

Border Security & Immigration

Driver – Legal

Related Drivers – Counter Terrorism, Organised Crime, Collaborative Working, ID Cards, Migration, 2012 Olympics, Human Trafficking, Prostitution

Background

The driver, **Border, Security and Immigration**, covers all legislation which impacts on protecting the UK against illegal activity such as illegal trafficking of goods and illegal immigration, and on the regulation and policing of legal immigration. This driver can overlap with counter terrorism as counter terrorism activity includes protecting the UK borders, but here both topics are treated separately. Two pieces of legislation have already been passed, the UK Borders Act 2007¹ and the Immigration, Asylum and Nationality Act 2006². These Acts resulted in major changes to key organisations which the police service work in collaboration with, to deliver border security and immigration. The Citizenship, Immigration and Borders Bill³ and the Transport Security Bill⁴ are both pending pieces of legislation as part of the Draft Legislative Programme for 2008/09.

The main provisions of the UK Borders Act give designated immigration officers police-like powers; require foreign nationals living in the UK to get biometric immigration ID cards which can be compulsorily checked; and provide for automatic deportation orders with limited rights of appeal for foreign national prisoners. Although the Act mainly applies to those working within the UK Border Agency, new powers given to designated immigration officers allows them to support police at the border.

Additionally, Sections 44 and 45 enable immigration officers and police officers to enter and search certain premises for documents relating to nationality or identity where they suspect these may be found on those premises. Section 46 allows officers to seize and retain documents. Section 47 extends these powers to designated police civilians. Currently these powers are being piloted in three London boroughs. Following the completion of the pilot, a Home Office circular will advise of a national roll-out.⁵

The Immigration, Asylum and Nationality Act 2006 extended existing powers available at border controls by providing powers to acquire and share information on ships and aircrafts arriving to and from the UK. Additionally, it introduced a power allowing information held by the border agencies to be shared with the police. All of these powers were brought into force on 31 December 2007.

The main purpose of the **Citizenship, Immigration and Borders Bill** is to replace all existing immigration legislation with a simplified legal framework to control UK borders, manage migration and reform the path to citizenship. As of 21 June 2009, the bill has reached a second reading in the House of Commons. The main elements of the Bill are:

- support the concept of earned citizenship

- support the establishment of the UK Border Agency
- replace ten separate pieces of immigration law, of which some of the earlier provisions have already been partially superseded by subsequent Acts, with a single Act of Parliament.

Potential Skills Needs

Collaborative working skills – working effectively with colleagues and other law enforcement agencies to protect UK borders

Document handling skills – to seize and retain immigration documentation from suspects

Evidence collection skills – to collect evidence related to immigration status

Information sharing skills – to provide effective information to partner agencies

Inter-agency working skills – to work effectively with two or more governmental agencies

Multi-agency working skills – to work with other agencies to protect UK borders

Partnership working skills – to work effectively with other agencies to a common goal and standards

Risk management skills - to manage and mitigate risk

Strategic leadership skills - to provide a clear vision and sense of purpose

Technical skills – in the use of Biometric ID cards and other e-border security systems

¹ [UK Borders Act 2007](#)

² [Immigration, Asylum and Nationality Act 2006 \(UK\)](#)

³ [Citizenship, Immigration and Borders Bill \(UK\)](#)

⁴ [Transport Security Bill \(UK\)](#)

⁵ Home Office Circular 6/2008, 'Implementation of Sections 27-28 and Sections 44-47 of the UK Borders Act 2007, and Implementation of Sections 21-26 of the Immigration, Asylum and Nationality Act 2006'.