as [REDACTED]. I then interviewed him and he stated that he had come to the UK as a Working Holidaymaker more than ten years previously and had never applied to the Home Office to legalise his presence in the UK. He stated that he had a wife and child in [REDACTED], that he slept at the restaurant and that he had lost his passport. He had no interest in returning to [REDACTED] voluntarily. I then conducted checks into [REDACTED] immigration status via telephone, this showed showed that he had been granted a Working Holiday maker visa which was valid from 21/5/2009 to 21/5/2011, and that as there was no evidence of any attempt to obtain further leave to remain in the UK he was an overstayer as defined by Section 10 of the 1971 Immigration Act, a decision ratified and authorised by Chief Immigration Officer [REDACTED]. Furthermore, I believed [REDACTED] attire indicated that he had been working at the restaurant, and that, as he had no valid leave to be in the UK, he may have been doing so illegally. I therefore took a photo of him in his chef's uniform and interviewed him about his suspected employment. He stated that he had worked as a Tandoori Chef at the restaurant for three or four weeks and that he worked Monday to Friday from 1700hrs. He stated that he had been given the job by a friend who had since left the restaurant and that he had not shown a passport or any other evidence that he was allowed to work in the UK. He stated that he was paid in cash, paid no Income Tax or National Insurance and that he earned £40-50 per day and was paid by [REDACTED], who he described as the son of the owner of the restaurant. He said that although he stayed a few nights a week at the restaurant, the accommodation was not provided in exchange for working there. At this point I had to terminate the interview for reasons of officer and public safety, as I was by now aware that another male had escaped and was believed to

be on the roof, also a male who I believed to be the manager was shouting and swearing at IO [REDACTED] in the kitchen and in the car park, and a white male I believe to be a delivery driver was wandering around demonstrating extremely angry and aggressive body language, so I felt the need to be ready to protect colleagues if needed. The delivery driver left in his vehicle and came back a few minutes later with a young female passenger approximately 16 or 17 years old. This time he used his car to deliberately block in the marked Immigration Enforcement cell van parked in the car park, before leaving to make a delivery. I escorted [REDACTED] to the van and put him in the rear then waited until IO [REDACTED] had finished serving paperwork to the manager in connection with the visit. As we tried to leave, the delivery driver had by now returned and again deliberately blocked the cell van in with his car, refusing to move it at all initially and then only a few inches at a time, before several IOs approached him and offered some words of advice and we were able to drive away. My statement has not been made in total from my personal knowledge; it has however been made as a result of an inspection of official records compiled in the course of the Home Office's business. The records were compiled by persons acting under a duty, from information supplied to them, who cannot be reasonably expected to have any detailed recollection of the matter dealt with in the information they provided.